



**ADMINISTRATIVE POLICIES**

<b>SECTION:</b> General Administration	<b>POLICY #:</b> 214 - NEW
<b>TITLE:</b> Legislative Advocacy	<b>PROCEDURE #:</b> 214-A
	<b>ORDER #:</b> 18-136
<b>DEPT:</b> Board of Commissioners	<b>PROGRAM:</b> N/A
<b>ADOPTED:</b> 12/18	<b>REVIEWED:</b>
	<b>REVISED:</b>

**PURPOSE:** The purpose of this policy is to establish guidelines for legislative advocacy, which includes advocacy on policy and administrative/technical issues, pending legislation, and written correspondence to legislators, other elected officials, and policy makers.

**AUTHORITY:** The Marion County Board of Commissioners may establish rules and regulations in reference to managing the interest and business of the county under ORS 203.010, 203.035 and 203.111, and 203.230.

The Marion County Board of Commissioners expresses the governing body’s official, organizational position on fundamental issues or specific repetitive situations through formally adopted, written policy statements. The policy statements serve to provide rules for public officials on the conduct of county business.

The Marion County Board of Commissioners’ Administrative Policies and Procedures manual outlines the forms and process through which the board takes formal action on administrative policy. It is the official record of county administrative policy.

**APPLICABILITY:** All county departments, employees, advisory boards, and volunteers.

**GENERAL POLICY:** This policy establishes the framework for county departments to participate in advocacy to ensure an effective program of legislative representation. To avoid any doubts or confusion with members of the legislature or congressional delegation as to Marion County’s priorities and requests for assistance, and to have a consistent point of contact for outside elected officials and other agency representatives, the county’s state and federal government relations functions and responsibilities are coordinated and managed centrally. Ad hoc legislative advocacy could have a direct and adverse impact on the success of the county in promoting its overall goals.

SUBJECT: LEGISLATIVE ADVOCACY

**DEFINITIONS:**

Appropriate County Staff: Subject matter experts designated by the board of commissioners, county chief administrative officer, or department head.

Legislative Advocacy: Influencing, or attempting to influence, legislative action through oral or written communication with legislative officials, solicitation of executive officials or other persons to influence or attempt to influence legislative action or attempting to obtain the goodwill of legislative officials.

Administrative/Technical Issues: Informational topics that are technical or factual in nature.

On Behalf of the County:

1. Advocacy undertaken in the name of Marion County or while purporting to represent the interest of the county, no matter when the advocacy occurs.
2. Advocacy undertaken without specifically disclaiming such advocacy to be on behalf of the county, when under the circumstances of the advocacy, the entity sought to be influenced would or might be misled as to whether the advocacy was on behalf of Marion County.
3. Advocacy undertaken during working hours or with the use of county stationery, telephones, or other supplies or equipment.

Policy Issues: Any topic on which the county has taken an official position.

**POLICY GUIDELINES:**

As more entities engage in advocacy activities, Marion County must ensure that it speaks with one voice to effectively impact legislative, administrative, and regulatory processes.

An effective program of legislative representation includes advocating the legislative policies of the Board of Commissioners before congressional and legislative members, committees, and staff; governor and staff; and directors and staff of state and federal agencies and commissions (hereinafter referred to as “governmental bodies”).

It also may be necessary to direct legislative advocacy activities toward local or regional decision-making bodies such as city councils, transportation districts and boards, school boards, and others.

1. RESPONSIBILITIES

- 1.1. The Board of Commissioners will direct all legislative advocacy efforts conducted on behalf of Marion County.
- 1.2. It is a practice of the board to adopt a legislative priorities platform, corresponding to the state and federal legislative sessions, that directs the county’s legislative efforts.
  - 1.2.1. Individual commissioners may propose specific issues at any time regarding the county’s legislative program or regarding a specific legislative proposal.
  - 1.2.2. Individual commissioners may write correspondence and make public their position on a particular public policy issue. They may not, however, state their position as being a

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position taken by the county unless the matter has come before and been approved by the Board of Commissioners.

- 1.3. No action may be taken by a department on any legislation which is in conflict with board priorities or the county's legislative agenda.
- 1.4. The board shall have the first opportunity to testify or comment on legislation, rules, or regulations. If the board chooses not to do so, the government relations manager will coordinate with county departments to provide testimony or comment when appropriate.
- 1.5. Anyone representing Marion County in the legislative process is responsible for knowing and following the laws and rules for working with the legislature including;
  - 1.5.1. [Guide to Lobbying in Oregon](#), Oregon Government Ethics Commission; and
  - 1.5.2. [Attorney General Opinion No. 8259 \(August 1998\)](#).
- 1.6. Staff shall not engage in advocacy activities without authorization from their supervisor.
- 1.7. Advisory boards serve as advisors on policy matters to the Board of Commissioners, which is responsible for the management and administration of the policy. Advisory board members shall not engage in legislative advocacy activities on behalf of Marion County without authorization from the Board of Commissioners.
- 1.8. Contacts on behalf of Marion County or any of its departments or programs with federal, state, regional and local governments, legislative delegations, and public officials are coordinated through the government relations manager in the Board of Commissioners' Office.
  - 1.8.1. This includes presentations, reports, or testimony provided to any government or legislative official.
- 1.9. Advocacy Involving Policy Issues
  - 1.9.1. Advocacy efforts involving policy issues shall require the prior authorization of the Board of Commissioners.
    - 1.9.1.1. If prior authorization is not practical, the issue must be presented to the Board of Commissioners as soon as possible to inform and ratify the board's position.
  - 1.9.2. Prepared testimony and materials shall be coordinated with the government relations manager in the Board of Commissioners' Office.
- 1.10. Advocacy Involving Administrative/Technical Issues
  - 1.10.1. The county chief administrative officer (CAO) or department heads shall decide whether proposed presentations before governmental bodies and local or regional decision making-bodies are of a policy or administrative/technical nature.
  - 1.10.2. Appropriate county staff may present to governmental bodies and local or regional decision-making bodies information of an administrative/technical nature without prior specific board authorization. However, county department heads shall report such presentations to the government relations manager.

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1.11. Communications With External Elected Officials

- 1.11.1. Written correspondence to federal, state, or local elected officials on behalf of the county shall be signed by one or more members of the Board of Commissioners or CAO. The CAO may delegate signature authority, if necessary and appropriate.
- 1.11.2. Department heads may send written correspondence to federal, state, or local elected officials on behalf of their departments with prior notification to the government relations manager.
  - 1.11.2.1. A copy of the correspondence shall be routed to the Board of Commissioners' Office prior to sending it.
- 1.11.3. Department-specific communications to stakeholder groups on pertinent legislative issues are to be copied to the government relations manager who is responsible for sharing the information with the board.

1.12. Advocacy And Communication By County Elected Officials

- 1.12.1. The board encourages elected officials to follow these guidelines and to forward copies of correspondence and testimony via the government relations manager. The purpose of this request is to ensure county leadership is informed, communicating and speaking with a united voice.
- 1.12.2. If elected officials choose to advocate or testify on a policy issue that is not in line with the county or board policy position, they must clarify that it is their own position and not the county's position.
  - 1.12.2.1. Notification and copies of testimony to the board upon such action is requested.

1.13. Any person representing Marion County in the legislative process shall perform professionally, adhering to the highest principles of public service.

- 1.13.1. County representatives must: maintain the utmost integrity at all times, acting for Marion County, not themselves; be respectful, clear and honest in all communication; present all information fairly and completely; and respond to inquiries without delay.

2. EXCEPTIONS

- 2.1. The timing of advocacy typically permits prior notification of and authorization by the Board of Commissioners. At times, however, advance notification and authorization will be impracticable due to the press of county business or time constraints at the legislature. Appropriate county staff shall be authorized to advocate, on behalf of the county, positions consistent with the county's legislative priorities, specific policy issues, or directions of the Board of Commissioners. Such advocacy efforts shall not require specific prior authorization of the Board of Commissioners.
  - 2.1.1. In this situation, appropriate county staff shall include the following:
    - 2.1.1.1. The county chief administrative officer or designee; and
    - 2.1.1.2. Department heads or designees.
  - 2.1.2. The Board of Commissioners must be immediately notified when these situations arise.

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3. IMPLEMENTATION

- 3.1. The Board of Commissioners' Office has the authority and responsibility to implement this policy and assure compliance by county departments.
- 3.2. Elected officials and department heads are expected to be knowledgeable of, and shall be responsible for, implementing this policy and accompanying procedure within their respective departments.
- 3.3. This policy shall be implemented consistent with the authorities, responsibilities, and exceptions noted above.

4. PERIODIC REVIEW

This policy shall be reviewed by the Board of Commissioners' Office at least every three years, or more often if needed, and updated as necessary.

Adopted: 12/18

Reviewed:

Revised: