

May 8, 2024

Members of the Elections Policy Conference Committee –

On behalf of the Board of Directors and membership of the Minnesota Governmental Relations Council (MGRC), we appreciate the opportunity to submit comments regarding proposed clarifications to the new lobbyist registration and reporting guidelines contained in HF 4772.

The Minnesota Government Relations Council (MGRC) is a Minnesota nonprofit organization serving government relations professionals by providing advocacy, professional development, networking, and an enhanced working experience inside and outside the Capitol. We are a network of more than 500 lobbyists and public relations professionals in Minnesota, whose common goal is to influence the public policy process through ethical representation. Ethical representation and adherence to the laws governing our community are among our core principles.

For several years, MGRC board members have been meeting with legislators and representatives of the Minnesota Campaign Finance and Public Disclosure Board (CFB) to discuss legislation relating to lobbyist regulation and public disclosure, as we too share the goal of a transparent political process. However, comprehensive new registration and disclosure requirements were passed last session, and since that time MGRC has fielded hundreds of questions from our members and from those outside the lobbying community that are affected by the new registration requirements.

Following passage of last years' bill, the message we continue to hear from our members is: the new statutes aimed at lobbyist regulation and disclosure are confusing and overly expansive. The expansion of lobbying registration to political subdivisions, coupled with the new definition of “legislative action” has caused considerable confusion about who must register and when. Under the new requirements, many professionals, including Tribal members, union workers, lawyers, engineers, and non-profit employees, who interact with local or public officials in any way through their normal course of work would be required to register as lobbyists.

In order to facilitate proper registration of the appropriate people, and avoid confusion and overwhelming the CFB with erroneous registrations, conferees should make certain clarifications clear in statute about who must register as a lobbyist, such as those clarifications considered by the Campaign Finance Board relating to political subdivision employees, subject matter experts, volunteer board members, etc.

We recognize that conversations need to continue about these clarifications, particularly with regard to persons interacting with political subdivision officials. **To that end, we agree with the proposed study group contained in both House and Senate versions (R-62), and we strongly prefer the language contained in the Senate version at R-62,** which represents our conversations on including additional voices in the study group and pausing registration relating to newly-covered political subdivisions.

We also support the Senate language at R-54 relating to providing expert advice to “public or local officials at a lobbyist’s request”. This is an important provision because it clarifies that subject matter experts – brought in at the request of a professional lobbyist to provide information to a public or local official – are not by that act alone considered lobbyists. The proposed study group relates only to local officials, so making sure this clarification for other public officials is contained in statute is important.

The professional lobbying community desires a set of regulations that are clear and do not pose an undue compliance burden. We also value citizen engagement in the legislative process. As a community, we are concerned about regulations inadvertently dissuading citizens from participating in local and state issues due to confusion about registering as a lobbyist.

On behalf of our membership, MGRC would like to thank the committee for their attention to this issue. Our community is invested in ethical representation, and we want to ensure clarity and understanding about regulations for our community and the general public. To that end, we are supportive of further stakeholder engagement through the study process and using those findings to inform continued clarity on the definition of a lobbyist and lobbying registration requirements.

Thank you for your consideration and we look forward to working with you.

Sincerely,

Michael Karbo

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