

NATIONAL CONFERENCE OF INSURANCE LEGISLATORS  
BUSINESS PLANNING COMMITTEE  
SAN ANTONIO, TEXAS  
FEBRUARY 26, 2004  
DRAFT MINUTES

The Business Planning Committee of the National Conference of Insurance Legislators (NCOIL) met at the Hyatt Regency San Antonio Hotel in San Antonio, Texas on Thursday, February 26, at 11:00 a.m. Sen. Steven Geller of Florida, Chair of the Committee, and President of NCOIL, presided. Other members of the Committee present were:

Rep. George Keiser, ND  
Rep. Tony Melio, PA  
Rep. Craig Eiland, TX  
Rep. Kathleen Keenan, VT  
Rep. Mark Young, VT

Others present were:

Bob Mackin, Mackin & Company, NCOIL Executive Director  
Susan Nolan, Mackin & Company, NCOIL Deputy Executive Director  
Candace Frick, NCOIL Director of Education and Legislative Affairs

#### MINUTES

The Committee voted unanimously to approve, as submitted, the minutes of its meeting in Santa Fe, New Mexico on November 26, 2003.

#### DUES AND MEMBERSHIP

Mr. Mackin reported that NCOIL 2004 dues were being received at a brisk pace. He said that, thus far, NCOIL had collected more than \$140,000 in dues for the year.

#### FUTURE SITES

Ms. Nolan reported that thus far, future meeting sites included the following:

- Hotel Inter-Continental, Chicago, Illinois, July 15 through 18, 2004
- Hawk's Cay Resort, Duck's Key, Florida, November 18 through 21, 2004
- Hilton Oceanfront Resort, Hilton Head Island, South Carolina, March 3 through 6, 2005
- Hotel Viking, Newport, Rhode Island, July 7 through 10, 2005

Sen. Geller asked that the Committee consider Asheville, North Carolina, as a future meeting site, provided that the state resumes paying full dues to NCOIL. Denver, Colorado, and Burlington, Vermont, were also suggested as future sites.

Following discussion it was the sense of the Committee that Ms. Nolan initiate a survey to determine the preferences of legislators and interested parties with regard to the sites for future meetings.

Following further discussion, the Committee voted unanimously to approve, as NCOIL policy, the stipulation that NCOIL hold meetings only in member states.

Sen. Geller said that, by approving the stipulation as policy, as distinct from a rule, NCOIL would have the flexibility to meet in a non-member state if it had good reason to do so, e.g., as part of an agreement with a state working to join NCOIL.

#### WEB SITE

Mr. Mackin reported that NCOIL had received considerable negative reaction for restricting some sections of its Web site. He said the Executive Director's office was open to recommendations on how the Web site could be accessible to consumers, the news media, and interested parties and, at the same time, be run on a business-like basis, either through donations to the Insurance Legislators Foundation (ILF) or in some other way.

Rep. Keiser said he believed the costs of regulating access to the NCOIL Web site would be "monumental." He suggested that the Web site show and make available without charge only a summary of NCOIL activity. He said other material, e.g. minutes, could be accessible on a uniform fee basis. He suggested that there could be reciprocity agreements with groups such as the NAIC.

Following a brief discussion, Rep. Keiser's suggestion was refined to one in which the meeting report, now circulated to legislative leaders and chairs, among others, and posted on the Web site, would be available on the Web site without charge.

In response to a request by Ms. Nolan, Ms. Frick explained the rudiments of the present system of restricted access. Ms. Frick said that

- legislators from member states had free access to everything on the Web site, whether or not they had attended the last NCOIL meeting
- NCOIL meeting attendees had access to meeting minutes and the summary report for a specified time period following the meeting attended
- non-attendees must pay for meeting materials according to a fee schedule

- certain other NCOIL documents, including adopted models and resolutions, were available for nominal fees
- the media received full access to NCOIL documents

At the request of the Chair, Mr. Birny Birnbaum of the Center for Economic Justice (CEJ) presented a proposal for accessing the NCOIL Web site.

Mr. Birnbaum said the proposal attempted to reconcile the fact that some charges were necessary to pay for the cost of the Web site and the reality that consumers did not have resources to pay meeting-registration fees. He said his proposal called for free access for students, with documentation of current enrollment, and news organizations. He said individuals not associated with insurance organizations would pay an annual fee, much like a magazine subscription. He said non-profit organizations would pay according to a sliding scale based on annual revenue. Others would have access tied to meeting registration.

In response to a question from Sen. Geller, Mr. Birnbaum said that the fact that non-member states sought minutes and model bills demonstrated NCOIL's success.

Rep. Keenan said the matter involved more than just running the Web site. She said it involved running the organization. She said that some states struggle to pay the \$10,000 and some states want work products without paying dues. She said non-payment was not fair to NCOIL or the people who support NCOIL through the Industry Education Council (IEC).

Rep. Keiser said NCOIL would have to hire a full-time staff person to administer the implementation of Mr. Birnbaum's proposal. He said that the documentation and other costs would far outweigh income. He said the issue demanded a simple solution. He said it would bankrupt the organization rather than generate funds to support it.

Mr. Birnbaum said Rep Keiser's concerns and arguments were absolutely valid. He said his plan rested on documents being provided, but acknowledged that each document would require staff time.

Rep. Young pointed out that any student, consumer advocacy group, or constituent of his could let him know what document they wanted off the Web site and he, as a legislator from a dues-paying state, would provide it.

Ms. Frick noted that any request for documents involved significant staff time and said that implementation of the restricted-access system had been enormously time consuming.

Sen. Geller laid out a plan for resolution of the issue. He said he would appoint a subcommittee which would meet by telephone and provide a specific proposal at the NCOIL meeting in Chicago in July. He said that interested parties could submit written

proposals to the subcommittee on or before March 26. He said Mr. Birnbaum's proposal would be among those considered.

Sen. Geller appointed Rep Eiland to chair the subcommittee. He said that interested parties should forward proposals to Ms. Frick at the NCOIL National Office.

Sen. Geller emphasized that he wanted specific proposals, not discussion.

#### ADJOURNMENT

There being no further business, the meeting was adjourned at 11:45 a.m.

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