



Nebraska REALTORS® Association

RPAC Handbook

Approved 1-25-21

General Information

What is NE RPAC?

A Political Action Committee or PAC is a group of people who pool their resources to support candidates who support their industry. The Nebraska REALTORS® POLITICAL ACTION COMMITTEE (NE RPAC) supports candidates who support the real estate industry. The voluntary investments NE RPAC receives are used to support candidates for federal, state, and local office who demonstrate their support for the preservation of private property rights and the real estate profession.

Who sponsors NE RPAC?

NE RPAC is sponsored by the Nebraska REALTORS® Association (NRA). The Association provides the professional staff and office facilities required to maintain NE RPAC.

Who administers NE RPAC?

A 9-member board of Trustees is responsible for all NE RPAC operations and financial disbursements. Each trustee is politically active and contributes time and money to the efforts of NE RPAC. The trustees meet to make funding decisions based on recommendations/input from the REALTOR® Champion Workgroup and lobbyists, voting records for incumbents, and a candidate's support and/or knowledge of issues of importance to the real estate profession and industry.

The Board of Trustees consists of nine (9) members:

- Two (2) members from the Omaha Region
- One (1) member from the Lincoln Region
- One (1) member from each of the (3) NRA Regions (Western, Central, Eastern)
- Three (3) members at large.
- The following rules apply for all Trustees:
 - Each Trustee term lasts three (3) years.
 - Trustee terms coincide with the elective year of the Association.
 - Trustees shall serve no more than two successive (consecutive) three-year terms;
 - Trustees may be eligible for reappointment after a one year waiting period.
 - Should a member be appointed to the Board of Trustees to fill a vacancy of an unexpired term that appointment will NOT be construed as one of the Trustee's two successive three-year terms.

Who Can Contribute and Who Can Be Solicited?

RPAC is a Nebraska political action committee organized pursuant to the Nebraska Political Accountability and Disclosure Act (the NPADA) (§§49-1401et seq., Nebraska Revised Statutes), which regulates the financial activities of state political action committees (PACs) in Nebraska. This act allows an association, in this case the Nebraska REALTORS® Association, to form a PAC and to provide it with administrative support. Because RPAC is this type of organization, Nebraska law limits RPAC investments to those persons who are members. As NE RPAC investments are divided between the state and the federal RPAC, persons who invest must be dues-paying members of both the Nebraska REALTORS® Association (NRA) and the National Association of REALTORS® (NAR) in order to contribute to NE RPAC.

Pursuant to the organizational structure of NRA, all members of local associations of REALTORS® are members of NRA, and therefore, can contribute. Please note that Nebraska law may not provide separate restrictions with respect to who can be solicited for investments; however, federal law does restrict solicitations. The Federal Election Campaign Act (FECA) limits the class of individuals that can be solicited to contribute to RPAC. This “restricted class” or “solicitable class” consists of association members, including individual affiliate members of state and local associations, the executive and administrative personnel of NAR and state and local associations, and any of their immediate family members.

To be solicitable for RPAC, a contributor must be a “member” or an employee of an association at any one of the three levels of the REALTOR® association structure (local, state, and national). Individuals holding “affiliate member” status in local or state associations may also be solicited. Any individual in the restricted class may be solicited for RPAC an unlimited number of times in any legally permissible way, except that solicitation of employees of REALTOR® associations *other than* executive and administrative personnel is more narrowly restricted. Individuals not in the restricted class, however, regardless of their relationship with a state or local association, cannot be solicited for RPAC in any way or at any time.

What investments are prohibited?

Nebraska law has established certain prohibitions with respect to the sources of certain investments that can be received by a political committee such as RPAC. The following investments are prohibited:

- Any cash investment in excess of \$50.00 per day.
- Any anonymous investment.
- Any investment in the name of another. (See N.C.G.S. § 163-278.14.)
- Investments from anyone other than those in the solicitable class.

What is the different between hard dollars (RPAC) and soft dollars (PAF)?

Only hard dollars (voluntary personal dollars) can be contributed to NE RPAC. In Nebraska, we can only have 1 PAC. Therefore, soft dollars (corporate dollars) may be sent to the NAR Political Advocacy Fund (PAF) or Corporate Ally Program (CAP). Corporate dollars cannot be given to any federal candidates.

Where do Nebraska RPAC dollars go?

All funds eligible to be invested in candidates in political races are expended for that purpose. A portion of the annual investments NE RPAC receives are forwarded to NAR’s REALTORS® Political Action Committee (RPAC) for use in federal campaigns in Nebraska and throughout the country. In this manner, NE RPAC participates in the political process at the national level, where a multitude of legislative issues threaten private property rights and the real estate industry. The remaining funds are invested in candidates at the state and local association levels.

What does our NE RPAC disclaimer say about those dollars and their distribution?

Investments are not deductible for federal income tax purposes. Investments to NE RPAC are voluntary and are used for political purposes. The amounts indicated are merely guidelines and those in the solicitable class may contribute more or less than the suggested amounts. The National Association of REALTORS® (NAR) and its state and local associations will not favor or disadvantage any member because of the amount contributed or a decision not to contribute. You may refuse to contribute without reprisal.

85% of each non-major investor investment and 70% of a major investor's investment is used by NE RPAC to support Nebraska state and local political candidates. 15% from non-major investors and 30% from major investor's investments are sent to the NAR RPAC to support federal candidates and is charged against a solicitable class member's limits under 52 U.S.C. 30116.

NE RPAC refers to investments, so is it true that NE RPAC also endorses?

No. Only the Nebraska REALTORS® Association Board of Directors can make a formal endorsement or commitment of the general membership for a candidate. NE RPAC supports candidates through investments for political campaigns.

Who decides which candidates receive NE RPAC support?

Local REALTOR® boards and associations throughout the state and individual NE RPAC members are asked to interview candidates and make recommendations as to which candidates should receive campaign investments from NE RPAC. At the Nebraska REALTORS® Association (NRA), our REALTOR® Champion Workgroup (RCW) interviews state level candidates and makes recommendations to the NRA RPAC Trustees. NE RPAC supports candidates who share our concern for protecting the rights of private property owners and keeping the real estate industry strong. Local associations have the ability to make their own decisions on local races and are required to submit a local candidate request for each candidate they want to support.

- Once the Trustees have decided to support a candidate, no Trustee may publicly oppose that decision among the Nebraska REALTORS® Association membership.

Does NE RPAC invest in multiple candidates in the same race?

While not a common practice, some cases warrant special consideration at the recommendation by the RCW, the lobbyists, and/or RPAC Trustees. Likewise, there are times when NE RPAC remains neutral in races when a distinction cannot be drawn between candidates regarding REALTOR® issues.

Does NE RPAC guarantee support to REALTOR® candidates?

The NE RPAC strongly urges members to actively participate in the political process at all levels, including the pursuit of political office. NE RPAC also acknowledges that candidates for public office should be considered for support or investments on the basis of individual merit in the context of the office sought. Accordingly, membership in NE RPAC or other associations, past or present, direct or indirect, does not guarantee that an NE RPAC or NRA member is entitled to or will receive support or investments.

Does NE RPAC support incumbents?

Yes. An incumbent is supported when his or her voting record and actions demonstrate solid and consistent support for REALTOR® related issues.

Which political party does NE RPAC support?

It is not affiliated with any political party; we are the REALTOR® Party and we support candidates that support our issues!

How are NE RPAC investments delivered to candidates?

After a NE RPAC check has been generated, the Governmental Affairs Director coordinates the delivery of RPAC checks.

How is it decided who helps deliver RPAC contributions to candidates?

Here is a general list for deciding who attends fundraisers or other special events where an RPAC contribution (check) is being delivered to a state elected official and or candidate:

- State Political Coordinator, RPAC Trustee Chair, State RPAC Fundraising Chair, NAR REALTOR® Party Council Members, Governmental Affairs Committee Chair, REALTOR® Champion Workgroup Chair, RPAC Trustee Vice Chair, Governmental Affairs Committee Vice Chair, REALTOR® Champion Workgroup Vice Chair, RPAC Trustee, Local RPAC Fundraising Co-Chair, RPAC Major Investors, NRA Executive Committee, REALTOR® Champion Workgroup Member, Governmental Affairs Committee Member, Fundraiser Attendees, and First-Time Attendees.
- **NOTE:** When delivering an RPAC contribution, and taking a photo with that candidate/elected official, keep the check **OUT** of the picture. **NO CHECKS in PHOTOS!**

Is NE RPAC a grassroots effort?

Yes. Trustees, who are all active in real estate, volunteer their time to come together and act for the membership.

What can members do about the government's expanding restrictions on their business?

Get involved in the political/governmental process!

NE RPAC and the Nebraska REALTORS® Association (NRA) effectively coordinate their respective efforts by actively participating in political campaigns and maintaining an effective lobbying effort. The two efforts go hand-in-hand, and neither can be effective without the other. The government's role in the real estate industry has been steadily increasing on all three levels of government. In order to maintain a healthy climate for the real estate industry in Nebraska and preserve real property right as they exist today, Nebraska REALTORS® must participate in the political process through NE RPAC. REALTOR® lobbying efforts in Lincoln and Washington, D.C., cannot be effective unless individuals who share REALTORS® concerns are elected to public office.

Every candidate needs financial assistance to get their message before the voting public. This is why NE RPAC was formed – to help candidates who support the REALTOR® mission get elected.

How are state annual RPAC goals determined?

The NRA REALTOR® Party Team formulates a state RPAC fundraising goal utilizing a combination of the upcoming year's NAR President's Cup guidelines and forecasted growth in RPAC and advocacy based on current and new trends in the state. Each year NAR publishes updated requirements for states to earn a President's Cup. The President's Cup recognizes the hard work state and local REALTOR® leaders and association staff perform to advance the REALTOR® Party. This high honor continues as REALTOR® leaders and state and local associations are urged to achieve especially important advocacy and RPAC goals. The President's Cup is presented annually in May at the REALTORS® Legislative Meeting & Trade Expo to states who meet all advocacy and RPAC goals.

How are local annual RPAC goals determined?

Local associations have 2 options in structuring their annual RPAC goals. One way is to create their own fundraising goal, utilizing criteria necessary to earn a Nebraska Cup. (The Nebraska Cup recognizes the hard work local REALTOR® leaders and association staff perform to advance the REALTOR® Party in Nebraska. This high honor continues as REALTOR® leaders and local associations are urged to achieve especially important advocacy and RPAC goals. The Nebraska Cup is presented annually in March/April at the Nebraska REALTORS® Association Convention & Exhibition to local boards who meet all advocacy and RPAC goals. Another way a local board can determine its annual RPAC goal is by utilizing a per member goal, which is calculated by taking the state RPAC fundraising goal and dividing it by the total members of the Nebraska REALTORS® Association for that year. In 2018, the state RPAC Fundraising Goal was \$240,000. With 4,587 members, the per member goal is calculated as \$52.32 per member in that board. *(100 members = \$5,232 for a per member goal)* Both methods for creating a local association goal play an important role when considering the local board entitlement program. Corporate Ally donations are counted towards RPAC goals.

What are entitlement funds?

Entitlement funds are RPAC funds returned to local associations, as a portion of RPAC funds raised by that local association and are used for local campaign investments and local ballot issues. The amount of those funds is determined in by how the entitlement funds are calculated, per how that local association determined their RPAC goals. Applications for these funds shall be requested to and approved by the Nebraska REALTORS® Association (NRA) RPAC Trustees.

How are entitlement funds calculated?

The purpose of the Nebraska Local Board Entitlement Program is to return to the local associations a portion of the RPAC funds raised to be used for local campaign investments and local ballot issues. At the end of each calendar year, an accounting shall be made and kept by the Nebraska REALTORS® Association of the RPAC funds raised, including per member, by each local Board. If a local Board meets its annual RPAC Fundraising Goal, as set by that local Board and agreed upon by the Nebraska REALTORS® Association RPAC Trustees, OR reaches its Per Member Goal*, 30% of those RPAC funds less corporate ally donations can be obtained for local candidate campaigns or local ballot issues by written request from the local Board.

Fundraising Goal Example: If local Board A reaches their 2018 RPAC Fundraising Goal of \$5,000, they will have earned 30% or \$1,500 in entitlement funds. Those funds can be requested and invested locally anytime starting in 2019 AFTER their 2019 RPAC Fundraising Goal has been established and agreed upon by the NRA RPAC Trustees. Any remaining entitlement funds from said 2018 entitlement amount of \$1,500 will be lost if not requested and invested by December 31, 2022. Although corporate ally donations are included in the RPAC goal, for purposes of board entitlement, the corporate ally donation will be deducted from the RPAC dollars raised to calculate board entitlement funds. Corporate Ally donations are soft dollars donated to NAR for advocacy purposes, these dollars are not collected at the state level.

Per Member Goal* Example: If a 100-member local Board reaches their 2018 RPAC Per Member Goal* of \$5,232, they will have earned 30% or \$1,569.60 in entitlement funds. Those funds can be requested and invested locally anytime starting in 2019 AFTER their 2019 RPAC Per Member Goal* has been established and agreed upon by the NRA RPAC Trustees. Any remaining entitlement funds from said 2018 entitlement amount of \$1,569.60 will be lost if not requested and invested by December 31, 2022. Although corporate ally

donations are included in the RPAC goal, for purposes of board entitlement, the corporate ally donation will be deducted from the RPAC dollars raised to calculate board entitlement funds. Corporate Ally donations are soft dollars donated to NAR for advocacy purposes, these dollars are not collected at the state level.

(Major Investor investments are \$1,000 or more in RPAC funds annually, are processed through the state Association, and count toward both a local Board's annual RPAC Fundraising Goal and their Per Member Goal*. President's Circle investments are \$2,000 annually and go directly to REALTOR® Champion Candidates at the Congressional level but may **NOT** be counted toward a local Board's annual RPAC Fundraising Goal or Per Member Goal*; as no funds are collected at the state level.)

The applicable NRA request form must be sent to the NRA Governmental Affairs Director and shall be granted within 7 business days of the request. Local Boards that do not meet their RPAC Fundraising Goal or their Per Member Goal*, or have a \$0 entitlement funds balance, shall be required to present all entitlement funds requests to the full NRA RPAC Trustee Committee for consideration. The entitlement period shall run in a use-it or lose-it recurring cycle of 4 consecutive years.

Entitlement balances will not calculate to go below \$0. If local Board A receives \$1,500 or the 100-member local Board receives \$1,569.60 in entitlements but ends up investing \$2,000 locally because they went to the full NRA RPAC Trustee Committee for approval of additional funds, their entitlement balance will stop at \$0 and NOT -\$500 or -\$430. Upon reaching their next annual RPAC Fundraising Goal **OR** Per Member Goal*, 30% of those RPAC funds would be added to their \$0 balance and grow from there.

Note: All local Board requests that fall outside the above guidelines and procedures will still be eligible for review and consideration by the full NRA RPAC Trustees Committee. Regardless of the entitlement balance remaining for the local Board, the vote of the NRA RPAC Trustees is the final authority in all requests for local and state RPAC monies.

Advocacy is the responsibility of every local Board. And even if your entitlement balance is low or depleted, it is important that the NRA RPAC Trustees consider your community needs for RPAC support. It is important at every level of Association (local, state, & national) that we promote REALTOR®-issue-friendly candidates and incumbents that best align with our issues and who help us promote and protect property rights, the real estate industry, and the American Dream of homeownership.

*A **Per Member Goal** is calculated by taking the state RPAC Fundraising Goal and dividing it by the total members of the Nebraska REALTORS® Association. In 2018, the state RPAC Fundraising Goal was \$240,000. With 4,587 members, the Per Member Goal is calculated as \$52.32. If a local association has 100 members, their per member RPAC goal for that year would be a total of \$5,232 (per member rate of \$52.32 x 100 members = \$5,232).

Investment Reporting Guidelines

State and federal laws mandate that NE RPAC report investments from members in a timely, accurate, and detailed manner. If an RPAC investment is more than \$50, it must be forwarded to NE RPAC within 10 days. If the investment is \$50 or less, it must be forwarded within 30 days.

Submitting RPAC Funds

Prior to sending any RPAC checks to NRA please use the provided NRA RPAC excel spreadsheet

template to supply NRA with backup information for RPAC investments. Please complete the fields highlighted in red and show the total on the bottom. This total should match the amount of your check(s) to us. Please email this to NRA's Finance Assistant Molly@NebraskaRealtors.com prior to sending payment.

NRA no longer needs copies of checks or credit card receipts. Please retain these at your local board.

RPAC checks received at the local association and or event(s) should be deposited into that local association's account and then one check written to RPAC and sent to the NRA office. Please call (402) 323-6500 with ANY questions.

Building an NE RPAC and REALTOR® Party Culture

Building a NE RPAC and REALTOR® Party culture is probably the most challenging task we have, but it is essential to creating and maintaining a successful PAC and advocacy presence in the real estate industry. Once we learn how to properly and effectively raise money, the challenge then becomes encouraging member involvement.

Building an NE RPAC culture is essential to:

- the continued success and growth of the real estate industry
- the profitability of our profession
- the unified voice of the REALTOR® Party
- being one of the most influential PAC s in NE

If you incorporate any or all of the following programs, you will be on your way to building a culture of Nebraska REALTORS® who believe in investing in their future.

Member Involvement

To begin:

- Start at the top. Ask your Board of Directors for 100% NE RPAC participation.
- Spread the NE RPAC message in good times and in bad.
- Talk about issues from all three levels of government; in particular, those happening in your own backyard.
- Start early and encourage the education of new NE REALTORS® about the importance of protecting their industry.
- Promote the REALTOR® Party philosophy, which means we support REALTOR® issues.
- Recognize investors. (i.e. celebrations, events, newsletters)
- Celebrate our legislative successes. (i.e. state association meetings, events, newsletters)
- Tailor your presentation and materials to target each group differently (i.e. Participation, Major Investors, YPN, Phone Banks).
- Arrange for your association to attend the Political Action Days and Capitol Day in January to meet with your elected officials and discuss important issues facing the real estate industry.
- Instill a culture at your local Board.
- Invite elected officials to speak to your members about issues relevant to the real estate industry.

Fundraising Fundamentals

Contributing is Investing

If people cannot determine a specific benefit from contributing to any source – church, charity, candidate, etc. – they are not likely to make an investment. To be successful in fundraising, you must be able to convince your prospects that investing in NE RPAC will bring a direct return in the form of better government, the election of better candidates, and a more effective presence by the real estate industry in the political and legislative processes in the country. Even a relatively insignificant investment will be viewed as a waste of money if the investor cannot identify any resulting benefit.

This section considers the motivational aspects of successful fundraising – why people invest money. A better understanding of fundraising basics will help you avoid some of the common failures in raising money and increase your chances of success.

Reasons People Invest

To motivate members to invest, you must understand the primary reason people make an investment to any cause. Making the decision to give is very personal and can be quite different for everyone. The more you understand the motivation behind the giving, the more successful you'll be.

1. They believe in the cause.

Most members invest in NE RPAC because they believe in the cause for which it was established: to help elect candidates at the federal, state, and local levels who are supportive of the real estate industry. Many believe that the candidates NE RPAC supports are the same candidates they would support personally. Others, while perhaps disagreeing occasionally about certain candidates, feel that the advantages gained by having Nebraska REALTORS® speak with one voice through NE RPAC outweigh any personal reservations about one or two candidates.

For whichever reason, most members who invest in NE RPAC do so because they believe that the organized REALTOR® activity in the campaign process will not only result in a better business climate for the real estate industry but will also create better government for all.

2. They want to help or please the one who asks

In fundraising, some members invest simply because they want to help the one who is asking. For example, a solicitor might say to another member, “Joe, I promised to raise \$1,000 for NE RPAC, and I still need to raise \$200 by tomorrow. Will you help me make my goal by joining the \$99 Club?” In this case, the member who invests may be motivated more by the desire to help out a friend or fellow association member and will invest in NE RPAC.

Similarly, some members will invest when their broker asks as it is a person they know and trust. They look to that broker for good business advice and support and if it is an investment they believe in that plays a valuable role for the agent to consider. And in that case are often likely to invest in NE RPAC.

3. They desire recognition or reward.

Another reason people make investments is the human desire for recognition and reward. In reality, most people respond to a bit of praise and attention.

In fundraising, recognition is an important element in motivating members to invest.

Investments from members must be properly rewarded. It is almost impossible to hand out too many awards for NE RPAC in the fundraising process. Lapel pins, ribbons, certificates, etc. are not expensive and should be an important part of your fundraising drive.

Reasons People Do Not Participate

1. They are never asked.

Raising money must be done the old-fashioned way: you must ask for it. If people are not asked, they will not invest. Plain and simple.

Only a relatively small percentage of members regularly attend national and state association meetings. Some do not even attend their local association meetings. Therefore, general appeals for NE RPAC investments at such meetings do not reach most members.

2. The fundraising appeal is too vague.

People may also decline to invest in a cause because the fundraising appeal is too vague. To succeed, a solicitation must state the case effectively. Any solicitation, written or verbal, must provide the prospective investor with all the information needed to understand why and in what he or she is being asked to invest.

Think of it this way...a potential homebuyer needs to know everything about a house before an offer is made. How old is it? How many square feet? How many bedrooms? How much are the property taxes?

A potential investor needs to know more than merely the fact that someone is asking for an investment to NE RPAC. There is a need to know where their money will go, how it will be spent, who decides how to spend it, what benefit it has for the investor, and so on.

3. They don't know how much to invest.

Some people do not respond to an appeal for funds because they are uncertain about the appropriate amount to invest. One of the fundamental principles of fundraising is that people are not likely to participate unless they are asked for a specific amount, or at least an amount within a clearly defined range. A "give what you can" or "give what you feel is right" approach does not work in fundraising. It is no accident that professional fundraising organizations always ask for specific amounts during their fundraising appeals.

Countering Objections

I don't believe in giving money to political candidates.

Actually, rather than "giving" money to political candidates, you are investing in your business and a commitment to preserving the future of our industry. I'm sure you have insurance on your car, home and business office. Bad legislation passed by Congress, the state legislature or city council could be just as catastrophic financially as the loss of possessions by fire, theft, or storm. NE RPAC helps elect officials at the national, state, and local levels who support the free enterprise system and private property rights.

I already contribute to political candidates on my own.

You should contribute directly to the candidates of your choice, but you should also contribute through NE RPAC. The dollars you give are pooled with those of thousands of other investors to support candidates who understand the issues that affect our business. Our ultimate goal is to position RPAC as the largest and most influential political advocacy organization in the country. With

your support, we will be one step closer.

I don't have the money.

You can't afford not to have the money. A \$99 investment to NE RPAC breaks down to about a quarter a day. Is a daily investment of 25 cents not worth the additional money in your pocket that results from RPAC's successful efforts to ensure a vigorous and viable real estate industry?

PACs are just in the business of buying votes.

NE RPAC does not "buy" votes from politicians. NE RPAC helps elect candidates who share our philosophy or will at least listen to the REALTOR® viewpoint. NE RPAC supported candidates will not always support us on every vote, but they will usually be more favorable to our point of view than the candidates who ran against them or the incumbent they replaced.

I'm a Democrat/Republican and NE RPAC has supported candidates of the other party.

RPAC is non-partisan in its selection of candidates. The voting record and views on the issues that affect REALTORS®, in addition to the recommendations of Local Boards and State Associations, are the deciding factors on which candidates we support.

RPAC supports federal candidates; I'm more interested in State and Local Candidates.

Only a small portion of your investment goes to support candidates at the national level (15% of each non-major investor investment and 30% of a major investor's investment). The majority stays in Nebraska for use in supporting state and local candidates. By contributing to NE RPAC, you can help support candidates at all levels of government.

I'm not full time. Why should I contribute?

If you benefit in any way from the real estate business, you have a vested interest in ensuring that the individuals who pass the laws believe in private property rights and the free enterprise system.

NE RPAC is already a successful PAC, you don't need my investment.

While NE RPAC has been successful in advancing the REALTOR® position, new legislation is constantly being introduced. We must remain strong and ready to assist candidates at all levels of government that support issues that are important to us. It is imperative that we continue to build on the momentum we have created.

Let's Get Busy - Fundraising Basics

Choose an NE RPAC Chair

Create a job description and look for someone who can lead a team and recruit the best and the brightest. They need to be able to ask people for money and get others excited about NE RPAC. They should know the issues and be able to educate others about what's at stake. An effective NE RPAC Chair will think outside the box but still preserve the association's core values and purpose.

Functions of the NE RPAC Chair - educate, solicit, fundraise and recognize!

Educate

To use the "cause" motivation effectively, you must make sure that members are fully educated. Education is the key to building a PAC culture. You can't raise money if you don't give members a reason to invest. The educational effort should be year-round and make use of a variety of methods. Consider one or more of the following methods:

- Conduct a NE RPAC seminar using NE RPAC staff and/or your NE RPAC Trustee.
- Give NE RPAC presentations or speeches at local meetings about important legislative

issues.

- Speak to sales associates at meetings of large REALTOR® offices.
- Send communications about NE RPAC to every member (with proper solicitation disclaimers).
- Have plenty of NE RPAC materials available at all local association functions.
- Discuss and encourage grassroots participation in NE RPAC.

Solicit

It is important that the right people do the asking in fundraising drives. This certainly does not mean that only brokers or association presidents can be successful NE RPAC solicitors. Make sure you tap into the business networks of your strongest supporters. Involve solicitors who can “ring the right doorbells” among your membership – people to whom it will be difficult to say “no.”

Experience has shown that a recognized, successful Nebraska REALTOR® who is also a visible leader in local or state association activities will likely be much more successful soliciting for NE RPAC than a newly inducted sales associate no one knows. Such people might include past and present association officers, past and present committee chairperson, or past and present REALTORS® of the year.

Fundraise

By participating in NE RPAC fundraising, you will be taking part in an important process that makes the United States unique. Every American has the constitutional right to participate in our political process. We can do this not only by voting, but by making monetary investments to the candidates, political party, or political action committee of our choice.

Although fundraising is a necessary part of the American political system, no one would claim that raising money for any purpose is easy. Soliciting for NE RPAC dollars is no exception. But, many difficult tasks become easier and more pleasant when they meet with success. If you have attended your state association convention or local educational programs, you know that a great deal of effort is put into teaching members how to motivate buyers of real estate – the psychology of selling, in other words. If you are to solicit for NE RPAC successfully, you should understand the fundraising basics:

- Start off with dues billing.
- Mention NE RPAC in every issue of your newsletter, on your website and at meetings.
This does not have to be a solicitation, it can be educational.
- Create at least one to two different types of special events, because one event may not gain the interest of everyone.
- Plan a phone bank.

Recognize

Rewarding your members is important and keeps them motivated! Give recognition to members who stand out as key investors by publishing their names on the association website or newsletter. Recognize NE RPAC investors at luncheons or meetings. Treat them as special guests and show them how important they are to the association because they invested in NE RPAC.

Fundraising Methods

Several techniques can be used to raise money. Most successful association fundraising plans employ a combination of techniques to solicit investments from members throughout the NE RPAC fundraising year. These techniques are implemented during the front-end, middle, or back-end

fundraising periods. The most commonly used are dues billing and face-to-face solicitation. The following three techniques generally are the most cost-effective and time-effective ways to raise NE RPAC dollars.

Front-end (dues billing):

Dues billing is a required Core Standard. Billing members for voluntary investments on the association dues statement.

- Minimum of \$15 or more
- Use an “above the line” recommended investment (Lincoln uses \$25 and Omaha \$50)
- Include state NE-PAC disclaimer
- Prior to billing, articles should appear in the association newsletter and other communications stating the importance of participating in NE RPAC

Middle (the conversation):

Educating Nebraska REALTORS® and having a conversation about the important issues occurring in the real estate industry is how we will begin to build a NE RPAC culture. One benefit of building a strong NE RPAC culture is that members are more likely to invest in NE RPAC at the beginning of the year. This as REALTOR® Party Teams will help local fundraisings and associations set goals to get out to a good start in the fundraising year. Contributions to candidates are made throughout the year, and having early investments helps have monies available invest. Members are more likely to promote the values of investing in NE RPAC if they themselves invest early. This gives more time to spread the culture and build up more members who will invest. And education throughout the year is another key component to maintaining and building a high rate of investments. It takes team work and culture building to grow and the best time to start is early and often.

- State Major Investor and RPAC Events
- Office visits
- Meeting presentations
- One-on-one solicitations
- Solicitation campaigns
- Phone bank (state and local)

Meeting Presentations

Here are a few ideas to turn your next presentation into a fundraising experience:

- Make sure investment cards or other materials are on tables for people to fill out.
- Meet with association leaders ahead of time to discuss that an appeal for investment will be made.
- Read the latest Government Affairs update.
- Tell your story about why you invest in NE RPAC.
- Always close with a push to invest in NE RPAC.
- Show an RPAC video or use talking points provided by NE RPAC and the NAR REALTOR® Party.

Telephone Solicitations

Telephone solicitations use local members to call other members to solicit NE RPAC investments. You can do this on your own or set up a phone bank with the help of the staff. Use these helpful tips:

- Select an Association or Affiliate office and ask members to bring cell phones.

- Provide callers with a list of names to call that includes name, phone numbers, and the amount previously invested, if any (NE RPAC staff can provide).
- Target Audiences:
 - All association members and their spouses
 - Individual affiliate members
- Provide a script and other useful resources that can help answer questions.
- Ask Major Investors of the association to call and/or visit someone they know personally and ask them to match their level.
- Encourage competition between offices for 100% investments.
- Publish the results.
- Recognize achievements.

Online Investments

By encouraging NE REALTORS® to invest online, you are reaching out to all members of your local association and not just those who attend the monthly meetings, fundraisers, and political events. By going online, NE REALTORS® can make their investment at any time and are more likely to repeat future investments. ***Staff can assist with online email solicitation campaigns and the web link for direct online investments.***

Back-end (special events):

Many NE REALTORS® enjoy attending NE RPAC events and activities. Below is a list of some of the most successful events around the state. These events should be used to raise additional PAC dollars, and not used as the sole means of raising money.

- Top Producer
- Wine Pull
- Raffles
- Prize Wheel
- Phone Bank
- Contests/competitions

Fundraising Tools

Materials

There are many tools for success and fundraising items to support an association's fundraising efforts. A local association can request RPAC information from the Nebraska REALTORS® Association. Another resource is realtorparty.realtor. The most comprehensive source is the NAR REALTOR® Party Resource Guide at <https://realtorparty.realtor/tools-resources/2018-realtor-party-resource-guide>

Events & Prizes

For auctions, prizes and other fundraising items, NE RPAC provides a grant program in which all items are purchased by NE RPAC in order to comply with NE campaign finance law.

Local Association Fundraising Events

Preparation

- Set a timetable for actions.
- Planning for most events should be started at least 45-60 days before the event (*applications need to be sent at least 3 weeks in advance of event date to NE RPAC staff*).

- Determine what expenses you will need covered.
- Set a goal to raise and determine how you will reach that goal.
- Determine what type of invitation you will need for your event (*should be sent two weeks in advance*)
- Determine your attendees (*who will you invite*).
- Determine any special guests.
- Submit a grant application to NAR. Applications can be found at <https://realtorparty.realtor//?s=grants&submit=>

One Third Rule

The one-third rule prevents the association hosting the event from providing investors with prizes or entertainment in exchange for personal NE RPAC investments where the value of the prizes or entertainment is not the significant factor in why they invest. The rule accomplishes this by establishing a “threshold” relationship between costs incurred in connection with the event and total investments made by those in attendance.

In order to prohibit “exchanges” of corporate money or merchandise for personal NE RPAC investments, the rule provides that the value of the prizes, merchandise, and or entertainment distributed (exclusive of food, beverage and facility expenses, but including professional entertainment expenses) to contributors at a fundraising event, may not exceed one-third of the total investments made by contributors at the event. In other words, the event must result in total investments not less than three times the costs of prizes and entertainment.

For example: If you pay Larry The Cable Guy \$5,000 to entertain at your NE RPAC event and only raise \$10,000 in total RPAC investments, that does not qualify the one-third rule. If that entertainment expense is \$5,000, the RPAC event must raise \$15,000 or more in RPAC investments ($\$5,000 \times 3$).

An Association or an affiliate member may provide NE RPAC with prizes and entertainment to encourage investments. However, the aggregate costs of the prizes and entertainment may not be disproportionately valuable compared to the investments received. The one-third rule provides a safe harbor to ensure any costs are not disproportionate. Put slightly differently: An Association (or affiliate member) may not spend more than one-third of the amount raised in investments for RPAC prizes and entertainment.

For example: If you rent out an event space for an NE RPAC fundraising event and hire a band or speaker, the event space rental does not apply, but the cost of the band or speaker (entertainment) would need to be included in the one third rule calculation.

NOTE: The rule only applies to promotional items, prizes, and entertainment. That means that the Association (or affiliate member) may pay for the other costs of its RPAC fundraising events (including event space, food, and beverage) under the federal law exemption permitting Associations to pay RPAC administration and fundraising expenses without such being considered investments.

Major Investor Events

A Major Investor Event-Based Fundraising Program is designed to help educate REALTORS® about the importance of investing in NE RPAC and to recruit new Major Investors.

In collaboration with NE RPAC, state and local associations can host personalized events designed to explain the connection between legislative successes and NE RPAC. During these events, attendees get a special legislative briefing from NE RPAC leadership, NRA Staff, governmental affairs director (GADs) and other key REALTOR® volunteers and receive a comprehensive explanation of RPAC Major Investor benefits.

The most successful events are:

- Political Action Days
- Top producer events for REALTORS® close to a Major Investor award level
- Attended by 40-60 (cocktail events are always a good option for larger groups)
- Held at a local venue that is convenient for attendees
- Dinner events normally lasting about two hours
- Held at establishments that are bound to attract potential new Major Investors, such as The Grand Manse, Strategic Air Command & Aerospace Museum, and Werner Park during an Omaha Storm Chasers game.

Major Investor Events Guidelines

- Invitations clearly state it's an "RPAC Major Investor" purposed event
- Non-Major Investor or potential Major Investor guests may attend a maximum of 2 events
- Major Investors will get special recognition throughout the year

What are the NAR RPAC Online Posting and Solicitation Guidelines?

Many REALTOR® associations are embracing social media tools such as Facebook, Twitter, and YouTube, and integrating these tools into their day-to-day activities. In some cases, this includes using those tools in connection with NE RPAC activities. The discussion below is to remind association members and staff that NE RPAC-related pages on social media sites are subject to both federal and state election laws, and these laws may require the association to regulate access to certain portions of the site. Because RPAC investments may only be solicited from the so-called "solicitable class," which essentially consists of members, their families, and individual affiliate members, anything which could be considered a "solicitation" for an NE RPAC investment will need a member-access only password-protected portion of the site.

The Q&A below outlines some of the issues raised by associations' use of social media for NE RPAC activities and some suggestions on how associations may address these issues.

Can our state and local association use social media sites for NE RPAC?

Yes. However, their use is subject to the restrictions noted on the NAR website.

<https://realtorparty.realtor/rpac/rpac-online-posting-guidelines.html>.

What NE RPAC information can be placed on the association public social media and web-pages?

- General information about NE RPAC, such as contact information and staff.
- General information about NE RPAC activities, such as a calendar of NE RPAC events.
- NE RPAC financial information, such as how much has been invested or the number of investors in a given period.
- Information about investments RPAC has made to candidates.
- A description of the restrictions under which RPAC operates, such as that only members of the solicitable class may contribute to NE RPAC, or who determines which candidates will receive ne RPAC support.

- Copies of the campaign finance reports filed with regulators like the Federal Election Commission or its state counterpart, setting forth the investments received or disbursements made by NE RPAC.
- Members may post factual information about themselves for recognition they have received for their investments such as being a Major Investor but cannot write posts encouraging others to make similar NE RPAC investments.

Associations must carefully monitor the content of their site if it includes NE RPAC information that goes beyond simply providing factual information and also constitutes a solicitation for NE RPAC investments. For example, the Federal Election Commission (“FEC”) has determined that a PAC communication constituted a solicitation when the chairman of the PAC commended the enthusiasm of employees who participated in the PAC by making investments because the communication indicated their awareness of the connection between their welfare and government policies toward the business. Such messages that encourage investments to NE RPAC may only be placed behind a member-access only password-protected portion of the site. Such a message would include, for example, posting the names of investors and the amounts invested, particularly if those having made such investments are favorably commended.

What information needs to be behind member-access only password protection?

All communications that constitute a “solicitation” need to be password-protected. This would be true for private social media sites where solicitations are taking place, and those private sites will need to be limited to those within the restricted class.

What constitutes a solicitation?

A communication will constitute a solicitation if it “encourages... support [of] the PAC’s activities (by making an investment) [or] facilitates the making of investments.” Facilitation of the making of investments would include providing information on how individuals may contribute to the PAC, such as by including in the communication an address to which an investment may be sent.

Information about a PAC fundraising event does not constitute a solicitation and can be publicly available if it consists of nothing more than details about when or where the event will be held. However, information that expressly encourages attendance and/or RPAC investments at such an event, or information about where to send an RPAC investment, constitutes a solicitation.

Who can access the password-protected content?

The password-protected content may only be accessed by RPAC’s solicitable class. According to federal election law, that includes individual members—i.e., non-corporate members of NAR—and their families. The term “members” means all individuals who currently satisfy the requirements for membership in any one of the local, state, and/or the national associations and regularly pay dues.

Executive, administrative and management personnel of the local, state and/or national associations, and their families, are also included in the solicitable class.

Can an association promote RPAC fundraising events on its public pages?

An association could list RPAC fundraising events on its public pages and calendars, but it will need to be careful that the name itself does not constitute a solicitation nor can there be specific information about the event beyond the date and time of the event. For example, the association could list “RPAC Casino Night” on its public website calendar with a link to a password protected area of the site that would

contain information about the event. However, an event named “Give to RPAC” or “RPAC Needs Your Investment” could not be publicly displayed, since those names would constitute solicitations.

What else should associations do when using websites and social media for RPAC?

The association must, as noted, employ a member-access only password-protection feature for areas of their site that may include an RPAC solicitation. The site administrator should also implement a process that terminates an individual’s ability to access the protected portion of the site when association membership terminates.

2018 NE RPAC Disclaimer:

Investments are not deductible for federal income tax purposes. Investments to RPAC are voluntary and are used for political purposes. The amounts indicated are merely guidelines and you may contribute more or less than the suggested amounts. The National Association of REALTORS® and its state and local associations will not favor or disadvantage any member because of the amount contributed or a decision not to contribute. You may refuse to contribute without reprisal. 85% of each investment is used by your state PAC to support state and local political candidates; 15% is sent to National RPAC to support federal candidates and is charged against your limits under 52 U.S.C. 30116.

NE RPAC Trustee/Chair Guidelines

The Nebraska REALTORS® RPAC Trustees are vital to the success of NE RPAC. The Trustees, Fundraisers, and the NRA REALTOR® Party Team work together to accomplish the goals and objectives of NE RPAC. A strategic approach to accomplishing them is initiated through an annual REALTOR® Party orientation & training at Political Action Days.

Here is documentation of the main job duties for each NE RPAC Trustee, NE RPAC Trustee Chair, and Local Fundraising Chair position.

Waiver of Trustee Liability

The Association shall save and hold harmless the Trustees and any agent of the Trustees acting within the scope of their authority from any fines, judgements, or other liabilities imposed on the same because of action taken on behalf of the NRA RPAC Trustees Committee.

NE RPAC Trustee Responsibilities:

- ✓ Invest in NE RPAC at a Major Investor level and encourage all members to invest.
- ✓ Oversee all NE RPAC operations and financial disbursements.
- ✓ Promote the NE RPAC mission, strategic plan, and goals within the association membership.
- ✓ Attend RPAC and Trustees orientation training at Political Action Days
- ✓ Attend all state Governmental Affairs meeting, NE RPAC meetings, and Major Investor events.
- ✓ Attend and speak at as many state and local NE RPAC events and fundraisers as possible.
- ✓ Know their elected representative at all levels of government & be knowledgeable about legislative issues.
- ✓ Know the issues and be able to educate others about what’s at stake.
- ✓ Participate in the state association’s candidate interview process, as needed by the REALTOR® Champion Workgroup (RCW).
- ✓ Consider RCW and Lobbyist recommendations and make decisions on statewide NE RPAC candidate investments.
- ✓ Be prepared to be a State RPAC Fundraising Chair (must be a current or past NRA RPAC Trustee)
- ✓ As a State NE RPAC Fundraising Chair:

- Work with your AE/GAD and Trustees to set fundraising initiatives for the year.
 - Develop a close working relationship with the REALTOR® Party Team and State and Local RPAC Fundraising Chairs as they are who help the Trustees meet their goals and responsibilities.
 - Report on activities taking place at the state and local associations.
 - Review fundraising initiatives for local associations throughout the year to track progress toward NE RPAC goals.
- ✓ Work with state and local Governmental Affairs Committees to help promote and advocate the REALTOR® Party message.
 - ✓ Educate, educate, educate.

NE RPAC Trustees Chair Responsibilities:

- ✓ Be the public face of the NE RPAC.
- ✓ Promote the NE RPAC mission, strategic plan, and goals to the Trustees, REALTOR® Party Team, and within the association membership.
- ✓ Collaborate with the NRA REALTOR® Party Team to lead the RPAC and Trustees annual REALTOR® Party orientation & training at Political Action Days.
- ✓ Know the issues and be able to educate others about what's at stake.
- ✓ Recruit volunteers to help coordinate education and fundraising events to spread the NE RPAC message and raise money.
- ✓ Attend the annual NAR REALTOR® Party/RPAC Training in November/December.
- ✓ Develop a close working relationship with all RPAC Trustees. The Trustees and the REALTOR® Party Team are key resources for the NE RPAC Trustee Chair.
- ✓ Collaborate with the state governmental affairs committee chair on special legislative issues.
- ✓ Attend state Governmental Affairs committee meetings to collaborate REALTOR® Party message
- ✓ Attend political events, candidate/elected official fundraisers, RPAC fundraisers, Major Investor events, Political Action Days, Capitol Day, Convention, and Fall Meetings.
- ✓ Attend special invitation events (approximately 6-8 per year).

NE RPAC Local Fundraising Chair Responsibilities:

- ✓ Be the public face of the NE RPAC in their local community and at state association activities.
- ✓ Work with the state RPAC Fundraising Chair to set local fundraising goals and initiatives for the year.
- ✓ Develop a close working relationship with the REALTOR® Party Team and State RPAC Fundraising Chair.
- ✓ Attend 6 annual state RPAC conference calls and report on activities taking place at your association.
- ✓ Review local fundraising goals/progress throughout the year to track progress toward NE RPAC goals.
- ✓ Promote the NE RPAC mission, strategic plan, and goals to the local association membership.
- ✓ Attend the RPAC and Trustees orientation training at Political Action Days.
- ✓ Know the issues and be able to educate others about what's at stake.
- ✓ Recruit a co-chair and volunteers to help spread the NE RPAC message and reach goals.
- ✓ Develop a close working relationship with the state RPAC Fundraising Chair and REALTOR® Party Team as they are key resources for helping you reach your local goals.
- ✓ Collaborate with the state Governmental Affairs committee on special legislative issues.
- ✓ Attend state Governmental Affairs committee meetings to collaborate on the REALTOR® Party message.
- ✓ Attend political events, candidate/elected official fundraisers, Political Action Days, Capitol Day, Convention, and Fall Business Meetings.
- ✓ Host local RPAC fundraising events and collaborate with the state RPAC fundraising chair and

REALTOR® Party Team to help co-host state RPAC fundraising events

For additional RPAC, Advocacy, and REALTOR® Party tools and resources. visit <https://realtorparty.realtor/>.

- ✓ REALTOR® Party Resource Guide <https://realtorparty.realtor/wp-content/uploads/resource-guide/MRP-Resource-Guide.pdf>
- ✓ RPAC Fundraising Guide <https://realtorparty.realtor/wp-content/uploads/2017/12/Resources-RPAC-RPAC-Fundraising-Guide.pdf>
- ✓ Customized RPAC Marketing Materials <https://realtorparty.realtor/rpac/rpac-political-fundraising/customized-rpac-marketing-materials>
- ✓ Call for Action Toolkit <https://realtorparty.realtor/tools-resources/member-consumer/calls-for-action/cfa-toolkit>
- ✓ REALTOR® Party Mobile Alerts (RPMA) <https://realtorparty.realtor/member-consumer/rpma>
- ✓ REALTOR® Voter Registration & Participation Map <https://realtorparty.realtor/campaign-services/advocacy-voter-map.html>

Proper Handling of NE RPAC Investments

DO:

- **ONLY** accept investments from a personal account.
- Accept cash for any investments of \$50 or less.
- Convert all cash investments into a bank draft or money order before mailing to the Nebraska REALTORS® Association office.
- Send all investments directly to the NRA office within 7 days of receipt with the following information: Name, Full Address, Amount Contributed.
- Educate your Board/Association members about proper RPAC investments.
- Identify your Board/Association on each mailing of RPAC investments sent to the NRA office to ensure proper credit to your Board/Association.

- Include a list of contributors and where they work to ensure credit is given to the proper individual.
- Include the disclaimer on all RPAC solicitation material.
- Include a completed investment card with every investment.

DO NOT:

- Do **NOT** accept a check drawn off a corporate or business account.
- Do **NOT** accept an investment in the “name of another.” Jane Doe cannot write a check for John Smith if he forgot his checkbook or if Jane wants to make her firm 100% participation.
- Do **NOT** accept a check written for several contributors. Firm Owner Bob cannot write a check for \$100 and say it is for his 10 agents.
- Do **NOT** send cash in the mail. Convert all cash to money orders or bank drafts.
- Do **NOT** accept cash investments of more than \$50.
- Do **NOT** deduct RPAC investments from your taxes.
- Do **NOT** deposit RPAC investments (cash or check) into your Board/Association checking account, into your company checking account or your personal checking account.
- Do **NOT** write RPAC investments from your Board/Association checking account.

If you have questions or need assistance, call Carrie Favinger, Governmental Affairs Director, at (402) 323-6500 (Direct 402-323-6507) or email: carrie@nebraskarealtors.com

All RPAC investments should be mailed to: Nebraska REALTORS® Association, ATTN: RPAC, 800 S 13th Street, Lincoln, NE 68508