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From: **MNCOGI** <mncogi@gmail.com>

Date: Thu, Mar 27, 2025 at 7:33 PM

Subject: Brief comments on SF 2885/HF 2739

To: <sen.bonnie.westlin@senate.mn>, Sandra Feist <rep.sandra.feist@house.mn.gov>, Sen. Ron Latz <ronl@senate.mn>, MaryJo Webster <mjwebster71@gmail.com>

Good evening Sen. Westlin and all,

Unfortunately, I will be unable to attend the Senate Judiciary hearing on SF 2885 tomorrow; and was likewise unable to submit written comments by the committee deadline earlier today.

However, I am forwarding some brief thoughts on the bill, for your background. Rep. Fiest is also copied here, and received our feedback earlier.

We are pleased that Hennepin County removed the provision from last year's bill that would have greatly reduced the availability of the "damages" remedy in § 13.08.

We are also not opposed to the Sec. 3 classification language on minor library patron data, so long as lines 3.10 and 3.11 are removed. (We think it is important that the standard "Tennessee Warning" for the collection of private data remains in place, since the warning provides notice to the data subject -- and in the case of a minor, the minor's parent or guardian -- about how the data will be used.)

We have notified the County (see attached correspondence) about some other issues we have with their bill, which we are opposing. These include:

- Sec. 2, which makes *all* citizen e-mail and telephone contact information "private." This is a very big issue for the members of our board who are representatives of the press, since the availability of this data makes much reporting possible -- including allowing reporters to

follow up with people who testify at public meetings (where such contact information is very often collected); and in numerous other situations. I have copied our board chair MaryJo Webster here, in case she has additional background to add on this subject.

- Sec 4, which would alter some of the copying and document retention requirements of the Official Records Act (ORA). The ORA's requirements are largely administered through the State Archives, as well as the state Records Disposition Panel (RDP), and we do not want to see any substantive changes to how official records are maintained (particularly with an eye towards records that will have a historical value) without the full input of those entities. We have told Hennepin County that we are open to participating in a broader stakeholder conversation about this issue that includes the Archives and RDP, but that we oppose the County acting on its own initiative now to change how the ORA functions in terms of copying, retention, electronic document substitution, etc. at this time.

Please feel free to contact me with any other questions you may have about the issues the bill raises.

Sincerely,

Matt Ehling

Minnesotans for Open Government

651-335-2037

Sent on behalf of Minnesotans for Open Government (formerly the Minnesota Coalition on Government Information or MNCOGI.)

Board members: MaryJo Webster (chair), Don Gemberling (co-chair), Matt Ehling (Treasurer), Mary Pattock (Secretary), Hal Davis, Paul Bosman, Kristine Tietz, Chris Weiland, Isabella Salomão Nascimento.