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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 276

- 01/31/2013 Authored by Dehn, R.; Hornstein; Fischer; Atkins; Nelson and others
The bill was read for the first time and referred to the Committee on Elections
- 03/21/2013 Adoption of Report: Pass and re-referred to the Committee on Civil Law
- 04/02/2013 Adoption of Report: Pass and Read Second Time

1.1 A joint resolution

1.2 requesting that Congress propose a constitutional amendment and, if Congress does

1.3 not propose an amendment, applying to Congress to call a constitutional convention

1.4 to propose an amendment clarifying that the rights protected under the Constitution

1.5 are the rights of natural persons and not the rights of artificial entities and that

1.6 spending money to influence elections is not speech under the First Amendment.

1.7 WHEREAS, under Article V of the Constitution of the United States, the Congress,

1.8 whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the

1.9 Constitution; and

1.10 WHEREAS, under Article V of the Constitution of the United States, the Congress, on

1.11 the application of the legislatures of two-thirds of the several states, shall call a convention for

1.12 proposing amendments to the Constitution of the United States that shall be valid to all intents

1.13 and purposes if ratified by the legislatures of three-fourths of the several states, or by conventions

1.14 in three-fourths thereof, as one or the other mode of ratification may be proposed by Congress;

1.15 NOW, THEREFORE,

1.16 BE IT RESOLVED by the Legislature of the State of Minnesota that it requests that

1.17 Congress propose an amendment to the Constitution that shall substantially read as follows:

1.18 "(1) The rights protected by the Constitution of the United States are the rights of natural

1.19 persons only.

1.20 (2) Artificial entities, such as corporations, limited liability companies, and other entities,

1.21 established by the laws of any State, the United States, or any foreign state shall have no rights

1.22 under this Constitution and are subject to regulation by the People, through Federal, State, or

1.23 local law.

2.1 (3) The privileges of artificial entities shall be determined by the People, through Federal,
2.2 State, or local law, and shall not be construed to be inherent or inalienable.

2.3 (4) Federal, State, and local government shall regulate, limit, or prohibit contributions and
2.4 expenditures, including a candidate's own contributions and expenditures, to ensure that all
2.5 citizens, regardless of their economic status, have access to the political process, and that no
2.6 person gains, as a result of their money, substantially more access or ability to influence in any
2.7 way the election of any candidate for public office or any ballot measure.

2.8 (5) Federal, State, and local government shall require that any permissible contributions
2.9 and expenditures be publicly disclosed.

2.10 (6) The judiciary shall not construe the spending of money to influence elections to be
2.11 speech under the 1st Amendment.

2.12 (7) Nothing contained in this amendment shall be construed to abridge the freedom of
2.13 the press."

2.14 BE IT FURTHER RESOLVED that if Congress does not propose the amendment language
2.15 or substantially similar amendment language as contained in this resolution, the Legislature of the
2.16 State of Minnesota applies to the Congress of the United States to call a constitutional convention
2.17 for the purpose of proposing the amendment language or substantially similar amendment language
2.18 as contained in this resolution as an amendment to the Constitution of the United States; and

2.19 BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota and the
2.20 people of Minnesota demand that if Congress does not propose the amendment language in this
2.21 resolution and if at least two-thirds of state legislatures have applied to Congress to call for a
2.22 constitutional convention to adopt the same or substantially similar constitutional amendment
2.23 language contained in this resolution, then the Congress must exercise its constitutional duty to
2.24 call a constitutional convention, and that the constitutional convention shall be called within six
2.25 months from the date that at least two-thirds of state legislatures have made the same or similar
2.26 application to Congress; and

2.27 BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota calls on other
2.28 states to join with the Legislature of the State of Minnesota in this action by passing the same
2.29 or similar resolutions; and

2.30 BE IT FURTHER RESOLVED that the Secretary of State of Minnesota is directed to
2.31 prepare copies of this resolution and transmit them to the Speaker and the Clerk of the United

- 3.1 States House of Representatives, the President and the Secretary of the United States Senate, the
- 3.2 United States Secretary of State, and Minnesota's Senators and Representatives in Congress.