

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 4368

(SENATE AUTHORS: JENSEN)

DATE	D-PG	OFFICIAL STATUS
03/16/2020	5511	Introduction and first reading Referred to State Government Finance and Policy and Elections

- 1.1 A resolution
- 1.2 memorializing Congress to propose an amendment to the United States Constitution
- 1.3 to allow the reasonable regulation of political contributions and expenditures by
- 1.4 corporations, unions, and individuals to protect the integrity of elections and the equal
- 1.5 right of all Americans to effective representation.
- 1.6 WHEREAS, the expanding influence of large independent political expenditures is a great
- 1.7 and growing concern to the people of the United States and of the State of Minnesota; and
- 1.8 WHEREAS, to ensure a strong democratic republic, the assurance of a fair and uncorrupted
- 1.9 election process is of the utmost importance, and the Minnesota Legislature believes that it is a
- 1.10 legitimate and vital role of government to regulate political expenditures in an even-handed manner;
- 1.11 and
- 1.12 WHEREAS, in fulfillment of this important role, the government of the United States and a
- 1.13 majority of states have regulated and limited independent and other political contributions and
- 1.14 expenditures; and
- 1.15 WHEREAS, the Supreme Court of the United States in *Citizens United v. Federal Election*
- 1.16 *Commission*, 558 U.S. 310 (2010), held that the First Amendment to the United States Constitution
- 1.17 prohibits Congress and the states from limiting or restricting independent political expenditures by
- 1.18 corporations and unions; and
- 1.19 WHEREAS, *Citizens United* has served as a precedent for further legal decisions that have
- 1.20 influenced our democratic system of government including *American Tradition Partnership v.*
- 1.21 *Bullock*, 567 U.S. 516 (2012), which struck down a long-standing Montana campaign finance law
- 1.22 denying a state the right to regulate independent political expenditures by corporations in state
- 1.23 elections, and *McCutcheon v. Federal Election Commission*, 134 S.Ct. 1434 (2014), which struck
- 1.24 down aggregate individual contribution limits; and

2.1 WHEREAS, the people of Minnesota and all other states should have the power to limit by
2.2 law the influence of money in political systems; and

2.3 WHEREAS, in the wake of *Citizens United*, there has been an exponential increase in large
2.4 political contributions and expenditures that threatens the integrity of the elections process, influences
2.5 our candidates, dilutes the power of individual voters, and impacts the public discourse; and

2.6 WHEREAS, Article V of the United States Constitution states that Congress, whenever 2/3
2.7 of both houses shall deem it necessary, shall propose amendments to the constitution; NOW,
2.8 THEREFORE,

2.9 BE IT RESOLVED by the Legislature of the State of Minnesota that it urges the Congress
2.10 of the United States to propose an amendment to the United States Constitution to allow the United
2.11 States government and individual state governments to regulate political contributions and
2.12 expenditures to protect political equality, and in doing so, may distinguish between the political
2.13 rights of natural persons and corporations, unions, and other artificial entities created by law.

2.14 BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed
2.15 to prepare copies of this resolution and transmit them to the Speaker and the Clerk of the United
2.16 States House of Representatives, the President and the Secretary of the United States Senate, and
2.17 to each member of the Minnesota Congressional delegation.