

November 13, 2024

To the Honorable Members of the Campaign Finance Board,

Common Cause MN is a nonpartisan grassroots organization working to create open, honest, and accountable government, more information about our work at www.commoncause.org.

Minnesota is home to over 24,000 multipartisan members across the state and despite belonging to various MN party affiliations, or not being affiliated, the one thing they've come together to do is support our work ensuring our Republic's democracy is safeguarded.

We believe democracy is how a free society resolves its differences. To do that well, there must be an opportunity for all to give input into decisions made by elected and appointed leaders and transparency as to who is giving this input. This is how we ensure decisions are fair, produce equitable outcomes, and reflect our communities, our values, and our priorities.

The ensure greater parity among grassroots citizen lobby efforts and professional lobbyists, we urge the Campaign Finance Board to prioritize making lobbying requirements clearer and easier to digest for community stakeholders and other Minnesotans who are not professional lobbyists. We also formally request that the Board prioritizes transparency as it makes recommendations to the Legislature.

The exchange during Marie Ellis' testimony, Minnesota Council of Nonprofits, during the Lobbying Listening Session, highlights the significant confusion about which activities count as lobbying, and which do not. If the Minnesota Council of Nonprofits with multiple experienced staff focused on legislative advocacy is confused, this is an even greater issue for smaller grassroots organizations, especially those from BIPOC communities, who may have even less experience advocating at the state or local level.

Talking to decision makers is intimidating enough; being unsure what the rules are and how to ensure that you're in compliance has discouraged some organizations from engaging at all. Everyone loses when there are barriers to engagement. A healthy democracy is one that is transparent and open where decisions are made with insights from a broad section of impacted communities, especially those most directly impacted by these decisions.

We urge the Board to create practical guidance about the lobbying requirements in consultation with small organizations, especially those from impacted BIPOC communities, who are newer to this arena. The guidance should provide information in plain language as to which activities:

- constitute lobbying and count toward the threshold that requires registration,
- constitute "lobbying activity" and need to be reported by Principals, but don't count toward the threshold, and
- which don't count as either one.

A resource like this builds greater parity promoting civic engagement, empower grassroots communities, and remove barriers to participation.

In addition to prioritizing clarity, we urge the Board to prioritize transparency as it makes recommendations to the Legislature.

The public has a right to know who is trying to influence elected and appointed officials as they make decisions. For starters, Minnesota should maintain, not increase, the \$3,000 threshold for when a person needs to register as a lobbyist. Additionally, we ask that information should be centralized within the Campaign Finance Board body, making access to pertinent information about lobbying at the state and local level easy for the public to find.

Furthermore, the lobbying threshold should include the time a person spends urging decisionmakers to act, including time spent testifying at a public hearing. Not having that detail compromises the intent in maximizing accountability and transparency because this information would not be captured. The person looking up the information would have to know which hearing(s) it was that a specific topic was discussed and go to a different website, if the information is online, to find the records or recordings from a specific meeting of a local political subdivision (or the Legislature if this was expanded to the state level) to see who testified. This is in effect a step backwards and would counteract added transparency that the Campaign Finance Board intends to provide with the recent changes to lobbyist reporting. The public deserves more access to information about who is being paid to influence decisions.

Other ways to protect the public's right to know who is being paid to influence decisions are to maintain the lobbying reporting requirements for all types of local decisions and for everyone urging action including "experts." Some groups are arguing that project-specific decisions should be exempt from the lobbying requirements. We strongly disagree. A neighborhood is impacted when a gas station asks for a zoning variance, so the public has a right to know if the gas station owner, the convenience store chain, or even Exxon Mobil is pushing the decision. Similarly, the public has a right to know about everyone who meets the threshold who is urging action, regardless of their credentials or position in a company. If the Board provided clear guidance about the activities that count as lobbying as we urge above, then there is no reason to exempt any category of experts. Transparency for the public certainly outweighs a little additional paperwork.

Thank you for your dedication to *all* Minnesotans as you develop your recommendations.

Annastacia Belladonna-Carrera
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Executive Director