AGENDA

1. Welcome

2. Housekeeping
   - Post-Disaster Temporary Housing: Urban Planning Considerations PIE Webinar 3/23/2017 – there are a few seats left.
   - 2017 ASFPM Chapter Meeting in Kansas City, MO May 3, 2017: Email agenda items to Kait@floods.org
   - 2017 Silent & Live Auction – ASFPM Foundation is seeking chapter donations for this year’s silent auction.
   - KY & CO Chapter Conferences- Call for Presenters open now
   - Outreach Process Partners Sponsors Purchase of 3D Flood Model & Case for Qualifying Chapter – Call for Applications through Dec. 31, 2017 at: http://apply.outreachprocesspartners.com

3. Chapter Race & Blood Drive
   - The KS & MO Chapters are seeking Welcome Fest & Chapter Race volunteers & sponsorship support from chapters. Click here for more information or contact Jason.Schneider@stantec.com
   - KS & MO Chapters will also be hosting the 2nd Annual Greg Main Memorial Blood Drive at the 2017 ASFPM Conference in Kansas City, MO, April 30 –May 5, 2017. Blood donor sign-up sheet will be available at the Local Host Team booth on-site at the conference.

4. National Policy Update
   - 2017 NFIP Reauthorization:
     o the House & Senate are working to get NFIP reauthorization approved by this fall. They don’t want a repeat of the last reauthorization process where it was extended two weeks at a time.
     o This issue is seen as a bipartisan effort by Congress
     o ASFPM would not be opposed to doing a quick 2-3 year reauthorization
     o ASFPM priorities for NFIP reauthorization/reform are outlined here. Key points include keeping rates moving toward actuarial, keeping private flood insurance on equal footing with NFIP insurance, addressing the affordability issue, helping to clarify that the NFIP is not an insurance program it is a mitigation program.
     o Chad Berginnis, ASFPM Executive Director testified March 16th before the House Committee on Financial Services hearing, “Flood Insurance Reform: A Community Perspective”. Click here to read Chad’s written testimony.
       - the Senate will also be holding a hearing – no date yet but should know more in the next two weeks.
   - 2017 Federal Budget:
     o Congress has issued a continuing resolution for the FY2017 federal budget through April 28, 2017. This allows the federal government to operate under the FY2016 budget amounts for FY2017 through that date. This leaves May – Sept “unfunded”. ASFPM expects Congress will issue another continuing resolution by/after Apr. 28th through the end of FY2017 and focus efforts on finalizing a FY2018 budget.
     o FY2018 Federal Budget is getting a lot of attention because the President came out with his “skinny budget” taking millions from of domestic spending and moving to military spending.
       ▪ FEMA funding is significantly cut under the “skinny budget” - $190 million cut from mapping, and $100 million from PDM funding – ASFPM sent a member alert about this.
       ▪ Both sides of the aisle are unhappy with the President’s budget.
     o Next steps: House & Senate will start holding committee hearing – no clear marks yet and no permanent budget from the President yet- just an outline but without going into much detail. A full presidential budget will come out in mid-May. ASFPM is making sure the appropriate committees in the house & senate know our priorities regarding the budget. We’re getting good action from membership.
       ▪ Chapter Legislative Resource: ASFPM is working with David Conrad who is available as a resource for chapters on legislative actions/issues, he can be reached at David@floods.org, Larry Larson, Sr. Policy Emeritus (larry@floods.org) and Merrie Inderfurth ASFPM Washington, DC Liaison (merrie.inderfurth@gmail.com), are also available as a resource. This is the year that Congress will be counting the numbers of letters/comments they receive about the budget and will be looking for state/local delegations to clarify the meaning of the “shaped” budget.

5. Lobbying 101 for Chapters
In the current political climate and looking at the potential FY2018 Budget cuts to mapping and PDM, active engagement of ASFPM chapters and membership with their local, state, and federal legislators is essential. Chapters may have concerns about how lobbying activity can impact their chapter’s federal tax-exempt status. ASFPM has pulled together some resources for chapters to help clarify what kinds of lobby activities chapters can engage in. Yes!!! Tax-exempt organizations can lobby!

- Most chapters are either 501(c)(3), 501(c)(4), or 501(c)(6) federal tax-exempt organizations. Types of allowable lobbying activities vary which number an organization is tax-exempt under. 501(c)(4)’s & 501(c)(6)’s have the most flexibility, but the majority of ASFPM chapters are 501(c)(3). A list of which chapters are 3’s, 4’s, or 6’s is on this slide.

- The IRS categories “Lobbying” into two categories: Political Activities and Legislative Activities.
  - Political Activity: Directly or indirectly participating or intervening in any political campaign on behalf of or in opposition to any candidate for public office.
  - Legislative Activity (Issue Advocacy): Organization contacts, or urges the public to contact, members or employees of a legislative body to propose, support, or oppose legislation.

- How is Lobbying different for 501(c)(3)’s, 501(c)(4)’s, & 501(c)(6)’s?
  - 501(c)(4)’s & 501(c)(6)’s: May engage in an unlimited amount of lobbying so long as it’s related to your organization’s tax-exempt purpose (mission). They can also engage in Political Activity as long as it’s not their primary activity.
  - 501(c)(3)’s: Cannot engage in Political Activity at all. Can engage in Legislative Activity (Issue Advocacy) if it furthers the organization’s exempt purpose (mission), and it constitutes an insubstantial amount of the organization’s activities. What’s insubstantial? The easiest way to figure this out is to use the Expenditure Test (501(h) election). Based on what ASFPM knows about chapter activities, we have a hard time believing there are any chapters who exceed this threshold with the amount of lobbying activities they engage in – or may potentially engage in, in the future.

6. New Business

- Chuck Chase, NE Chapter: We’re looking at ways to attract new members and are considering giving a free 1 year membership in the chapter to all new CFMs. Are other chapters offering incentives to CFMs or new members?
  - Mark Walton, MI Chapter: We offer scholarships to the state or national conference. We also give new CFMs a certificate/plaque they can hang in their office.
  - Kevin Wagner, MD Chapter: We revamped our website to make it more mobile friendly, and started to consistently use their Facebook, LinkedIn, and Twitter feeds to hopefully get their membership numbers up.
  - Kait – some chapters also purchase CFM pins for new CFMs in their state. Anita Larson, our Certificate Coordinator can sell you the pins – they are enamel lapel pins for $5 each. Anita can be reached at 608-828-3000 or CFM@floods.org.

- Ted DeBaene, LA Chapter: We’ve been having some problems finding an insurance company to insure us. We were quoted $1,819/year. Is this similar to the premiums other chapters are seeing for their insurance?
  - Jacob Tysz, NY Chapter: We pay $452/year for insurance.
  - Kait – NY’s rates are closer to the average from what I can remember from other chapters. I’ll send the list of insurance companies I compiled who have/do insure other chapters and which chapters so you can follow up if you are interested in requesting a quote or asking the chapter about their coverage. I also have some information about ways to reduce your chapter premiums and how to find an insurer. Click here for more information.

7. Next Meeting: May 3, 2017 @ 1:30pm - KCMO
### Attendee Details

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Email Address</th>
<th>State/Province</th>
<th>What is your role within the chapter?</th>
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</thead>
<tbody>
<tr>
<td>Alley</td>
<td>Dallas</td>
<td><a href="mailto:dallas.alley@co.st-clair.il.us">dallas.alley@co.st-clair.il.us</a></td>
<td>IL</td>
<td>Executive Board Secretary</td>
</tr>
<tr>
<td>Chase</td>
<td>Chuck</td>
<td><a href="mailto:chuck.chase@nebraska.gov">chuck.chase@nebraska.gov</a></td>
<td>NE</td>
<td>Board Member &amp; several committees</td>
</tr>
<tr>
<td>Conrad</td>
<td>David</td>
<td><a href="mailto:conrad.david.r@gmail.com">conrad.david.r@gmail.com</a></td>
<td>MD</td>
<td>Assist Executive Office / Federal Policy</td>
</tr>
<tr>
<td>Cothard</td>
<td>Michael</td>
<td><a href="mailto:mcothard@cbbel.com">mcothard@cbbel.com</a></td>
<td>IL</td>
<td>Director</td>
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<td>DeBaene</td>
<td>Ted</td>
<td><a href="mailto:tdebaene@owenandwhite.com">tdebaene@owenandwhite.com</a></td>
<td>LA</td>
<td>Executive Director</td>
</tr>
<tr>
<td>Fernandez</td>
<td>Joe</td>
<td><a href="mailto:josef@sara-tx.org">josef@sara-tx.org</a></td>
<td>TX</td>
<td>TFMA Vice President</td>
</tr>
<tr>
<td>Gray</td>
<td>Roxanne</td>
<td><a href="mailto:roxanne.gray@wisconsin.gov">roxanne.gray@wisconsin.gov</a></td>
<td>WI</td>
<td>Scholarship &amp; Conference Committee</td>
</tr>
<tr>
<td>Harrigan</td>
<td>Emmeline</td>
<td><a href="mailto:eharrigan@mminc.com">eharrigan@mminc.com</a></td>
<td>CT</td>
<td>Current CAFM Chair</td>
</tr>
<tr>
<td>McHugh</td>
<td>Karen</td>
<td><a href="mailto:karen.mchugh@sema.dps.mo.gov">karen.mchugh@sema.dps.mo.gov</a></td>
<td>MO</td>
<td>ASFPM Secretary</td>
</tr>
<tr>
<td>McKiernan</td>
<td>Cece</td>
<td><a href="mailto:executivedirector@fflffloods.org">executivedirector@fflffloods.org</a></td>
<td>FL</td>
<td>Executive Director</td>
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<tr>
<td>Morey</td>
<td>Tom</td>
<td><a href="mailto:tom.morey@ks.gov">tom.morey@ks.gov</a></td>
<td>KS</td>
<td>Head Cat Herder</td>
</tr>
<tr>
<td>Overmyer</td>
<td>Josh</td>
<td><a href="mailto:josh.overmyer@em.myflorida.com">josh.overmyer@em.myflorida.com</a></td>
<td>FL</td>
<td>Director at-Large</td>
</tr>
<tr>
<td>Putnam</td>
<td>Shawn</td>
<td><a href="mailto:putnam@camdensc.org">putnam@camdensc.org</a></td>
<td>SC</td>
<td>ASFPM Chapter Director</td>
</tr>
<tr>
<td>Sears</td>
<td>Traci</td>
<td><a href="mailto:tsears@mt.gov">tsears@mt.gov</a></td>
<td>MT</td>
<td>State Liaison</td>
</tr>
<tr>
<td>Seffrood</td>
<td>Jenny</td>
<td><a href="mailto:jenny@floods.org">jenny@floods.org</a></td>
<td>WI</td>
<td>ASFPM Conference Planner</td>
</tr>
<tr>
<td>Seits</td>
<td>Mary</td>
<td><a href="mailto:mary.seits@floodplain.org">mary.seits@floodplain.org</a></td>
<td>CA</td>
<td>Executive Director</td>
</tr>
<tr>
<td>Slone</td>
<td>Don</td>
<td><a href="mailto:dslone@bonnersprings.org">dslone@bonnersprings.org</a></td>
<td>KS</td>
<td>Chairman</td>
</tr>
<tr>
<td>Slowinski</td>
<td>Thomas</td>
<td><a href="mailto:tom.slowinski@dep.nj.gov">tom.slowinski@dep.nj.gov</a></td>
<td>NJ</td>
<td>Outreach Chair</td>
</tr>
<tr>
<td>Smith</td>
<td>Thomas</td>
<td><a href="mailto:tsmith@preinnewhof.com">tsmith@preinnewhof.com</a></td>
<td>MI</td>
<td>Vice Chair</td>
</tr>
<tr>
<td>Staff</td>
<td>Michelle</td>
<td><a href="mailto:Michelle.Staff@Wisconsin.gov">Michelle.Staff@Wisconsin.gov</a></td>
<td>WI</td>
<td>ASFPM Conference Planner</td>
</tr>
<tr>
<td>Strauss</td>
<td>Ceil</td>
<td><a href="mailto:ceil.strauss@state.mn.us">ceil.strauss@state.mn.us</a></td>
<td>MN</td>
<td>ASFPM board</td>
</tr>
<tr>
<td>Thomas</td>
<td>Shea</td>
<td><a href="mailto:sthomas@udfcd.org">sthomas@udfcd.org</a></td>
<td>CO</td>
<td>CASFM Chair</td>
</tr>
<tr>
<td>Tysz</td>
<td>Jacob</td>
<td><a href="mailto:jacob.tysz@atkinsglobal.com">jacob.tysz@atkinsglobal.com</a></td>
<td>NY</td>
<td>Treasurer</td>
</tr>
<tr>
<td>Wagner</td>
<td>Kevin</td>
<td><a href="mailto:kevin.wagner@maryland.gov">kevin.wagner@maryland.gov</a></td>
<td>MD</td>
<td>Mitigation Committee Co-Chair</td>
</tr>
<tr>
<td>Walton</td>
<td>Mark</td>
<td><a href="mailto:mark.l.walton@gmail.com">mark.l.walton@gmail.com</a></td>
<td>MI</td>
<td>Executive Director</td>
</tr>
<tr>
<td>Whipple</td>
<td>Jan</td>
<td><a href="mailto:jwhipple@sccmo.org">jwhipple@sccmo.org</a></td>
<td>MO</td>
<td>President</td>
</tr>
<tr>
<td>Wiseman</td>
<td>Robyn</td>
<td><a href="mailto:robyn@floods.org">robyn@floods.org</a></td>
<td>WI</td>
<td>ASFPM Staff</td>
</tr>
<tr>
<td>Woods</td>
<td>Dianna</td>
<td><a href="mailto:dianna.woods@co.yakima.wa.us">dianna.woods@co.yakima.wa.us</a></td>
<td>WA</td>
<td>Chapter Director</td>
</tr>
<tr>
<td>Zambito</td>
<td>Chris</td>
<td><a href="mailto:czambito@dewberry.com">czambito@dewberry.com</a></td>
<td>FL</td>
<td>Chair</td>
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<tr>
<td>More</td>
<td>Amy</td>
<td><a href="mailto:amoredock@kentgov.org">amoredock@kentgov.org</a></td>
<td>MD</td>
<td>MAFSM</td>
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<tr>
<td>Larson</td>
<td>Larry</td>
<td><a href="mailto:larry@floods.org">larry@floods.org</a></td>
<td>WI</td>
<td>ASFPM Sr. Policy Advisor</td>
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The Kansas Association for Floodplain Management (KAFM) and the Missouri floodplain and Stormwater Managers Association (MfSMA) are proudly co-hosting Welcome Fest and “Running of the Chapters” at the 2017 ASFPM National Conference in Kansas City, Missouri.

As in past years, the 5K is fully sponsored by the ASFPM chapters. This year’s event will be on Wednesday May 3, 2017 at Richard L Berkley Riverfront Park along the Missouri River. Attached to this flyer is a 2017 Chapter Sponsorship Form. Details and race registration can be found at: http://www.asfpmconference.org/2017/race-5k

Every great event begins with “Tailgating!” which is the theme for Welcome Fest on April 30, 2017. Chapters are encouraged to bring decorations, tents or other tailgating items to represent college or pro teams from their state at Welcome Fest. Which Chapter has the most dedicated fans? We’ll find out on April 30th! The Tailgate will also feature and corn-hole “Minute to Win It” tournaments as a networking opportunity. Traveling too far to bring a tent but you would like to “tailgate?” Tents will be available to Chapters though sponsorship opportunities on the attached form.

We look forward to seeing you in KC, please wear your favorite college or pro team colors to the “Tailgate!”

2017 ASFPM Conference 5K and Welcome Fest
Sponsor Commitment Form

Chapter Name: ________________________________
Contact Name: ________________________________
Chapter Address: ________________________________
City: ___________________ State: ______ Zip: ____________
Phone: ___________________ Email Address ____________
Please check your sponsorship level of choice:

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<th>Level</th>
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<tr>
<td>$100</td>
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<td>$300</td>
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<td>We need a tent!</td>
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Please make checks payable to Missouri floodplain and Stormwater Managers Association (MfSMA).
*Please note: Credit card payment is not available for sponsorships.
Send this form and full payment to: MfSMA, PO Box 775, Jefferson City, Missouri 65101
Chapter logo will be printed on the following:
Runner T-shirts and Welcome Fest and Race Banner

Need more information?
Please contact:
Karen McHugh, CFM
Karen.mchugh@sema.dps.mo.gov
573.526.9129

Sonja Wood, ANFI, CFM
Sonja@h2opartnersusa.com
785.766.8645

Tom Morey, R.S. CFM
Tom.morey@ks.gov
785.296.5440

Jan Whipple, CFM
jwhipple@sccmo.org
636.949.7900 ext. 7229
Who Insures ASFPM & Chapters?

**ASFPM’s Insurance Carrier**
ASFPM was previously insured through State Farm, but are now insured through [Murphy Insurance](tel:608-333-6441).

**Chapter Insurance**
Here is the information ASFPM has about which companies chapters got insured/quotes from:

- **ABA Insurance Services** - MI
- **All Risks** - FL
- **Allied World** - CT
- **Atain Specialty Insurance Company** - KS
- **Brier Grieves Insurance** - FL
- **Cincinnati Insurance Company** - GA, NC, KY
- Colorado Casualty – CO
- **Cornerstone** - MI
- Darwin Select Insurance Company
- **Great American Insurance Group, Executive Liability Division** – MI
- **Harry A. Koch Co. (HAKCO)** - NE
- **Philadelphia Insurance Company** – CA, MI (5K race)
- **State Farm** - IL, MN, OK
- **Travelers** – MD
- **United States Liability Insurance Company** - NE
- **West Bend Mutual** - IA
Chapter Alert: Insurance Rates for Chapters - July Chapter Call

July 27, 2012

You are receiving this message because you are listed as a primary contact for your Chapter or State Office. ASFPM Alerts contain critical ASFPM correspondence. If you are no longer the appropriate contact for your Chapter or State Office, please contact us and let us know who the new contact is and we will update our records. PLEASE READ this alert and share as appropriate.

TO: Chapter Contacts 1 & 2, Chapter Board Members & Committee Chairs
FROM: ASFPM Chapters

ASFPM is providing these recommended practices for guidance purposes. Chapters should consider the list of practices as illustrative not exhaustive. Each Chapter should independently evaluate what practices are best suited for their respective operation based on their needs and applicable state law.

What are Chapters Paying for Insurance?

Over the years, ASFPM has received numerous requests from Chapters about what different types of insurance coverage will cost and ways to reduce premiums. Due to the disparate organizational structure and leadership across the 34 associations (ASFPM and 33 state Chapters) and varying insurance laws across the states, a group policy is not an available option (if ASFPM and the Chapters were one legal entity, governed by one constitution and bylaws, and overseen by one board we could pursue coverage as a group). So how do Chapters what types of coverage they should carry and estimate what insurance will cost?

ASFPM urges Chapters to consider the following business insurance:
- Fidelity Bonding for Treasurer (and any others with access to finances)
- Liability Insurance
- Directors & Officers (D&O) Insurance
- Errors & Omissions (E&O) Insurance

Each of these policies may be available as part of an umbrella policy through your insurer. As insurance laws vary from state to state, Chapters should consult an experienced nonprofit insurance agent in their state to verify compliance with their state's mandatory insurance laws.

ASFPM has compiled the insurance information that chapters have shared with us as to coverage, limits, and premiums for Chapter reference. Please note - this is based on information shared with ASFPM by Chapters, so it is only as accurate as what we received at the time it was submitted (changes may have occurred since then). If you notice your chapter's information is inaccurate, updates may be submitted to Kait@floods.org.

See attached

Thanks to all the Chapters who contributed to this effort!

Considerations to Lower Premiums and Get Insured:

- **Get incorporated** with your State's Secretary of State office. Incorporation is the cheapest (usually $100 or less per year), first line of liability protection. It essentially creates a "firewall" between chapter assets and personal assets of your members in the event the Chapter is sued. It won't cover everything, but if not insured, at minimum the Chapter should be incorporated.
- **Bond your Chapter Secretary** (and any other Chapter Rep who has access to your financial resources / signing authority) - a "Fidelity Bond" is essentially dishonesty insurance. ASFPM pays $85 / year to bond our bookkeeper.
- **Limit or discontinue "open bar" at Chapter events** - switch to cash bar or limit consumption through allocation of drink tickets for each attendee. Each insurer is different about this, but switching to cash bar only might be the most expedient way to get covered and lower your premiums. Many insurers void the policy if open bar is available at the event.
- **Include at Force Majuere Clause in the Chapter’s conference contracts** that protects against financial exposure if the Chapter or the facility need to cancel or reschedule for circumstances beyond your control (major disaster declaration in your state the same week as the conference for example).
- **Be honest about practices when communicating with insurers** since inaccurate information provided may void your coverage.
- **Ask for certificate of insurance** from any service provider you work with: conference facility, tour bus company, hotel, field trip site, or other provider to show your due diligence in reducing risk to your insurer.
- **Make sure that the Chapter is in compliance with state and federal tax and business laws** and reporting responsibilities. Nonprofits have been known to lose coverage due to failure to file with the IRS since the insurer was concerned about their potential liability for back taxes and fines.
- **Verify current Bylaws, Policies & Procedures for compliance with legally required**
protections and guidance (Sarbanes Oxley Act: Whistleblower Policy, Record Retention Policy, etc.).

- **Check in with your insurance agent at least once a year** to verify your coverage is still adequate to protect against risk for your Chapter’s current activities (addition or discontinuation of certain activities may require a change in coverage).

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**Where to look if dropped or denied Insurance coverage:**

- **Contact your [State Insurance Commissioner](https://mail.google.com/mail/u/0/?ui=2&ik=bfd2405ccc&view=pt&cat=CI&ui=2&ik=bfd2405ccc&view=pt&cat=CI) to discuss the issue if you can’t find a carrier to insure you.** The Insurance Commissioner is responsible for overseeing insurance providers in the state and can possibly direct you to another resource or investigate issues.

- **Consider finding / hiring a new insurance broker or agent** that seems more responsive to your needs.

- **Check with the Chapter’s professional service providers** (nonprofit lawyer, nonprofit accountant, bank, etc.) about a referral - they may know of an insurer who specializes in nonprofit business insurance.

- **Ask your [state nonprofit association](https://mail.google.com/mail/u/0/?ui=2&ik=bfd2405ccc&view=pt&cat=CI&ui=2&ik=bfd2405ccc&view=pt&cat=CI)** if they offer a member benefit for insurance discounts or group coverage.

- **Ask another nonprofit for a referral**

- **Hire a nonprofit consulting company** to determine areas of potential risk and ways to reduce your exposure (referred through the [state/national nonprofit association](https://mail.google.com/mail/u/0/?ui=2&ik=bfd2405ccc&view=pt&cat=CI&ui=2&ik=bfd2405ccc&view=pt&cat=CI)).

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**Additional Insurance Resources:**

- [How to Find a Insurance Professional Who Knows My Business?](https://mail.google.com/mail/u/0/?ui=2&ik=bfd2405ccc&view=pt&cat=CI&ui=2&ik=bfd2405ccc&view=pt&cat=CI)
- [Board Members Guide to Nonprofit Insurance](https://mail.google.com/mail/u/0/?ui=2&ik=bfd2405ccc&view=pt&cat=CI&ui=2&ik=bfd2405ccc&view=pt&cat=CI)
- [Hallmarks of a Risk Aware Nonprofit](https://mail.google.com/mail/u/0/?ui=2&ik=bfd2405ccc&view=pt&cat=CI&ui=2&ik=bfd2405ccc&view=pt&cat=CI)
- [What Every Nonprofit Board Member Should Know](https://mail.google.com/mail/u/0/?ui=2&ik=bfd2405ccc&view=pt&cat=CI&ui=2&ik=bfd2405ccc&view=pt&cat=CI)
Recommended Insurance Practices – Chapters

ASFPM is providing these recommended practices for guidance purposes. Chapters should consider the list of practices as illustrative not exhaustive. Each Chapter should independently evaluate what practices are best suited for their respective operation based on their needs and applicable state law.

Recommended Insurance Coverage

Incorporation
Types of Insurance
Other Coverages Chapters May Need
Recommendations to Reduce Risk
How to Lower Premiums and Get Insured
Where to go if Insurance is dropped or denied
Additional Resources

Recommended Insurance Coverage

Over the years, ASFPM has received numerous requests from Chapters about what different types of insurance coverage will cost and ways to reduce premiums. So how do Chapters figure out what types of coverage they should carry and estimate what insurance will cost?

ASFPM urges Chapters to consider the following business insurance:

- **Fidelity Bonding** (basically dishonesty insurance) for Treasurer (and any others with access to finances) - ASFPM pays about $85 / year to bond our bookkeeper
- **Liability Insurance**
- **Directors & Officers (D&O) Insurance**
- **Errors & Omissions (E&O) Insurance**

Each of these policies may be available as part of an umbrella policy through your insurer. As insurance laws vary from state to state, Chapters should consult an experienced nonprofit insurance agent in their state to verify compliance with their state's mandatory insurance laws.

Here's the information you asked about and some resources to assist you. ASFPM's insurance agent recommends that chapters ask an experienced nonprofit insurance agent in their state about the following coverages:

Incorporation

Most states require a business entity including nonprofits to register with their State's Secretary of State / Commerce office upon creation of the business entity. ASFPM requires our chapters to be incorporated. This is the first line of liability protection for an organization. It basically limits financial liability to the business entity to keep lawsuits from exposing board and member assets to damages. Chapters file Articles of Incorporation with their State's Secretary of State Office to notify the government of their existence, to limit liability to their members, and to comply with applicable State and Federal Labor Laws.
**Types of Insurance**

**Fidelity “Bonding”**

A bond or fidelity bond is “dishonesty insurance” in the event that the bonded person was to steal chapter funds. Anyone with access to the chapter’s financial resources (check signing authority, credit cards, financial account #, passwords, etc.) should be bonded. ASFPM urges chapters to bond their Treasurer at minimum, but also their Officers since generally they also have access financial resources. **ASFPM pays $85 per year** to bond our staff bookkeeper who handles our day to day financial matters. The Colorado Chapter, New Mexico Chapter, and Texas Chapter report that they have bonded their Treasurer (and possibly other board members) and New Jersey, North Carolina, and South Carolina are in the process of doing so. Click here for a list of chapter website links. You should be able to buy a fidelity bond through any experienced nonprofit insurance agent in your state.

**Insurance Coverages – Liability, E&O, D&O**

ASFPM’s insurance agent recommended that chapters contact an experienced nonprofit agent in their state (since insurance and insurance requirements vary dramatically from state to state) to discuss their activities and find out about what is recommended for their needs. Our agent recommended that all chapters carry **Liability Insurance, Directors & Officers (D&O), and Errors & Omissions (E&O)** coverage and have their **Treasurer bonded**. Policies can be purchased separately but are often combined into a business policy that should include all these coverages. Most chapters carry Liability at the $1 million or $2 million coverage level. While we are not insurance agents or attorneys, we strongly urge chapters to carry all the above types of coverage - based on chapter case studies and lessons learned. **Chapters should also inquire about what activities would void their policy** - for example, some liability policies are voided when the chapter hosts an event with open bar (most will remain in force if there is “cap” – usually 1 or 2 drink tickets and the attendee must pay cash after that)- find out what your specific policy allows.

**Other Coverages Chapters May Need**

- **Property/Renters**: If the chapter owns/rents property they may also need property insurance or renters insurance.
- **Automobile**: If they allow board members or others to drive for chapter business (possibly shuttling presenters to and from conference or board members to/from other’s conferences, etc.) the chapter should also check into coverage for that in the event of an accident/rental car coverage, etc. for automobile insurance.
- **Employees**: If the chapter has employees – some coverage is required by law- generally worker’s compensation insurance (sometimes for volunteers as well as employees) and unemployment insurance, but others may or may not apply such as medical insurance. Chapters should check with their state Secretary of State and/or Department of Labor to verify they are in compliance with all mandatory coverage required in their state.
- **Volunteers**: Some states require worker’s compensation coverage for volunteers. Some states have “good Samaritan laws” that protect volunteers responding in good faith effort (in the case of helping communities post-disaster, etc.) that may or may not require organizations to provide some type of volunteer coverage – check with an experienced agent in your state.

**Recommendations to Reduce Risk**

The best suggestion to reduce risk is to be sure that your board (especially the officers) are very familiar with the chapter articles of incorporation, constitution (if applicable) and bylaws and that they are reviewed annually at minimum for any needed amendments or updates. Each board member should be clear on their role and responsibilities on the board. The Treasurer has the greatest personal liability should mistakes, oversights, or nefarious behavior occur. According to the IRS, the Treasurer is responsible for annual tax paperwork filing (whether they do it or supervise a paid tax preparer or accountant, etc.).
How to Lower Premiums and Get Insured

- **Get incorporated** with your State's Secretary of State office. Incorporation is the cheapest (usually $100 or less per year), first line of liability protection (it is also required of chapters under the ASFPM Bylaws). Incorporation essentially creates a “firewall” between chapter assets and personal assets of your board and members in the event the Chapter is sued.

- **Bond your Treasurer** (and any other Chapter Representative who has access to your financial resources / signing authority) - a “Fidelity Bond” is essentially dishonesty insurance. ASFPM pays $85 / year to bond our bookkeeper.

- **Limit or discontinue "open bar" at Chapter events** - switch to cash bar or limit consumption through allocation of drink tickets for each attendee. Each insurer is different about this, but switching to cash bar only might be the most expedient way to get covered and lower your premiums. Many insurers void the policy if your event has an open bar.

- **Include at Force Majuere Clause in the Chapter's conference contracts** that protects against financial exposure if the Chapter or the facility need to cancel or reschedule for circumstances beyond your control (major disaster declaration in your state the same week as the conference for example).

- **Be honest about practices when communicating with insurers** since inaccurate information provided may void your coverage.

- **Ask for certificates of insurance** from any service provider you work with: conference facility, tour bus company, hotel, field trip site, or other provider to show your due diligence in reducing risk for your insurer.

- **Make sure that the Chapter is in compliance with state and federal tax and business laws** and reporting responsibilities. Nonprofits have been known to lose insurance coverage due to failure to file with the IRS since the insurer was concerned about their potential liability for back taxes and fines.

- **Verify current Bylaws, Policies & Procedures for compliance with legally required protections** and guidance (Sarbanes Oxley Act: Whistleblower Policy, Record Retention Policy, etc.).

- **Check in with your insurance agent at least once a year** to verify your coverage is still adequate to protect against risk for your Chapter's current activities (addition or discontinuation of certain activities may require a change in coverage).

Where to go if Insurance is dropped or denied

- **Contact your State Insurance Commissioner** to discuss the issue if you can't find a carrier to insure you. The Insurance Commissioner is responsible for overseeing insurance providers in the state and can possibly direct you to another resource or investigate issues.

- **Consider finding / hiring a new insurance broker or agent** that seems more responsive to your needs.

- **Check with the Chapter's professional service providers** (nonprofit lawyer, nonprofit accountant, bank, etc.) about a referral - they may know of an insurer who specializes in nonprofit business insurance.

- **Ask your state nonprofit association** if they offer a member benefit for insurance discounts or group coverage.

- **Ask another nonprofit for a referral**

- **Hire a nonprofit consulting company** to determine areas of potential risk and ways to reduce your exposure (referred through the state/national nonprofit association)

Resources

A good reference is the Chapter Resources page on the ASFPM website. It's a good idea to revisit these recommendations, coverages, and policies annually to ensure they are still adequate for current liabilities and practice. You can contact your state insurance commissioner's office to help locate an agent, the state bar association to find a pro-bono attorney experienced with nonprofits, and the state nonprofit association for referrals to experienced nonprofit accountants, insurance agents, lawyers, etc.. This may also be a good place to network with other nonprofits in your state to ask them for a reference.

- How to Find a Insurance Professional Who Knows My Business?
- Board Members Guide to Nonprofit Insurance
- Hallmarks of a Risk Aware Nonprofit
- What Every Nonprofit Board Member Should Know
All Chapters Call & Web Meeting

March 22, 2017
1pm Central Time
(2pm ET, 12pm MT, 11am PT, 10am AKT, 9am HT)

March 2017
1. Welcome (5 min.)
2. Housekeeping (15 min.)
3. Chapter Race & Blood Drive (5 min.)
4. National Policy Update (10 min.)
   - NFIP Reform
   - Federal Mapping Budget
5. Lobbying 101 for Chapters (15 min.)
6. New Business (10 min.)
7. Next Meeting: May 3, 2017 @ 1:30pm - KCMO
2017 ASFPM Chapters Meeting
Kansas City, MO
May 3, 2017
1:30pm – 3:30pm

Please email your agenda item requests to Kait@floods.org by 3/31/2017
ASFPM Foundation Seeking Donations from Chapters

2017 Silent Auction - Kansas City, MO
Mon., May 1 @ 5pm – Wed., May 3 @ 3:30pm

Provide the following information to Suzanne Gillingham, our silent auction coordinator:
- Description of item
- Fair market value (minimum value $25),
- Company or affiliation,
- Your phone, email and address,
- When and how the item will available for table placement,
- Name and address for acknowledgement letter if applicable.

More information at: http://www.asfpmfoundation.org/fundraising/silent-live-auctions
CALL FOR SPEAKERS AND EXHIBITORS:
Kentucky Association of Mitigation Managers
2017 Annual Conference – August 29-31
Gilbertsville, KY

PRESENTATIONS: Seeking abstracts for workshops, concurrent sessions, and plenary sessions from anyone with an interest in mitigation. Complete a form for each abstract using this link: http://www.kymitigation.org/submit-abstract/

ABSTRACT SUBMISSION:
Deadline: April 22, 2017
CALL FOR PRESENTATIONS:
Colorado Association of Stormwater & Floodplain Managers
2017 Annual Conference – September 19-22
Breckenridge, CO

PRESENTATIONS: Presentations are typically 30 minutes in length, and there are also opportunities for longer presentations or workshops. You are invited to speak and share your floodplain and stormwater management experiences. Click here for more information.

ABSTRACT SUBMISSION:
Deadline: April 28, 2017
Upcoming Chapter Conferences

- GA GAFM Conference Mar. 20-23
- IA IFSMA Conference Mar. 22-23
- ID NORFMA Conference Mar. 30-31
- FL FFMA Conference Apr. 4-7
- RI RIFMA Conference Apr. 6
- OK OFMA Workshop Apr. 7
- NM NMFMA Workshop Apr. 18-21
- NC NCAFPM Conference Apr. 23-26
- TX TFMA Conference Apr. 25-28
- AR AFMA Workshop Apr. 27-28
- AZ AFMA Conference May 17-19
- NY NYSFSMA Conference June 12-14
- OH OFMA Conference August 23-24
- KY KAMM Conference August 29-31
- TX TFMA Conference Aug. 29-Sept. 1
- KS KAFM Conference Sept. 6-7
- IN INAFSM Conference Sept. 6-8
- CO CASFM Conference Sept. 19-22
- UT UFSMA Conference Sept. 25-29
- NJ NJAFM Conference Oct. 24-26
- WI WAFSCM Conference Oct. 25-27
Outreach Process Partners Sponsors Purchase of 3D Flood Model & Case for Qualifying Chapter – Call for Applications

Click here to apply
or go to: http://apply.outreachprocesspartners.com
DEADLINE: December 31, 2017

Each year Outreach Process Partners (OPP) sponsors the purchase of a 3D Flood Simulation Model and case valued at $1,800 for a qualifying organization as part of their “Flood Risk Education in Our Local Schools” campaign. ASFPM Chapters are invited to apply for consideration.
5th Annual Running of the Chapters 2017
5K Run/Walk
May 3, 2017 @ 7:00AM

Kansas & Missouri are seeking volunteers &
financial support from chapters

Contact: Jason Schneider, Jason.Schneider@stantec.com

Sponsor & Register at:
http://asfpmconference.org/2017/race-5k
2nd Annual Blood Drive

The Kansas Association for Floodplain Management & Missouri Floodplain & Stormwater Managers Association will host a blood drive at the 2017 conference.

Photo by @StratComGal
National Policy Update

Larry Larson, CFM
Sr. Policy Advisor
Larry@floods.org
608-828-3000
Chapter Assistance Responding to National Policy

David Conrad
david@floods.org
Lobbying 101 for Chapters
ASFPM is providing these recommended practices for guidance purposes. Chapters should consider the list of practices as illustrative not exhaustive.

Each Chapter should independently evaluate what practices are best suited for their respective operation based on their needs and applicable state law.
Why Chapters Should Lobby

- Most familiar with flood problems/risks in your communities & states
- Professionals are in the best position to offer solutions to unique community/state specific risks & needs
- Failure to act is a missed opportunity to advance policies that reduce risk and protect lives/property - the mission of most of our associations
- Without input, legislators will draft policies & budgets that don’t respond to the needs of communities
Tax-Exempts Can Lobby!

IRS allows lobbying by tax-exempts:

- **501(c)3** – allowed if not a “substantial” part of Chapter’s activities/expenses, mission-related issue advocacy OK, but no political activity
- **501(c)4** – UNLIMITED, allowed if not Chapter’s primary mission/activity
- **501(c)6** – UNLIMITED, allowed if not Chapter’s primary mission/activity
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<th>501 (C)(4)</th>
<th>501 (C)(6)</th>
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*based on information provided by Chapter
**NOTE:** this pertains to lobbying at the FEDERAL level only. Your state may have registration requirements and/or restrictions related to lobbying.

**FOR MORE INFORMATION:**
How States Define Lobbying & Lobbyist - The National Conference of State Legislatures
Lobbying IS NOT

**NOT** considered lobbying under the Lobbying Disclosure Act of 1995:

- Public officials acting in their official job capacity
- Information provided at request of public/elected official
- Federal Register notice response to the specified agency
- Request meeting/status of an action (if not in attempt to influence policy) of public official
- Federal advisory committee participation
- Congressional testimony and/or submitted for inclusion in the public record of a hearing
- Information compelled by subpoena/regulation/judicial proceeding
Additional Resources


• **Legislative Activities**: (issue advocacy) organization contacts, or urges the public to contact, members or employees of a legislative body to propose, support, or oppose legislation.

• **Political Campaign Activity**: directly or indirectly participating or intervening in any political campaign *on behalf of or in opposition to any candidate for public office.*
What Issue Advocacy IS

IRS categorizes these as issue advocacy:

• Identifies specific legislation/event to influence outside your organization’s control
• Timing coincides with specific event such as legislative vote or hearing (outside your control)
• Identifies candidate as govt. official sponsoring legislation and/or in position to act on issue connected to event (vote/hearing)
• Absence of any of the factors on the next slide
What Issue Advocacy IS NOT

IRS classifies these as political campaign activity:

• Identifying a candidate(s) for office
• Approval/disapproval of candidate(s) for office
• Timing coincides with campaign/election
• Targets voters in an election
• Identifies candidate’s position on a policy issue as focus of the communication
• Candidate’s position on an issue is compared other candidates’ positions
• Not part of an ongoing issue advocacy
501(c)(3)’s

AR, AZ, CT, FL, FMA, GA, IA, IL, IN, KY, MD, MI, MN, MS, NC, NE, NJ, NY, NORFMA, OH, OK, TN, TX, UT, & WI
501(c)(3)’s - Issue Advocacy

- Advocacy for or against a particular issue (not a candidate) is acceptable IF it furthers the Chapter’s exempt purpose (mission).
- Issue Advocacy is allowed during an election, but cannot be used as an excuse for, or double as campaign intervention – avoid mention of voting, the election, or candidate positions on the issue while engaged in “issue advocacy”

Resources
501(c)(3)’s - Lobbying

Can conduct an **insubstantial** amount of lobbying (issue advocacy) related to their exempt purpose as determined by:

**Substantial Part Test**

**OR**

**Expenditure Test**

(501(h) election) – *clearer/easier option*
501(c)(3) Expenditure Test

May use the IRS Expenditure Test under 501(h) to measure lobbying based on the size of the organization

- Must file IRS Form 5768 at any time during tax year; remains effective until revoked
- 2 types of lobbying under this test:
  - Direct Lobbying
  - Grassroots Lobbying

## Expenditure Test under 501(h)

<table>
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<th>If the amount of exempt purpose expenditures is:</th>
<th>Lobbying nontaxable amount is:</th>
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<td>( \leq 500,000 )</td>
<td>20% of the exempt purpose expenditures</td>
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<td>( &gt; 500,000 ) but ( \leq 1,000,000 )</td>
<td>$100,000 plus 15% of the excess of exempt purpose expenditures over $500,000</td>
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<tr>
<td>( &gt; 1,000,000 ) but ( \leq 1,500,000 )</td>
<td>$175,000 plus 10% of the excess of exempt purpose expenditures over $1M</td>
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<tr>
<td>( &gt; 1,500,000 ) but ( \leq 17,000,000 )</td>
<td>$225,000 plus 5% of the exempt purpose expenditures over $1,500,000</td>
</tr>
<tr>
<td>( &gt; 17,000,000 )</td>
<td>$1,000,000</td>
</tr>
</tbody>
</table>
Form 5768 – Easiest IRS Form Ever!

**5768**

Election/Revocation of Election by an Eligible Section 501(c)(3) Organization To Make Expenditures To Influence Legislation

(Under Section 501(h) of the Internal Revenue Code)

Information about Form 5768 and its instructions is at www.irs.gov/form5768.

**For IRS Use Only ▶**

<table>
<thead>
<tr>
<th>Name of organization</th>
<th>Employer identification number</th>
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<tr>
<td>Number and street (or P.O. box no., if mail is not delivered to street address)</td>
<td>Room/suite</td>
</tr>
<tr>
<td>City, town or post office, and state</td>
<td>ZIP + 4</td>
</tr>
</tbody>
</table>

1 **Election**— As an eligible organization, we hereby elect to have the provisions of section 501(h) of the Code, relating to expenditures to influence legislation, apply to our tax year ending [ ] and all subsequent tax years until revoked.

   (Month, day, and year)

   **Note:** This election must be signed and postmarked within the first taxable year to which it applies.

2 **Revocation**— As an eligible organization, we hereby revoke our election to have the provisions of section 501(h) of the Code, relating to expenditures to influence legislation, apply to our tax year ending [ ] and all subsequent tax years (until a new election is made).

   (Month, day, and year)

   **Note:** This revocation must be signed and postmarked before the first day of the tax year to which it applies.

Under penalties of perjury, I declare that I am authorized to make this (check applicable box) ▶

- election □ revocation

on behalf of the above named organization.

(Signature of officer or trustee) □ (Type or print name and title) □ (Date)

**General Instructions**

Section references are to the Internal Revenue Code. The election or revocation applies in item 1 or 2, as applicable, and sign and date the form in the spaces provided.

b. An integrated auxiliary of a church or of a convention or association of churches, or
Expenditure Test – Definition of Lobbying Types

- **Direct Lobbying**: any communication, with a legislator, that expresses a view about specific legislation.
- **Grassroots Lobbying**: any communication, with the general public, that expresses a view about a specific legislation, **and includes a call to action**.

*If one part of the definition is missing in a particular activity, the activity will not count as lobbying.*
Calls to action must be either:

1. Asking the public to contact their legislators or their staff;
2. Providing the address, phone number, website, or other contact information for legislators;
3. Providing a mechanism to contact legislators such as a tear-off postcard, petition, letter, or email link to send a message directly to legislators; or
4. Listing the recipient’s legislator, the names of legislators voting on a bill, or those undecided or opposed to an organization’s view on the legislation.
To remain tax exempt under section 501(c)(3), organization leaders cannot make partisan comments in official organization publications or at official functions.

This is not an attempt to hamper free speech: IRS advises when Chapter leaders of 501(c)(3)'s express their personal opinions in a non-official capacity, these leaders should clearly indicate that their comments are personal, and not intended to represent the views of the organization.

• Prohibited from participating or intervening in political campaigns in support OR in opposition of a candidate for public office (including national, state, or local office).
Prohibited Campaign Intervention

- Making/soliciting $ to/for candidates
- Endorsing/rating candidates
- Publishing/distributing campaign literature
- Has representatives speaking out about a candidate
- Using resources to influence an election
501(c)(6)’s
CO, KS, MO, MT, NM, RI, & SC
&
501(c)(4)’s
AL, LA, & VA
501(c)(4)’s & 501(c)(6)’s - Lobbying

- May engage in an **UNLIMITED** amount of lobbying, *provided it’s related to your tax-exempt purpose (mission)*
- May engage in Political Activity permitted within rules:
  - Not your primary activity
  - Member dues spent on it not deductible to members
  - Spending subject to excise tax

**Additional Resources**

501(c)(4)'s & 501(c)(6)'s – Political Activities

**MAY** engage in political campaign activities on behalf of or in opposition to candidates for public office including
- Influencing selection, nomination, election, or appointment of candidate to federal, state, or local public office

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**Additional Resources**

Lobbying & Tax-Exempt Resources

- **Nonprofits & Lobbying** – *American Bar Association*:  

- **Worry Free Lobbying** - *Alliance for Justice*:  

- **Free Exempt Organization IRS Online Courses & Webinars**:  
  www.stayexempt.irs.gov

- **IRS Exempt Organization newsletter**:  
Consult an Expert in Your State

- Remember – we’re not Accountants, Lawyers, Tax, or Insurance Professionals – be sure to consult an experienced Nonprofit Professional in your State.
- A good resource to locate nonprofit professionals and keep current on nonprofit regulations in your state go to:
  
  http://www.councilofnonprofits.org/find-your-state-association
New Business?

- Any new Chapter Business?
- Chapter Activities of note
- Questions / Comments?
Upcoming “All Chapters” Calls & Meetings

AFSPM 2017 Chapter Meeting
May 3, 2017 @ 1:30pm
Kansas City, MO

6/15/17 @ 1pm Central Time
9/21/17 @ 1pm Central Time
12/21/17 @ 1pm Central Time