To: Minnesota Senate Judiciary and Public Safety Committee

From: Rich Neumeister

March 18, 2024 committee hearing

Re: SF 4483 (Oumou Verbeten) First Engrossment

Minnesota's robust approach for accountability and transparency of their government actions is through the Minnesota Government Data Practices Act (MGDPA). But this bill is missing that sunshine with the creation of what is called the Intergovernmental Misclassification Enforcement and Education Act. On pages 17, lines 18 and 19., the proposal says this scheme/project is not under the MGDPA.

I have not seen in my nearly half century advocating for open government and privacy at the Legislature such a brazen attempt to avoid public scrutiny for a large part of government actions. With the proposal as so stated there would be no way to see how the efforts which the partnership is designed to do is being fulfilled by the public or media.

The duties of the partnership are to share information, to educate the public and other duties of it as outlined on pages 17, line 20 through page 18, line 9.

Being an experienced requester of government data, I see where the agency partners will use the partnership scheme to hide behind to avoid even data requests under their own agency on the subject of misclassification.

Joint enforcement efforts between agencies is not new, what they do is inter-agency agreements, joint powers agreements, not discharging itself from the responsibility of being under the rule of MGDPA. This partnership arrangement allows for wholesale sharing of information on individuals and private entities with it not being under the MGDPA.

In summary, the current bill gives an unduly generous and easily exploitable loophole that enables government entities in this effort to keep public data from public view and accountability with what they do.

I encourage the removal of the language on page 17, lines 18 and 19.

As we recently celebrated Sunshine Week, (annual observance of open government) the Legislature should make efforts to breed confidence in democratic institutions, to do all out to earn and keep the public's trust, not to show disdain for public right to know.