

House Elections Finance and Government Operations Committee
Representative Erin Koegel, Co-Chair
Representative Tim O’Driscoll, Co-Chair

Committee hearing on Thursday, March 12, 2026 at 8:15a.m.
Testimony of Jeff Clark in support of HF 3419 / A-26

Co-Chairs Koegel, O’Driscoll and members:

I testify as a citizen who wants to strengthen fair elections and reverse the negative effects of the *Citizens United v Federal Elections Commission* decision (2010), as well as reverse corporate power exercised in our government by means of presumed Constitutional rights other than those in the First Amendment. Senate File 3419 and appendix are a modest and sensible step in curbing the effects of money on elections, by working *around* the Citizens United decision that recognizes spending money in the campaign process as equivalent to free speech and therefore, in the Supreme Court’s opinion, not subject to most limitations.

HF 3419 denies corporate entities the power of campaign and ballot-issue spending on behalf of corporate interests, basing this action on the state’s authority to charter or incorporate such “artificial persons” as creations of the state. This incorporating process precedes their existence and activity as an artificial “person” (per the Supreme Court) and is controlled by the states (with notable but rare federal exceptions)—much as the states are granted the Constitutional authority to administer their own elections.

Any state should in practice be able to define a corporation created by itself as having no power (let alone presumed “right”) to spend money in the election process. Thus a violation of “free speech” never comes into question. HF 3419 simply involves a strategy which other states are also pursuing right now, Montana first among them.

HF 3419 cannot solve our “big money in politics” problem alone. It cannot restrict PACs, committees, funds and any variant of these which are solely created and administered for electioneering purposes. It does, however, prevent corporate business entities from engaging in the same activity directly—which could have a substantial impact on election and ballot issues.

HF 3419 is an admirable first step in regaining control of elections that will better represent the constituents who vote in them and must live with their consequences. I hope it will be easier to pass than the longer term solution, a federal Constitutional

amendment to curb money and corporate power in politics and government. That legal instrument should complement this legislation—but can be more comprehensive in scope, and though harder to achieve, more durable if it is. The best formulation of such an amendment is HF 2688, which petitions Congress to draft one.

In closing, I thank you for your time and urge your support of HF 3419.

Jeff Clark
886 Parkview Ave.
Saint Paul MN 55117
612.412.7550
jeffclark.mta@gmail.com