



OREGON YOUTH AUTHORITY

Policy Statement

Part I – Administrative Services



Subject

Lobbying

Section – Policy Number:

A: General Administration – 1.0

Supersedes:

I-A-1.0 (02/99)

Effective Date:

07/16/2007

Date of Last

Review/Revision:

None

Related Standards and References:

- [ORS 171.745](#) (Statements of lobbying expenses required; contents; time of filing)
- Oregon Government Standards and Practices Commission, [Guide to Lobbying](#); [Guide for Public Officials](#)
- [Attorney General OP No 8259](#) (Application of state lobbying regulations to certain activities by state employees; 08/07/1998)
- Department of Administrative Services (DAS), [Working with the Legislature](#)
- American Correctional Association, *Standards for Juvenile Correctional Facilities*; 3-JTS-1A-29 (Political Practices)
- OYA policy: [0-2.1](#) (Professional Standards)
[I-D-3.11](#) (Political Activity)
- OYA forms: [YA 9052](#) (GPSC Lobbyist Request)
[YA 9053](#) (GPSC Lobbyist Registration)
[YA 9054](#) (GPSC Lobbyist Activity)
[YA 9055](#) (GPSC Lobbyist Expenditure)
[YA 9056](#) (GPSC Employer Expenditure)
[YA 9057](#) (GPSC Lobbyist Termination)

Related Procedures:

- None

Interpretation: Director's Office

Approved:

Robert S. Jester, Director

I. PURPOSE:

This policy establishes lobbying guidelines for OYA staff to include:

- Lobbying activities;
- Clarification of when OYA representatives are lobbying;
- Examples of when OYA representatives are not lobbying;
- Lobbying registration requirements;
- Lobbying registration exemptions; and
- Reporting requirements.

II. POLICY DEFINITIONS:

Lobbying: Influencing, or attempting to influence, legislative action through oral or written communication with legislative officials, solicitation of others to influence or attempt to influence legislative action or attempting to obtain the good will of legislative officials.

(Source: ORS 171.725(8) and AG Opinion No. 8259, August 7, 1998)

III. POLICY:

Staff representing the OYA in the legislative process will perform professionally, adhering to the highest principles of public service, and discharge their duties in keeping with the public trust.

Staff will:

- Maintain the highest integrity at all times; acting for the agency, not themselves;
- Be respectful, clear and honest in all communications;
- Present all information fairly and completely; and
- Respond to inquiries without delay.

Staff will engage in lobbying activities only with authorization from the agency and in coordination with the agency's Legislative Coordinator to ensure the OYA meets statutory requirements in relation to lobbying activities.

IV. GENERAL STANDARDS:

A. Lobbying activities

1. Any request to meet, testify or provide material about any issue or bill to a legislator or staff will be immediately reported to the agency's Legislative Coordinator.
 - a) The Legislative Coordinator will monitor all staff lobbying activities.
 - b) Supervisors/Managers, in coordination with the Legislative Coordinator, will ensure that individuals not registered as lobbyists do not exceed registration exemptions (defined below).
2. The OYA will not reimburse individuals for lobbying expenses related to food, refreshments or entertainment.
 - a) These expenses will not be paid by the agency directly.
 - b) Use of personal funds for this purpose is discouraged.

Any personal funds expended for lobbying activities must be reported by the individual registered lobbyist (YA 9055).

3. The OYA will pay printing, postage, telephone and other office expenses related to authorized lobbying activities.
4. Agency funds may be used to finance non-lobbying activities to:
 - a) Promote public involvement in agency programs or efforts;
 - b) Conduct public outreach to help the success of agency programs; and
 - c) Educate or inform the public about agency programs or initiatives.
5. The OYA will not hire outside firms or consultants to lobby the Legislative Assembly without DAS approval.

When using an outside firm for any activity, state contracting requirements must be followed and steps must be taken to ensure there is no conflict of interest between the agency's mission and the other clients represented by the contracted firm.

B. Representatives of the OYA are lobbying when they talk or write to a legislator or to his/her staff to influence legislative action. Examples:

1. Testimony favoring or opposing a bill or budget.
2. Proposing amendments to a bill, including technical amendments.
3. A letter, memo or e-mail favoring or opposing a bill or budget.
4. Formal or casual conversations favoring or opposing a bill or budget.
5. Talking or writing to a legislator or to his/her staff to promote good will toward the agency or an agency program.
6. Talking or writing to others with the intent to ask them to influence legislative action. Examples:
 - a) Meetings in which people are asked to support or oppose a bill or budget.
 - b) Letters, memos, e-mails, or newsletters asking people to support or oppose a bill.

C. Representatives of the OYA are not lobbying when they:

1. Talk or write to a legislator or to his/her staff merely to provide facts.

Facts may include fact estimates and expert opinions of fact. The facts may apply to any program, budget, bill, or issue.
2. Do work within the agency to research, write, or otherwise develop a bill or budget.
3. Research or write testimony supporting or opposing a bill.
4. Are waiting to present testimony or to meet with legislators or staff.
5. Write or talk to anyone to solicit his/her input on the agency's legislative proposals or budget.
6. Do support work for an agency's lobbying activities, not including any direct communication between themselves and legislators or their staff.

D. Registration requirements

The Director's Office will designate certain staff as registered lobbyists on the behalf of the OYA.

1. These individuals will register as lobbyists in advance.
 - a) Requests to register as a lobbyist must be approved by DAS (YA 9052) before registering with the Government Standards and Practices Commission (YA 9053).
 - b) These individuals will log their lobbying activities on a YA 9054.
2. All other agency representatives should register only when they realize they will exceed the exemption criteria in a calendar quarter.
 - a) These individuals will log their lobbying activities on a YA 9054.
 - b) Contact the Legislative Coordinator for procedure.
3. Individuals should terminate their registered lobbyist status when lobbying activities no longer require registration, such as at the end of a legislative session (YA 9057).

E. Registration exemptions

The following persons are **exempt** from the requirement to register as a lobbyist:

1. A person who spends **not more** than 24 hours during any calendar quarter lobbying, excluding travel time, and who does not spend an

amount in excess of \$100 lobbying during any calendar quarter, excluding the cost of personal travel, meals and lodging.

The \$100 limit includes only out-of-pocket expenses paid by the individual with personal funds and not reimbursed by the agency. The \$100 limit excludes the cost of personal travel, meals and lodging.

2. Any state official who limits lobbying activities **solely** to formal appearances to give testimony before public sessions of committees of the Legislative Assembly, or public hearings of state agencies, and who, if the individual testifies, registers an appearance in the records of such committees or agencies.
 - a) If a state official speaks privately with a legislator on a single occasion to express reasons why a particular bill is a good or bad idea, asks other persons to support or oppose a legislative measure, or engages in any other lobbying activity this exemption does not apply.
 - 1) In this case, **all** time spent by the public official “for the purpose of lobbying” will be counted, even time spent in formal appearances that are registered in committee or agency records.
 - 2) If this total time exceeds 24 hours in a calendar quarter, the public official must register.

F. Reporting requirements

Both registered and unregistered lobbyists are required to report time and costs associated with lobbying activities.

1. The Legislative Coordinator maintains the agency’s procedures defining reporting requirements.
2. Supervisors/Managers, in coordination with the Legislative Coordinator, will ensure staff compliance with reporting requirements and OYA procedures.

V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO