

<b>Report Number:</b>	_____
<b>Agenda Section:</b>	_____
<b>Report Date</b>	<b><u>April 6, 2018</u></b>
<b>Council Meeting Date</b>	<b><u>April 10, 2018</u></b>

## REQUEST FOR COUNCIL CONSIDERATION

**ITEM DESCRIPTION:** RESOLUTION SUPPORTING A CONSTITUTIONAL AMENDMENT TO REGULATE CORPORATE POLITICAL SPENDING AND CAMPAIGN FINANCING

**DEPARTMENT HEAD'S APPROVAL:** Dean R. Lotter

**CITY MANAGER'S APPROVAL:**

No comments to supplement this report \_\_\_\_ Comments attached \_\_\_\_

**Recommendation:** Adopt the attached resolution supporting a constitutional amendment to regulate corporate political spending and campaign financing.

**Legislative History:**

None

**Financial Impact:**

None

**Explanation:** At recent Council meeting, New Brighton resident Ron Bardal approached the New Brighton City Council under "Public Comment" portion of the agenda. Mr. Bardal expressed concern regarding the amount of corporate spending in U.S. elections and campaigns. Mr. Bardal asked that for a meeting with Mayor Johnson and City Manager Lotter to discuss his concerns in more detail. On April 29, 2018 Mayor Johnson and City Manager Lotter meet with Mr. Bardal and two of his associates. After a short discussion, the Mayor agreed to bring a resolution of support for a 28<sup>th</sup> amendment to the Constitution for the Council's consideration.




---

Dean R. Lotter  
City Manager

**RESOLUTION No. \_\_\_\_\_**  
**STATE OF MINNESOTA**  
**COUNTY OF RAMSEY**  
**CITY OF NEW BRIGHTON**

**RESOLUTION FOR CONSIDERATION BY MINNESOTA MUNICIPALITIES SUPPORTING A  
CONSTITUTIONAL AMENDMENT TO REGULATE CORPORATE POLITICAL SPENDING AND  
CAMPAIGN FINANCING**

**WHEREAS**, in 2010 the United States Supreme Court ruled in *Citizens United vs. Federal Election Commission* that corporate entities have the same free speech rights as natural persons; and

**WHEREAS**, the Supreme Court's decision in *Citizens United* defined independent expenditures as a form of free speech and ruled that corporate entities have the same rights as natural persons to unrestricted spending on political speech; and

**WHEREAS**, corporations are not people but artificial entities bound by the laws of this country, this state and this city; and

**WHEREAS**, the Court's decision has the effect of permitting unlimited corporate spending to influence elections, campaigns, and public policy decisions, and

**WHEREAS**, the Supreme Court's decision which overturned some provisions of the federal Campaign Reform Act enacted in 2002, greatly encumbers the ability of federal, state and local governments to enact and enforce reasonable campaign finance regulations regarding corporate political activity, and

**WHEREAS**, since the Supreme Court's decision there has been a significant growth in contributions and spending by Super PAC's for media messaging and independent electioneering activities, and

**WHEREAS**, government should require that permissible contributions and expenditures be publically disclosed; and

**WHEREAS**, several proposed amendments to the constitution have been introduced in Congress that would allow federal, state and local governments to regulate the raising and expending of money by corporations to influence elections and public policy decisions; and

**WHEREAS**, the people of the United States have on several occasions used the constitution amendment process to correct decisions of the United States Supreme Court that are widely deemed to be egregious or wrongly decided or significantly out-of-step with the prevailing values of the populace;

**Now Therefore, Be It Resolved** the City Council of the City of New Brighton Supports passage of Senate File 1082 and House File 2139 currently before the 2017-2018 Minnesota Legislature and joins in the call for the United States Congress to pass an amendment to the United States Constitution to provide that:

1. Corporations are not natural persons and only natural persons are endowed with Constitutional rights.
2. Federal, State and local government shall have the power to regulate contributions and expenditures for elections and campaigns, and to require public disclosure of the sources of the contributions and expenditures.

**ADOPTED** this 10th day of April by the New Brighton City Council with a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Valerie Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Dean R. Lotter, City Manager

\_\_\_\_\_  
Sandra Daniloff, Deputy City Clerk