

# DAKOTA ADVISOR

Volume 31, Issue 2

Spring, 2007



Al Fabricius, LUTCF  
NDAIFA President

## President's Message By Al Fabricius, LUTCF

Spring and Summer Soon To Be Here!!

Those are the headlines we are all anxious to feel and enjoy as endured another winter. We had some pretty cold weather at times but it didn't prevent our members to make it to Bismarck on several different occasions.

That is a good segue to my first subject to discuss with you as members of NAIFA-ND. The 2007 Legislative session is soon over and although there weren't numerous bills that affected our profession, we did have the STOLI bill that gave us some heartburn. I will keep my comments brief but I need to express my appreciation to 3 people. They are Norbert Mayer, Terry Weis and our own Nancy Bayer. I am a novice in the political arena but as I traveled to Bismarck on several different occasions I fast became aware of the hard work these 3 people put in.

They are highly respected in the political circles and they have "the ear" of many key Legislators. Without their hard and VOLUNTEER work, our members were kept aware of specific events of the STOLI bills as well as other proposed bills. Nancy continuously sent us updates which was very much appreciated by those of us who read them.

With the grass root support of our members across the state and the "in person" support by several NAIFA members we were able to defeat the "high powered" Lobbyists brought in by the Viatical Companies. These people spent 6 figure amounts to defeat Bill 2268 while our grass root constituents along with Norbert, Terry and Nancy gained support from key Legislators and got the bill passed 75 to 18 while working for nothing. (Nancy does receive a stipend for monitoring all bills). We will remember the 18 to whom we gave PAC funds to before the last election!!

### HAVE YOU SENT IN YOUR CONVENTION REGISTRATION YET??

The form was e-mailed last week and it is included in this mailing as well. The Missouri Slope Association has been working hard to put together an excellent program of speakers and fun. The FBF golf tournament is being put together (to be held at Hawktree) as well so be sure to come early and stay late!! Please take a look at the agenda and you will see the opportunities for all of us.

We have some important business to discuss as well. I would like to hear all pros and cons of our proposed dues increase for state dues. I would like us all to discuss the 21st Century concept to see how it all fits for us in North Dakota. Good healthy discussion is always healthy and the sharing of ideas has always improved the position of our Association.

See you in Bismarck May 9,10, and 11!!!!

**Don't forget to register for the  
NDAIFA State Convention  
To be held at the Kelly Inn, in Bismarck  
May 10th - 11th, 2007**

## National Committee Person Report By Terry Weis, NDAIFA National Committee Person

As we draw near to the end of the association and the legislative year we should all be very proud of what has taken place this year.

President Fabricius has had a very busy year traveling the roads of North Dakota. Starting with the traveling ALC road show as he called it, followed by a very busy schedule in the legislature.

When we went into this legislative session no one thought that the viatical settlement bill would be as defining as it became. The money that the settlement companies spent was unparalleled in any state before.

The strength and depth of the members of this association has shown the way to others in the legislative process here in North Dakota. Those people that are not from North Dakota may not understand how we were able to work with Jim Poolman, the ACLI, ND Bankers Association, and NAIFA.

I want to thank everyone who took the time and effort to e-mail, fax, call and visit with your legislators. You made the difference that the opposition could not duplicate. I was told by one of the lobbyists hired by one of the settlement companies that they could not equal our PAC and the grass roots contacts.

For all of you that came to the Capitol for the vote in the House, YOU MADE A DIFFERENCE. Thank You. A special thanks goes out to Elaine Fremling, Jeff Case, Al Fabricius, and Ted Haugan who made the trip to Bismarck three or more times.

It is always good to be on the winning side. And in this case it was the right side for the people of North Dakota.

Norbert deserves great big THANK YOU for the countless time and effort that he put in at the capitol and meeting with legislators.

A volunteer lobbyist is a thankless job. I really appreciate the effort that all of you put forth.

Thank you!!



*North Dakota AIFA Members with Representative Jim Kasper following the House vote of 75-18 passing SB 2268*



Nancy and North Dakota NAIFA members,

Please accept my sincere hearty congratulations to you and NDAIFA for your efforts in securing the successful passage of SB 2268. This effort shows that the grassroots support of professionals like your members can outgun the HIGHLY paid lobbyists that were funded from out of state settlement companies.

I want to especially thank those who spent a whole lot of time up at the capitol visiting with Senators and Representatives to explain the technical issues with the bill and to rally for their support. It was incredibly effective.

I am proud to be associated with such a group, and truly appreciate your efforts.

Respectfully,

*Jim Poolman*

*ND Insurance Commissioner*

P.S. The Senate is expected to concur with the House amendments and pass the bill to the Governor's office tomorrow.

## NORTH DAKOTA AIFA PLAYS KEY ROLE IN ADOPTION OF VIATICAL LAW AMENDMENTS

Last week, the North Dakota House approved a bill designed to add consumer protection measures to the state's existing viatical law and stop stranger-originated life insurance (STOLI) programs. SB. 2268 enacts amendments to the state's viatical settlement law that parallel amendments proposed to the NAIC's Viatical Settlements Model Act. These amendments are designed to add consumer protection measures to the viatical law while not affecting legitimate life settlement and insurance transactions.

As passed by the House on March 27 by a vote of 75-18, SB. 2268 contains certain additional amendments that were sought by North Dakota AIFA. The North Dakota Senate is expected to agree to these amendments and Gov. John Hoeven is expected to sign the bill into law next week.

With the governor's signature, North Dakota will become the first state to enact the proposed NAIC amendments, which are strongly supported by NAIFA. The bill faced intense opposition from the life settlement and life finance industries, which threw a large number of lobbyists and money into their effort to defeat the legislation. North Dakota AIFA members and executive Nancy Bayer played a crucial role in the passage of this legislation, contacting House and Senate committee members, conducting extensive grassroots campaigns and testifying at committee hearings in support of the legislation. Congratulations on an important victory!

Gary A. Sanders  
Senior Counsel, Law and Government Relations  
NAIFA  
703-770-8192  
gsanders@naifa.org

## Legislative Update by Norbert Mayer, Government Relations Chair

The 60<sup>th</sup> Legislative Assembly is winding down and we want to thank all of you who have assisted by sending faxes, and e-mails, making telephone calls and especially to those who took the time to come to Bismarck to sit in on Committee hearings and floor sessions to secure passage of our Legislative issues.

A special thank you goes to Terry Weis for his wealth of experience and timeless efforts in working with the Legislative leadership and to Nancy Bayer for tracking the legislation and coordinating our communication efforts throughout the session.

We were disappointed early in the session with the defeat of HB1247 which would have provided for a \$100.00 tax credit on the short tax form for everyone owning a long term care contract. The 7.6 million dollar fiscal note was the major reason for defeat of this bill. If we are to pass a credit in the future we will need to have a solid grass roots effort which includes our long term care policy holders.

Most rewarding was the passage of SB2268 which discourages the inappropriate use of life settlements by increasing the holding period before a settlement can be made from two to five years on financed policies. Here we saw the influence of big out of state dollars attempting to influence our legislators. In the end our ND Legislators took heed of the strong efforts by the NDAIFA members and passed this bill for the good of our ND Citizens.

Approved were SB2071 and SB 2124 which make the necessary changes in current statute to meet requirements of the Federal Deficit Reduction Act of 2006. These changes now make it possible for the Human Services Dept. to submit our state plan for approval by the Federal Government so that we can participate in the provisions of The DRA of 2006. When approval is received we will work with the Human Services Dept. to provide the Rules and Regulations for the Medical Assistance Program.

The fifth bill we monitored carefully was SB2125 which requires disclosure of financial status, investment objectives etc. to assure that the sale of a fixed annuity to individuals of any age is suitable.

For additional information on bills tracked we invite you to go to (<http://www.ndaifa.org/legislation/legislation.html>)

Thank you again for all of your efforts.

### **NDAIFA Freedom Builder Fund - Patrick Hoffman, CLU, ChFC, LUTCF - Chair**

I would like to invite you all to come to Bismarck for the Freedom Builder Fund Golf Outing. We will play golf at Hawktree G.C. on May 9, 2007. This will be a fun event to kick off the 2007 NDAIFA State Convention. If you have not had an opportunity to play at Hawktree, here is your chance to play the #1 rated course in ND and the #18 rated course in the country with public access. Our format is designed to be enjoyable for golfers of all levels. Those of you who have played little golf will have just as much fun as those of you who play often. You can check out Hawktree G.C. at [www.hawktree.com](http://www.hawktree.com). The donation to the NDAIFA FBF is \$150.00. This covers your green fee, cart, use of the practice range, meal and drink. We hope to see you play and have fun while enjoying one of the most beautiful golf courses you will ever play. Your entry form is included in the State Convention Registration

### **How much fun can a person have before it is illegal?**

Join us at the state NAIFA convention to find out.... Yes, we will have business but I guarantee you it will be lopsided between FUN and work with FUN winning..... So if you want to join us, get your registration in as the deadline for the "early bird" special is April 27<sup>th</sup> after that I can't guarantee you what it will be, as you will have to deal with Nancy and we all know how much fun that would be.... (love you Nancy).

In case you haven't heard, the dress code for Thursday is plain white T shirts (NO LOGO'S) and blue jeans for the day attire switching to Semi-dress for the banquet at 6:15. We need everyone there to make it a great experience so get r' done and fill out the registration forms and send the check. PLUS, we need exhibitors, so if you or your company would like to be an exhibitor or break sponsor or just plain donate money to the FUN (did I mention it was going to be FUN) convention, please do so by April 27<sup>th</sup>...

To the local presidents, could you please e mail Nancy with a list of all NAIFA members that are active or retired military people who will attending the convention. We need this by - April 27<sup>th</sup>... Guess that is the day to remember besides MAY 9- 11<sup>th</sup> at the Kelly Inn in Bismarck. I would really hate to have you miss this one.... So don't! Register and join us in - you guessed it FUN and education.



*2007 Joint Convention  
of the  
North Dakota Association of Insurance and Financial Advisors,  
North Dakota Fraternal Congress,  
Northern Plains Fraternal Insurance Counsellors  
Kelly Inn - 1800 N 12th Street - Bismarck, ND 58501 (701-223-8001)*

### **Convention Information:**

**Registration:** Completed registration form and payment must be received prior to April 27th to qualify for the early registration fee. If paying by credit card (a \$5 additional fee will be applied) - complete and remit the registration form. An invoice will be sent by email.

**Attire:** The Convention attire is 50's casual - jeans and a white t-shirt (no printing or designs on the shirt) are fine. The banquet on Thursday evening will be dress/semi-formal.

**Schedule:** Contests will be held throughout the convention, including 50's trivia, hula hoop, etc.

**Reservations:** Please make room reservations on your own by contacting the Kelly Inn at 701.223.8001 and state that you are with the NDAIFA convention. Room rates are \$59 single/\$69 double.

**Attention Military Members:** We would like all active and former military members to participate in the opening ceremonies. Please note on your registration if you are a member of the military or send an email to our office at [info@ndaifa.org](mailto:info@ndaifa.org)

### **Speakers:**

**Leslie W. Lee, CLU** combines thirty years of sales, marketing and financial services experience into presentations designed to motivate and encourage individuals to excel personally and professionally. He has addressed audiences throughout the US and Canada and taught insurance and related subjects at the University of Wisconsin and in the UW System in addition to presentations for continuing education in the insurance and accounting professions. He has also served as a consultant in litigation involving insurance issues. A popular industry speaker, Les was a speaker at the 2002 NAIFA Convention in Charlotte, NC and has addressed the NDAIFA in the past. Les is currently the national trainer for Farmers Financial Solutions, the broker dealer affiliate of Farmers Insurance Group. In addition to NAIFA and SFSP memberships, Les is listed in *Who's Who in Finance and Industry*, *Who's Who in America*, *Who's Who in the World* and is a Professional Member of the National Speakers Association and the Wisconsin Professional Speakers Association.

**Davina French** is the Chief Transportation Officer for the North Dakota National Guard. She is a graduate from the University of Mary with a degree in Organizational Leadership. Davina is a veteran of Operation Desert Storm in 1991 and Operation Iraqi Freedom One in 2002 where she was the company commander of the 957 Multi-Role Bridge Company and then assigned to the reconstruction of Iraq while serving as the United Nations Oil For Food manager for the Electricity Sector. Her background includes 13 years as a police officer and 12 years as a consultant and training specialist.

**Jim Poolman** is currently serving in his second term as North Dakota Insurance Commissioner, Jim Poolman has focused his efforts on working for and protecting insurance consumers across ND. In addition to the legislative milestones that protect consumers, Poolman has also worked to maintain a healthy and competitive marketplace for the insurance industry. He continues to work closely with industry to ensure that consumers have a broad range of insurance companies from whom to purchase insurance. Commissioner Poolman has also taken an active role in the National Association of Insurance Commissioners (NAIC). He sits on the National Insurance Producer Registry (NIPR) Board of Directors. Poolman was born and raised in Fargo, North Dakota. He attended Fargo Public Schools and graduated from Fargo South High School in 1988. In 1992, he graduated from the University of North Dakota in Grand Forks with a Bachelor Degree in Business Administration. Before taking office in January 2001, Poolman was employed with the Bremer Bank. As a Trust Officer, he assisted corporations with tax deferred employee benefit plans, individual retirement planning and asset management. Commissioner Poolman and his wife Nicole have three children.

**Thomas D. "Tom" Currey, CLU, ChFC, LUTCF** lives in Grand Prairie, Texas and offices in Mansfield, Texas. He is a 28-Year veteran of the financial services industry. Tom is a native Texan and a graduate of Baylor University. After deciding that the life of a freelance musician was much too stressful for his family, he entered the insurance industry with Mutual of New York in 1979 and was a career agent with management and training responsibilities. In 1984 Tom left MONY to establish TDC Financial Services. Today, he works with individuals and small businesses to make their financial plans make sense.. Tom is a member of the Great Southwest AIFA and was the 1994 recipient of the Great Southwest Career Service Award. In 1998 he was the first recipient of the Great Southwest AIFA Member of the year award and in 2002 was honored with the Texas Leaders Round Table Outstanding Achievement award. He is a past president of the NAIFA-Texas, an IFAPAC Emissary. He serves as an APIC contact for his state and national political representatives. He served as member and chairman of the NAIFA Leadership Development Task Force, chairman of the NAIFA Leadership in Life Institute Task Force, and chairman of the NAIFA Committee on Associations. Tom was first elected NAIFA Trustee in 2004. His liaison assignments include the Association Executives Council and the APIC Committee. Tom has served on committees for the Grand Prairie ISD, Grand Prairie Chamber of Commerce and Grand Prairie Metro Rotary Club. He served as Director of Music for the First United Methodist Church of Grand Prairie and is a frequent substitute Sunday School Teacher. Tom claims his family as his greatest asset. His wife of 34 years, Charlotte, teaches in the Dallas ISD. Tom and Charlotte have four sons: Matthew, 31; Adam, 28; Isaac, 24; and Joel, 21. Tom tries to live his epitaph: He Encouraged Others.



**Wednesday, May 9th**

10:30 -3:00 FBF Golf Tournament at Hawk Tree  
 5:00 pm Registration Open  
 Executive Committee Meeting  
 6:30 NDAIFA State Board Meeting  
 8:00 Welcome Reception

**Thursday, May 10th**

7:00 - 10:00 Registration Open  
 8:00 Exhibits  
 IFAPAC Board Meeting  
 9:00 NPFIC Meeting  
 10:00 Welcome/Opening Ceremony—  
**Mayor John Warford/** Honor Guard  
**Speaker: Commissioner Jim Poolman**  
 Lunch - **Speaker: Tom Currey**  
 NAIIFA Trustee  
 11:30 Exhibitor Break  
 12:30 pm **Speaker: Les Lee, Topic: The A, B, C's - A**  
 1:00 **prime for life (including your business life)**  
 Exhibitor Break  
 2:30 **Speaker: Les Lee, Topic: The A, B, C's**  
 3:00 Exhibitor Fair/Cash Bar  
 4:30 Dinner/Awards Banquet/  
 6:15 President's Reception  
**Speaker: Davina French**

**Friday, May 11th**

7:00 - 8:00 am Breakfast Buffet  
 8:00 **Speaker: Les Lee**  
 Topic: *Ethics in Business - An Oxymoron*  
**Speaker: NAIIFA Trustee Tom Currey**  
 Topic: *Leadership*  
 9:00 NDAIFA Annual Meeting  
 9:45 NDFC Annual Meeting  
 10:45

**Presentations by Leslie W. Lee, CLU, ChFC*****The A, B, C's - A Primer For Life (Including your Business Life)***

Not alphabet soup, but a guide to success in an ever changing business world. Les uses each letter of the alphabet to remind the listener of "key" concepts necessary to be a complete person and professionally serve clients. Personal, family and business relationships are all examined with real life stories used to give added emphasis to the ideas presented. Examination of the basics: how life insurance really works and why it is wanted after retirement, basic rules of estate planning and retirement fundamentals will all be addressed in easy to understand terms that will help you bring up these issues with clients in a comfortable and yes, entertaining way. Handouts will allow your active participation in the presentation and provide a ready reference of ideas that can be immediately put to work in your practice.

***Ethics in Business - An Oxymoron?***

This timely presentation applies to more than simply business decisions. Let's make sure that "Business Ethics" is not comparable to "Jumbo Shrimp" as an oxymoron. We will look at the roots of ethics - where did they come from? Exploring how we learn ethics and how they are applied in a not-so-perfect world is a real challenge, but essential in being honorable in our business and personal lives. Examples taken from recent and not so recent history will give personality to the concepts presented and raise awareness of how we must face decisions on a daily basis. Handouts will serve as reminders of the concepts covered and a reference for the future.



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**2007 NDAIFA/FIC/FRATERNAL CONGRESS CONVENTION  
May 9th - 11th, 2007**

Please print name exactly as you would like it to appear on your name badge

**2007 State Convention  
REGISTRATION**

Name \_\_\_\_\_

Designation(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone \_\_\_\_\_

Early Registration Before April 27th      Late Registration After April 27th

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- Banquet Wine Sponsor      \$20.00

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- NDAIFA       Non Member
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**Rooms at Kelly Inn - Bismarck  
1800 N 12th Street - Bismarck, ND 58501  
Reservations: 701-223-8001  
\$59/single - \$69/double**

## Membership News

### Keith Phillips, LUTCF - NDAIFA Membership Chair

We are approaching the last quarter of the year. My, how the time flies! Now is the time for us to take a look back over the first three quarters and review what we have done in terms of membership. Remember, membership is a lot more than just signing up new members. We must make sure that we are also retaining the members that we have. It is so easy to thank that new member for joining our organization and then just forget them. The Seven Touches Program is the perfect system to accomplish this and much more. If you are not using the Seven Touches Program, I highly recommend that you start. I guarantee it will show positive results for your Association. Please contact me for more information.

By examining the last three quarters, we will be in a better position to evaluate the direction we need to take to reach our membership goals at the end of our NAIFA year. Every Association in this state is well within reach of obtaining their year end membership goal. I would hope that you don't feel that you are being asked to meet your goal just for the sake of meeting your goal. Additional members bring much needed revenues into our organization at all levels. Also I have a feeling that all of you would love to have additional members to ease the load of running your Association.

Although the final results for the March 31<sup>st</sup> 80% benchmark are not in yet, we do have at least three Associations who have surpassed it. Lake Region is at 91%, Missouri Slope is at 83% and Central is at 81%. Congratulations to you!! Great job!!

Since this is my last newsletter article as your State Membership Chair for the past two years, I need to thank each and every one of you for your hard work. It has been a joy working with all of you.

Last, I would ask all of you to support Jeff Case as your next State Membership Chair. Jeff has shown over the past years that he has a passion for NAIFA and for membership. He will do a tremendous job.

Again, from the bottom of my heart, thank you to all!

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## AHIA UPDATE

### March 2007

**Advocacy** – The House and Senate held hearing on health care reform. While a consensus had not been reached, mandated employers to include health insurance in their employees' compensation packages has the potential to be "the middle" position in the debate on health insurance affordability and accessibility. Right now, it is "book ended" by the President's proposal on the right, and single-pay universal coverage on the left. The debate will take time to play out—but right, center or left; most currently pending proposals could result in a sea change in the world of health insurance. For AHIA's position on these various proposals view the Health Legislative Grid.

**Coalition Efforts** –AHIA remains active in several legislative coalitions including efforts to preserve the Medicare Advantage program and to enact favorable health care reform and LTC legislation.

**Regulatory Outreach** – AHIA continues its communication with CMS and the AoA to distribute information regarding the Medicare Part D as well as the government's long term care awareness campaign.

**EduCalls** – The remaining 2007 EduCalls follow:

**April 16, 2007: Get the Latest Buzz on Individual Health Plans- Patrick Malak**  
**May 7, 2007: Worksite Plans: Are They Right for Your Client? Phil Vance and Darryl Oliver**  
**June 11, 2007: A View from Capitol Hill**

Client-related "Member of AHIA" materials, newsletter articles and related membership benefits will be distributed according to the following monthly themes:

*March – Sales Ideas; April – Individual Health; May – DI Awareness*  
*June – Group Health; July – DI; August – Critical Illness*

**Member Benefits** –AHIA is in the process of reviewing 4 new marketing agreements. Additionally, the Member Benefits Products and Services Sub Committee is in the process of distributing a products and services survey in order to enhance AHIA's product and services.



## **Minot AIFA News**

### **Al Schon, President**

Minot has been working at acquiring new members. We have several in the making with two-three that submitted the application with money this month and in the process.

Minot-NAIFA has also been very busy Saturday mornings meeting with the legislative elected representatives at the Minot auditorium. This has been going on for several months, with thanks to Ted Haugen, Jeff Case, Darrel Hovde, Rick Wallace and Jim Bierschbach for their great informative sessions of questions and answers set forth to the legislators. Minot also participated in the "Meet the Star" legislative reception with our local legislators in Bismarck, in February 2007.

We have participated in the e-mail and fax support to the legislative representatives in supporting SB 2268.

Our strategy meetings for Minot continue on the 4<sup>th</sup> Friday of the Month, to map out direction and spend time talk about the issues of NAIFA. This is a big jump to stay on top of current legislative, NAIFA and our local issues.

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## **NAIFA Roughrider News**

### **Kathy Johnson, President**

The NAIFA Roughriders have been busy with membership, thanks to Sam and Todd. They have been doing an outstanding job contacting people. In April our meeting will be held in Bowman and Insurance Agents have been invited to attend this meeting. Hopefully we will get some new members from that. Dee Stroh, our President-Elect has been busy filling all positions for next year and elections will be held in May. I know Dee will do a good job as President for 2007-2008.

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## **NAIFA-FM Report**

### **Judi Lundstrom, President**

In the midst of the wonderful winter we have been experiencing, as I write this, we get hit with a blast of arctic cold that reminds us of where we live. We continue to wonder WHY we live here when our mid day temps are in the minus double digits! But spring is around the corner and we love that.

Even so, NAIFA-FM has been doing great things. Our membership retention and recruitment has exceeded the January benchmark of 60%. Special thanks goes to Keith Phillips and his diligent committee for all their work.

December 7<sup>th</sup> was a special day to celebrate our Christmas Cheer and Awards Banquet. Nearly 70 members and guests attended the event. Keith Phillips was honored as the Advisor of the Year for NAIFA-FM. We are all very proud of the work he does for local, state, and national. The Fargo South PIZZAZ group sang and danced their way into our hearts. Julie Wilson and her committee did a great job of putting together a relaxing and fun evening.

A CE blitz day is held twice a year to give members their necessary 12 credits annually. The October Day was well attended and we look forward to the March CE Day. We thank Chris Dufault for all his work in getting these two very important days lined up.

The local membership will be surveyed as a start to our strategic planning efforts. A group of 4 current Board members, 4 past Board members, 3 YAT, and 3-4 ad hoc members will, in a retreat setting, be asked to commit time and effort to look at NAIFA past and present and develop an outline for the future.

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