



March 23, 2022

RE: HF 4441 (Masin) – Medical Exception to Open Meeting Law

Dear House Local Government Division Members,

The League of Minnesota Cities, Minnesota School Boards Association, Minnesota Association of Townships, Association of Minnesota Counties, and Minnesota Inter-County Association support HF 4441, which would allow a medical exception to the Open Meeting Law on a more permanent basis.

Why this bill is needed. Before the COVID-19 pandemic, there were instances when elected officials would be unable to attend meetings due to their immune-compromised nature (such as undergoing chemotherapy). Under these circumstances, these elected officials would be able to participate in meetings but shouldn't be exposing themselves to the public for health reasons.

While the COVID-19 pandemic is wrapping up, there are still times when elected officials may need to quarantine if they have tested positive, or have been in direct contact with someone who has tested positive for COVID-19, and could similarly participate in meetings but shouldn't be in public.

Transparency and open government still maintained. If an elected official participates under the medical exception, the current law provides safeguards to ensure transparency. All members of the governing body – along with the public – must be able to hear and see discussion, testimony, and votes, and voting must be done by roll call. What we learned in the last few years is that transparency can still be maintained with this interactive technology exception.

Accordingly, we ask for your support of HF 4441.

Sincerely,

Irene Kao
League of Minnesota Cities

Denise Dittrich
Minnesota School Boards Association

Jeff Krueger
Minnesota Association of Townships

Matt Hilgart
Association of Minnesota Counties

Matt Massman
Minnesota Inter-County Association

March 21, 2022

The Honorable Sandra Masin
543 State Office Building
St. Paul, MN 55155



Dear Rep. Masin:

The Minnesota School Boards Association is a statewide organization representing all 333 school boards. For more than 100 years, we have been advocating for public education and supporting, promoting, and strengthening the work of Minnesota school boards.

We support HF 4441, a bill that is very narrow in scope, but will provide transparency and continuity to our school boards and our community members. By removing the language specific to a statewide emergency and allowing an elected official the ability to participate remotely up to three times per year, this bill would benefit constituents and elected official alike.

We know people are unable to participate in person for many reasons – it could be to recover from an accident or surgery, keep an individual from compromising his or her autoimmune system during treatment for cancer or other disease, or any other personal medical or family medical reason. With today's technology, elected officials can continue their work to support their communities where they would not have been able to five years ago.

MSBA believes this language is responsible, reasonable and maintains the integrity of the open meeting law and we fully support HF 4441.

Respectfully,

Minnesota School Boards Association

To the Representatives on the Local Government Division,

I would like to take this opportunity to testify in writing regarding HF 4441 before you today. I serve as a resident on the City of Saint Paul's Transportation Committee. We were recently given merely a week notice that meetings would return to in person, with no remote option, after the city's emergency order related to public health ended. It's my understanding that two thirds of the members were unable to attend that meeting yesterday, including myself.

The state's Open Meeting law must be amended to adapt to the changing times to serve us all better going forward. We have all successfully conducted business remotely over the past two years of this pandemic and proven it can work well. Having a virtual option makes public body meetings more accessible and transparent to the public. This pandemic is also not over, and many resident members of local government committees have loved ones who still can't be vaccinated or are immunocompromised (or they may be themselves). We are also in a climate emergency, and reducing the need to travel is an important tool in this challenge of a lifetime.

HF 4441, as drafted as I write this, does not go far enough. It only removes the clause on lines 2.6-2.8 that applies only when a state of emergency has been declared. Members of government bodies should not have to have been advised by a health care professional against being in a public place to participate remotely. Would we need a doctor's note to participate remotely?

[HF 4458](#) takes the action needed to eliminate the requirement for each location at which a member is present be open and accessible to the public and provides the other needed flexibility to enable these bodies to continue to function in an online or hybrid format. This would increase the ability for local governments to provide options for residents to participate as committee members and members of the public.

Please take action to make the changes HF 4458 outlines during this legislative session to enable residents to continue to participate in our civic processes as many of our lives have changed in structure in the past two years.

Thank you for your consideration.

Sincerely,
Heidi Schallberg
Saint Paul, MN

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Thank you for your consideration.

Sincerely, Sara Dunlap. St. Paul, MN

Sara Dunlap
dunlap.sara@gmail.com
Pronouns she/her/hers

