

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Report _____
Public Hearing _____
Discussion _____ X _____
Action _____ X _____
Resolution _____ X _____
Work Session _____

Meeting Date November 28, 2017

ITEM NUMBER MN Citizens for Clean Elect.

STAFF INITIAL JS

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Lauderdale resident Jim Herrick approached the Council recently asking the Council to support Minnesota Citizens for Clean Elections' efforts. The goal of the group is to change the Supreme Court decision that gave corporations the same legal rights as individuals to participate in the democratic process. Attached is a copy of the group's brochure.

If the Council is interested in being a supporting city, the following resolution is ready for adoption. The resolution mirrors the one introduced by Senator John Marty as Senate File No. 1082. Similarly, Congressman Rick Nolan introduced a resolution calling for a constitutional amendment to overturn the effects of the Supreme Court's Citizens United decision.

OPTIONS:

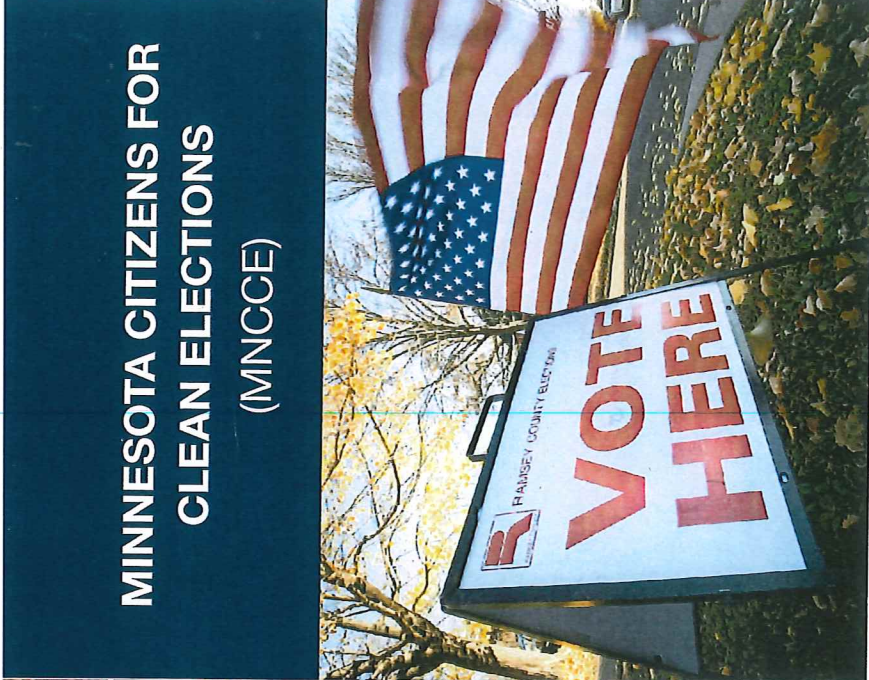
STAFF RECOMMENDATION:

Motion to adopt Resolution 112817A—A Resolution Requesting that Congress Clarify that the Rights Protected under the Constitution are the Rights of Natural Persons and not the Rights of Artificial Entities and that Spending Money to Influence Elections is not Speech under the First Amendment; Asking that Congress Propose a Constitutional Amendment to Provide such Clarification.

What's the problem?

A 2010 Supreme Court decision — *Citizens United* — let corporations have the same rights as people and are allowed to spend unlimited sums on candidates and political campaigns. **Politicians follow the money.** Wealthy interests and corporate money are drowning out the voice of the people.

“Dark Money” is legal in Minnesota, allowing millions of dollars to flood the elections without disclosure of who is behind the funding. No one takes responsibility for false and misleading information.



MINNESOTA CITIZENS FOR CLEAN ELECTIONS (MNCCE)

What are we doing?

Members actively involved in the Minnesota legislative session

- Protecting integrity of the Campaign Finance Board
- Advocating automatic voter registration
- Fighting provisional balloting
- Supporting non-partisan political re-districting
- Advocating reversal of *Citizens United* Supreme Court decision



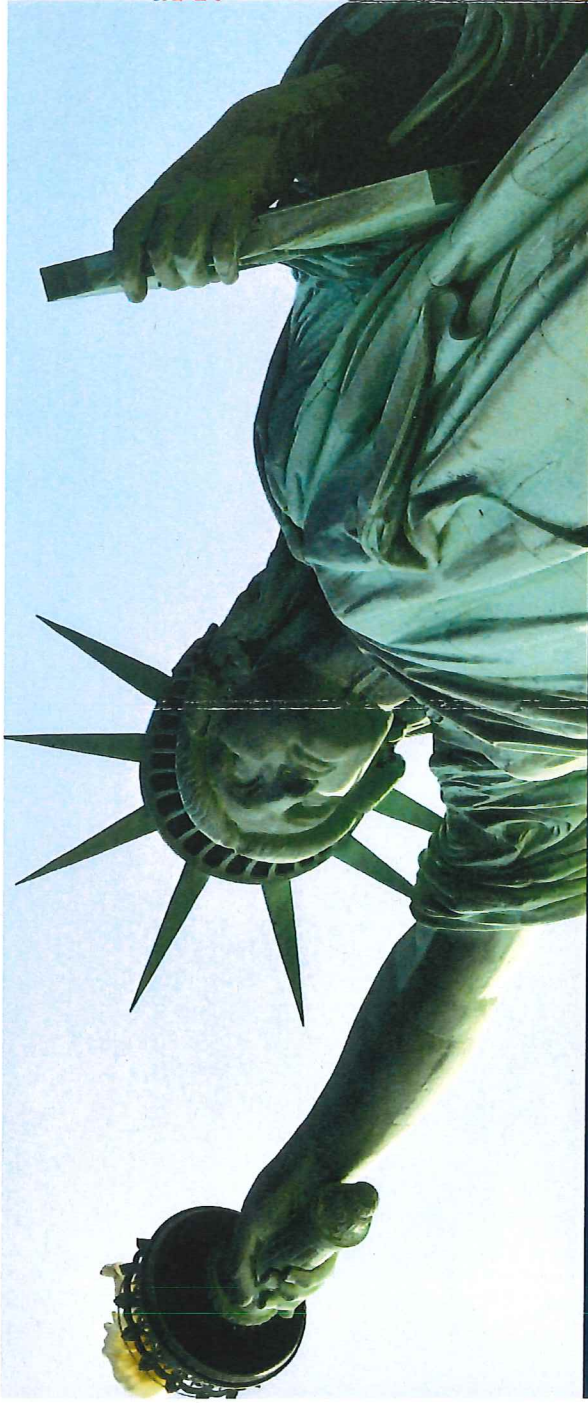
Contact us today!

www.mncce.org | MnCCE1@gmail.com

Join the movement!

MnCCCE is a non-profit, non-partisan organization promoting electoral and government policies that reflect the will of the people, **not** the power of **BIG MONEY!**





Democracy is not a 'freebie'

We frequently hear it said, "Our democracy is being threatened." This is relatively new. Our society has functioned for decades assuming our democratic institutions were safe and would continue to work for us, doing the peoples work. But there is growing evidence our government works to serve, not the majority, but the relatively few. And sometimes, does not work at all. The vast majority of the people support:

- Limiting big money in politics
- Transparency on the sources of money in Minnesota politics
- One citizen, one vote while maximizing voter opportunity and registration
- Ending the legal bribery of our officials

Yet special interests prevent legislative consideration of these issues.

It must trouble every citizen to know \$7 million was spent to ensure Justice Garland never got a hearing in the Senate; and another \$10 million was spent to ensure Judge Gorsuch be appointed by the Senate. And the public does not know the source of either sum.

MnCCE was founded to address issues in Minnesota challenging our democracy and encourage our legislature to take a lead on related national issues. We need your help. Every legislator wants to be reelected. Many believe the path to that reelection is to amass the most money. We need to persuade them voters are more important than the money. But to do this, we need an informed and engaged electorate.



Q & A

How can I help?

- Join MnCCE (MnCCE1@gmail.com)
- Make a contribution (MnCCE1@gmail.com)
- Volunteer to contact legislators and support positive legislation
- Testify at legislative hearings; write letters
- Invite your friends to join

Are my contributions tax deductible?

Yes. MnCCE is a 501(c)(3) and your contributions are deductible consistent with the law.

I am only one voice. What good can I do?

Elected representatives are often impacted by as few as six contacts from their constituents on an issue.

Each person's voice counts!

RESOLUTION 112817A

**CITY OF LAUDERDALE
COUNTY OF RAMSEY
STATE OF MINNESOTA**

A RESOLUTION REQUESTING THAT CONGRESS CLARIFY THAT THE RIGHTS PROTECTED UNDER THE CONSTITUTION ARE THE RIGHTS OF NATURAL PERSONS AND NOT THE RIGHTS OF ARTIFICIAL ENTITIES AND THAT SPENDING MONEY TO INFLUENCE ELECTIONS IS NOT SPEECH UNDER THE FIRST AMENDMENT; ASKING THAT CONGRESS PROPOSE A CONSTITUTIONAL AMENDMENT TO PROVIDE SUCH CLARIFICATION.

WHEREAS, when the states and federal government first authorized the creation of corporations, they were regulated by the people and their elected representatives through law; and

WHEREAS, the Supreme Court granted constitutional rights to corporations thereby limiting the right of the people to regulate corporations through federal, state, or local law; and

WHEREAS, Supreme Court rulings on political spending in recent decades have undermined the First Amendment, which was designed, even according to the Supreme Court in 1976, "to secure the widest possible dissemination of information from diverse and antagonistic sources," and "to assure the unfettered interchange of ideas for the bringing about of political and social changes desired by the people." Supreme Court rulings that have equated money as speech have enabled people, corporations, and other entities to spend virtually unlimited money in support of favored candidates and interests, undermining the core First Amendment value of open and robust debate in the political process and the opportunity for voters to hear speech from all candidates and all perspectives; and

WHEREAS, by giving artificial entities the constitutional rights of persons and treating money as speech, the courts have undercut the rights of citizens to equal and meaningful participation in the democratic process, and given corporations and other entities more power than people when government is supposed to be "of the people, by the people, and for the people"; and

WHEREAS, this undermines public confidence in the democratic process and democratic institutions; and

WHEREAS, under Article V of the Constitution of the United States, the Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lauderdale, Minnesota, that it requests that Congress propose an amendment to the Constitution that shall substantially read as follows:

"(1) The rights protected by the Constitution of the United States are the rights of natural persons only.

(2) Any entity, including any organization or association of one or more persons, established or allowed by the laws of any State, the United States, or any Foreign State shall have no rights under this Constitution separate from the rights of its members, and is subject to regulation by the people, through Federal, State, or local law through which the entity is granted rights and given responsibilities.

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

(4) Federal, State, and local government shall require that any permissible contributions and expenditures be publicly disclosed."

BE IT FURTHER RESOLVED, that the City Clerk is directed to prepare copies of this resolution and transmit them to Minnesota's Senators and Representatives in Congress and Lauderdale's Senator and Representative in the Minnesota Legislature.

Adopted by the City Council of the City of Lauderdale, Minnesota, on this 28th day of November, 2017.

Mary Gaasch, Mayor

ATTEST:

Heather Butkowski, City Clerk-Administrator