



Minnesota
State Bar
Association

600 Nicollet Mall
Suite 380
Minneapolis, MN 55402

October 22, 2024

Minnesota Campaign Finance & Public Disclosure Board
190 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Re: Comments for October 25, 2024 meeting

Board Members:

The Minnesota State Bar Association (MSBA) is a voluntary professional organization that represents over 12,000 lawyers throughout the state. As you continue studying laws regarding lobbying political subdivisions, we again urge you to recommend exempting from lobbyist registration requirements those individuals who are attempting to influence the quasi-judicial actions of political subdivisions.

As explained in our August 16, 2024 letter, when local government bodies make quasi-judicial decisions, they apply preexisting law to a limited number of people or a single parcel of property. When functioning in this capacity, local government bodies are not setting broad public policy.

It is important to note that our proposed quasi-judicial exemption is not inconsistent with existing law. Specifically, Minn. Stat. §10A.01 subd. 2 provides that, with limited exceptions, the definition of administrative action does not include **“the application or administration”** of existing rules.

We suggest that a similar quasi-judicial exemption be applied in the context of political subdivision decision-making. Perhaps something like: **“Official action of a political subdivision” does not include the application or administration of a statute, rule, or ordinance.** This would exempt individuals who are merely dealing with how existing standards are applied, but it would still cover those who are attempting to influence whether and how an ordinance is created or modified.

We appreciate the Board’s consideration, and we would be happy to answer questions or provide additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bryan Lake", is written over a light blue horizontal line.

Bryan Lake
MSBA lobbyist