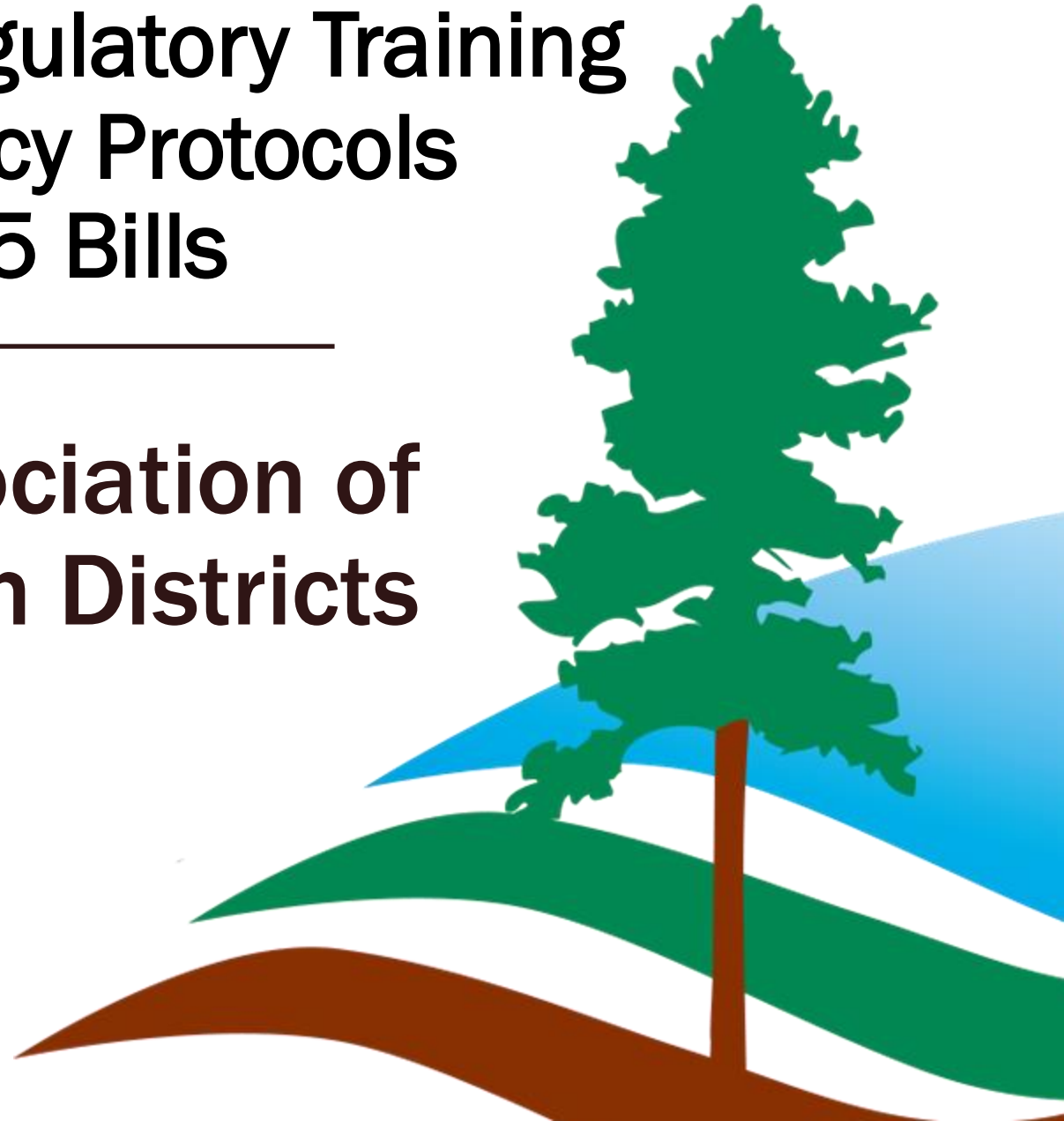


Legislative and Regulatory Training Part 2: Advocacy Protocols and 2025 Bills

**Oregon Association of
Conservation Districts**



Heads Up For Non-Profits

- Legal requirements in this module are for OACD and SWCDs
- Non-legal procedures and protocols can be useful to all organizations



A Definition of Advocacy

- Advocacy means influencing or attempting to influence governmental laws, regulations, policies, procedures, and political campaigns.
- Federal, state, and local level



Training Topics

1

OACD
Procedures

2

OACD Resources

3

Model Advocacy
Policy for
SWCDs

4

2025 Legislative
Session Bills



OACD Procedures

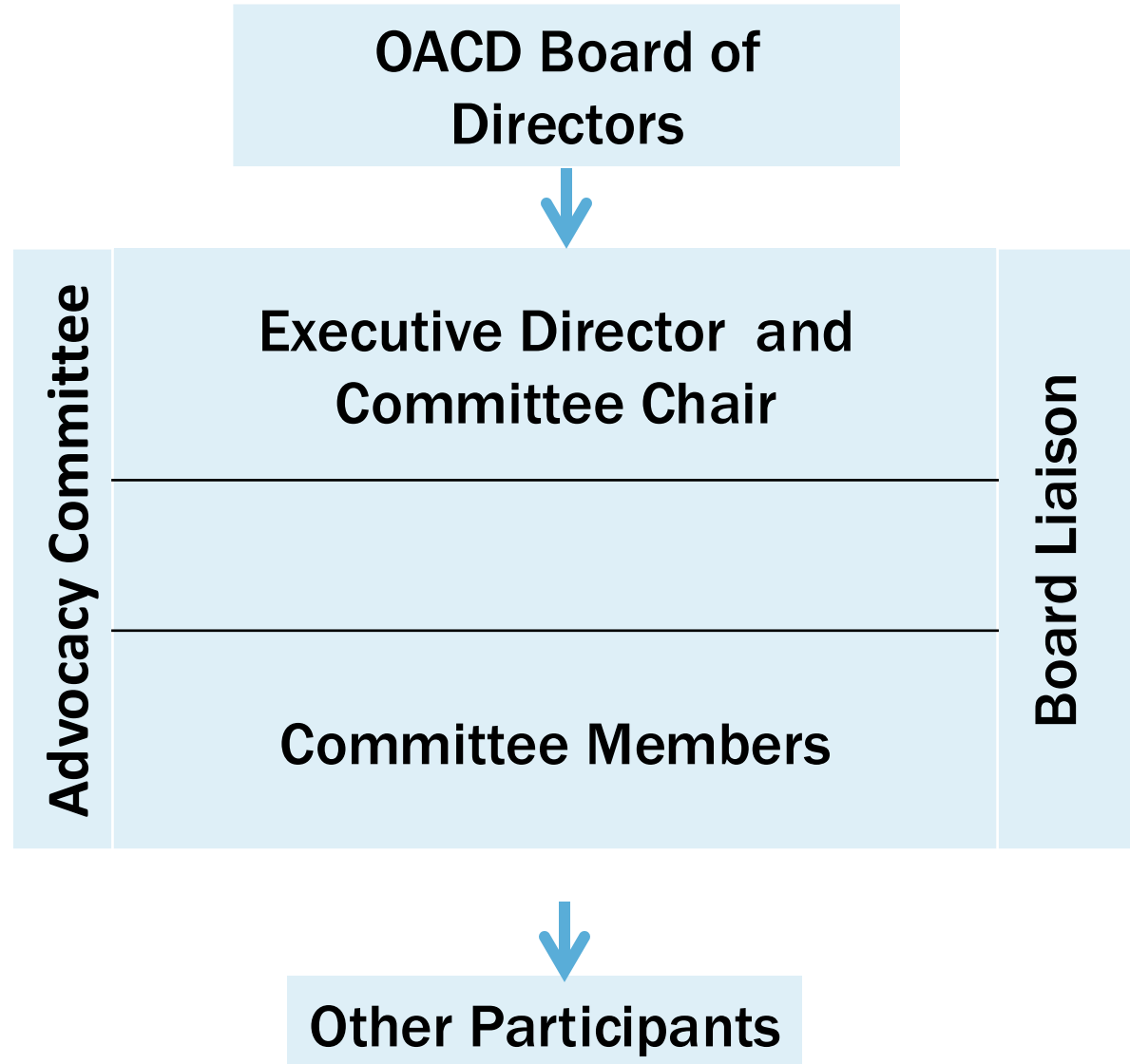


OACD Advocacy Policy and Advocacy Committee Charter

- **Provide authority to advocate on behalf of OACD**
- **Include protocols for representing OACD**
- **Include requirements for how the Advocacy Committee shall operate**
- **Specify how position statements are developed and used**



Authority to Advocate



OACD Advocacy Committee Scope

- **Track and research issues**
- **Lead development and update of position statements for Board approval**
- **Provide oral and written testimony in legislative and regulatory forums**
- **Lead advocacy training**
- **Prioritize advocacy to match available resources**
- **Communicate with OACD Board and membership**



OACD Advocacy Committee Decision Making

- **OACD Board:** appoints Committee Chair and Board liaison
- **Voting Committee Members:** have self identified and committed to 50% attendance at committee meetings and willingness to take on assignments as necessary; consensus preferred but vote when necessary. Must be from SWCD community (board or staff)
- **Other Participants:** are welcome to attend Advocacy Committee meetings and participate in discussion, but are not able to vote



Position Statements

- **Reflect the positions of Soil & Water Conservation Districts on key issues in conservation of natural resources**
- **Serve as guidance for OACD advocacy**
- **Periodically updated, last done in fall 2022**



Example Position Statement

Voluntary Conservation:

OACD Supports the use of voluntary conservation as an approach to conserving natural resources.



*OACD Advocacy Requirements

- **Seek proper approval to advocate on behalf of OACD prior to acting**
- **Have written communications and testimony reviewed in advance**
- **Communicate the results of actions that are taken**
- **Be consistent with OACD Position Statements**
- **Be clear who you are representing, e.g. OACD, yourself, or your SWCD**



Interpreting Position Statements

OACD Executive Director and Advocacy Committee Chair may:

- 1) Make a determination of testimony consistency with position statements and proceed**
- 2) Seek further advice from the Advocacy Committee, OACD Board, or others**
- 3) Acknowledge uncertainty and proceed due to timing and/or urgency, with a follow-up report to the OACD Board**
- 4) Take no action**



OACD Resources



*OACD Resources

- Advocacy Committee
- OACD Position Statements
- Model SWCD Advocacy Policy
- OACD Legislative Tracking Table
- Past OACD Testimony
- This training

Resources listed above may be found on the [Advocacy Committee page](#) on the OACD Website



State Resources

Oregon Government Ethics Commission

- Guide to Lobbying in Oregon

<https://www.Oregon.gov/ogec/Pages/Guide-for-Public-Officials.aspx>

Oregon Secretary of State

- Restrictions on Political Campaigning by Public Employees

<https://sos.oregon.gov/elections/Documents/restrictions.pdf>



Model Advocacy Policy for SWCDs



Model Advocacy Policy Overview

- Intended to be adopted by SWCDs to streamline advocacy efforts
- Divides advocacy into three categories: Political campaigning, lobbying, and other
- Do's and Don'ts
- Role of Position Statements
- Delegation of Authority
- Can be modified to fit individual needs



Political Campaigning

Political campaigning means promoting or opposing any political committee, the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, adoption of a measure or recall of a public office holder.



Restrictions on Political Campaigning

Significant restrictions on SWCDs under State law, overseen by Secretary of State

- Staff shall not participate in political campaigning while on duty
- Public employees may prepare and distribute impartial written material or make impartial presentations about election topics
- Board members may participate in political campaigning as a function of the Board
- Staff and Board members may participate in political campaigning on their own time, but it must be clear that the action is not associated with the District



Lobbying

Lobbying means 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.



Lobbyist Registration Thresholds Applicable to SWCDs

NOT required for:

Any individual who does not receive compensation or reimbursement of expenses for lobbying, 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, when testifying, registers an appearance in the records of the committees or agencies.



Lobbyist Registration Thresholds Applicable to SWCDs

NOT required for District Board and staff unless they exceed either of the following limits:

- Aggregate of 24 hours spent on lobbying in any calendar quarter
- Aggregate of more than \$100 spent on lobbying during any calendar quarter (amount received by person being lobbied)

Note: If the District hires a professional lobbyist, they will need to register



Lobbying

- **If an SWCD has a lobbyist that is required to register, they must file an employer report with the Oregon Government Ethics Commission**
- **Learn more by visiting the Oregon Secretary of State's website.**



More on Lobbying



- Lobbying does NOT include time spent researching, reviewing, and analyzing legislative actions and time spent preparing letters, testimony, or other documents for the purpose of lobbying.
- Providing factual information is not lobbying as long as it is not intended to influence legislative action.
- When you make an “ask” you are lobbying.



Other Advocacy

- Other advocacy includes influencing actions of state agencies and local jurisdictions.
- Advocating on state rulemaking is not lobbying
- Advocating for local laws, rules, and policies (e.g. cities and counties) is not lobbying.
- “Other advocacy” is not subject to laws and regulations pertaining to political campaigning and lobbying.





Role of Position Statements

- Position statements provide guidance on what a representative of a District should or should not say
- Consistent advocacy is dependent on having adopted position statements
- SWCDs may adopt OACD position statements or create their own



Delegation of Authority

- Efficient advocacy is dependent on delegating authority to act on short notice
- Actions can't always wait until the next SWCD Board meeting
- Delegation of authority should be contingent upon acting consistently with the directions established by the Board (e.g. position statements)



Considerations in Delegating Authority

- Can't delegate political campaigning to staff
- Formal vs informal advocacy
- Lobbying vs non-lobbying
- Who gets authority
- Urgent matters when consistency with SWCD policies are not clear
- Responsibilities for reporting actions



Variations of the Model Advocacy Policy

- Adopt the policy in substantially similar form, filling in blanks for district specifics.
- Break into three parts; policy, delegation, and position statements
- Cut out background information to shorten
- Delegate to a committee rather than individuals

2025 Legislative Session Session Bills



Open Discussion on Legislation

- Concerns
- Additional Clarification
- New Intelligence



Thank you – Questions?



Contact us!

Andrea Kreiner, Executive Director
971.988.9929 (cell) andrea.kreiner@oacd.org

Stan Dean, Advocacy Committee Chair
530.902.7415 (cell) stan.dean@jswcd.org