



Testimony in Opposition to H.F. 227 (Huot)
House Judiciary Finance and Civil Law Committee
January 17, 2023

The Minnesota Catholic Conference, the public policy voice of the Catholic Church in Minnesota, and the Minnesota Family Council, oppose H.F. 227 (Huot). We do so because the bill further erodes a proper understanding of the important public dimension of civil marriage, which relates to the well-being of children and the state’s interest in both supporting the marriage bond and providing oversight when 1) that bond is broken, 2) property and assets need to be divided, and 3) the well-being of children needs to be protected.

In particular, the state has an interest in ensuring parties to the contract understand its importance, as well as the harm to the community that is done through divorce. Restricting the ability to solemnize marriages to judges and ministers helps uphold these community interests.¹

When couples marry, they are making a public promise, not just a private one—one that has implications for the whole community and the common good. In most situations, marriage will result in children, and the state has a significant interest in their well-being. In fact, a whole branch of law (family law) deals with what happens to children when marriages end. And though marriage has been redefined² to include same-sex couples, sometimes those relationships involve raising children as well.

Allowing one of the almost 100,000 notary publics in Minnesota to sign a marriage license and solemnize a marriage further erodes the public dimension of this promise and commitment, and turns it more into a private contract like any other, which can be terminated at will (MCC opposes no-fault divorce, too).

There is an important pedagogical dimension to requiring an oath before a judge or minister. In each case, the judge or minister functions like a stand-in for the broader community’s interest in the relationship and the public promises the couple is making. It underscores the public commitment, and the reciprocal rights and obligations of marriage, and makes it more likely that the marriage will be entered into with more advance consideration, reducing the number of “shotgun” marriages due to the accessibility of notaries public. Please vote “no” on this proposal. Thank you for your consideration and for your service.

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¹ We note that the genesis of this bill is the interest of some legislators to solemnize marriages without becoming a minister through some random, online religious organization. We would not oppose a compromise where the ability to solemnize marriages is extended to state legislators.

² The purpose of the civil institution of marriage is to bind a man and a woman and any children born from their union, and though not every marriage produces children, every child has a mother and father. The civil institution of marriage is not a public affirmation of a couple’s love for each other, which does not inherently require the state’s engagement, subsidy, or interest. This bill continues to erode a proper understanding of the marriage bond and the state’s relationship to the couple.