

Agency, Board and Commission Legislative Engagement Policy

January 2025

Agency Bill Endorsements

1. Agencies can advocate for their own bills and budget priorities outlined in the Governor's Recommended Budget.
2. Agencies should remain neutral on bills outside of the ones they introduce. If approached by a legislator or advocacy organization for a bill endorsement, agencies can use the template language below as a guide for their response.
 - Thank you for requesting that we take a position on this bill. As an executive branch agency, we work to provide factual and technical information to individuals developing legislation that impacts the agency or our topic area. We will not be taking positions on legislation this session, outside of bills we have introduced or worked to develop. We will gladly continue to provide technical feedback as it relates to the development of this bill.
3. In circumstances where an agency feels strongly they must formally take a position on a bill, they should flag the bill for their advisor in the Governor's Office and the Governor's legislative team. Agencies will need to fill out the *Bill Review Questionnaire* form, which will be reviewed by the Governor's Office. The Governor's Office will make the final decision on agency endorsements.
 - Agencies should flag any bills like this for the Governor's Office **at least 48 hours** prior to when they need a yes or no decision. Agencies should not assume that decisions can be made on the same day the request is made.
 - In circumstances where a 48-hour window is not possible, agencies should directly call the Governor's Office advisor and legislative team to outline the situation.
4. Agencies should be responsive to legislators seeking factual input on how bills could impact the agency's work. The agency should not advocate for or against this bill, unless an exception is made (per #3).
5. If agencies have concerns about bills moving through the committee process, they should contact their Governor's Office advisor and the Governor's legislative team.

Guidelines for Board and Commission Legislative Advocacy

A board or commission member **must be empowered by the board or commission** to speak on the board or commission's behalf. This is true for advocacy, as well as situations where the individual is providing context about legislation. Even without taking an official position, providing background and context on a program/policy can be very helpful in refining a bill.

A board or commission member may advocate on their own behalf as an individual but should make sure not to blur the lines and suggest you speak on behalf of the board or commission. Individuals in this situation should not assume that others are making the distinction – so proactively define the difference.

For board members or commissioners engaging with the Legislature, please first communicate with the director of your board or commission. When necessary, they can follow up with the Governor's Office.

New Legislation Proposed by a Board or Commission

Boards/Commissions and/or Board Members/Commissioners wishing to propose legislation must do so with the assistance of the board or commission through the standard Governor's Office process for a legislative session occurring during an odd-numbered year.

The standard process typically involves making initial legislative concept proposals early during the year preceding legislative session (e.g., January of 2024 for concepts developed for the 2025 Legislative Session) so they can be vetted by Governor's Office. If a concept includes a fiscal impact, it will also be reviewed by the state Chief Financial Officer and their staff as a part of the development process for the Governor's Recommended Budget.

Whether a legislative concept is submitted to the Legislature for consideration is determined by the Governor. If a legislative concept is not approved by the Governor, Boards Commissions and/or Board Members/Commissioners are not permitted to advocate for the concept in their official capacity.

Analyzing Legislative Proposals Proposed by Others

Boards/Commissions and/or individual Board Members/Commissioners, when acting as a body or as individuals under the auspices of their position, *must obtain prior Governor's Office approval* to:

- Taking a public stance in favor of a bill or amendment either in writing, via verbal testimony, or in one-on-one meetings with legislators; or
- Taking a public stance in opposition to a bill or amendment in writing, via verbal testimony, or in one-on-one meetings with legislators.

Boards/Commissions and/or individual Board Members/Commissioners, when acting as a body or as individuals under the auspices of their position, *do not need to obtain prior Governor's Office approval* to:

- Offer technical feedback (i.e., experience, expertise, data, or other information) to legislators and other stakeholders when feedback is requested in writing, via verbal testimony, or in one-on-one meetings with legislators; and/or
- Discuss a bill/concept as a group in their meeting.

While prior authorization is not required to offer feedback or to discuss a bill/concept during an open meeting, Board Members and Commissioners should notify board or commission staff.

Managing Conflicts of Interest

As a public official, it is the expectation that all members of boards and commissions will follow all OGEC regulations on conflicts of interest.

Public Meetings

All board and commission members must follow applicable public meetings rules to meet, discuss, and vote on the commission's advocacy goals on the piece or pieces of legislation.