

FILED

November 24, 2025

**OFFICE OF
APPELLATE COURTS**

State of Minnesota
In the Court of Appeals

Minnesota Gun Owners Caucus,

Respondent,

v.

Tim Walz, Governor of Minnesota, in his official capacity; Keith Ellison, Attorney General of Minnesota, in his official capacity; Drew Evans, Superintendent of the Minnesota Bureau of Criminal Apprehension, in his official capacity,

Appellants,

v.

Mary Moriarty,

Defendant.

**AMICUS CURIAE BRIEF OF MINNESOTA DFL HOUSE CAUCUS AND
MINNESOTA DFL SENATE CAUCUS**

Charles N. Nauen (#121216)
David J. Zoll (#0330681)
Rachel A. Kitze Collins (#0396555)
R. David Hahn (#401262)
LOCKRIDGE GRINDAL NAUEN PLLP
100 Washington Avenue South, Suite 2200
Minneapolis, MN 55401-2159
(612) 339-6900
cnnauen@locklaw.com
djzoll@locklaw.com
rakitzecollins@locklaw.com
rdhahn@locklaw.com

*Counsel for Amici Curiae Minnesota DFL House
Caucus and Minnesota DFL Senate Caucus*

Nicholas J. Nelson (#391984)
Douglas P. Seaton (#127759)
UPPER MIDWEST LAW CENTER
12600 Whitewater Drive, Suite 140
Minnetonka, MN 55343
(612) 428-7000 (Voice)
Nicholas.nelson@umlc.org
Douglas.seaton@umlc.org

Counsel for Respondent

Liz Kramer (#0325089), Solicitor General
Peter J. Farrell (#0393071), Deputy Solicitor General
Emily B. Anderson (#0399272)
Anna Veit-Carter (#0392518)
Matt Mason (#0397573)
Assistant Attorneys General
445 Minnesota Street, Suite 600
St. Paul, MN 55101-2131
(651) 300-7547 (Voice)
liz.kramer@ag.state.mn.us
peter.farrell@ag.state.mn.us
emily.anderson@ag.state.mn.us
anna.veit-carter@ag.state.mn.us
matt.mason@ag.state.mn.us

Counsel for Appellants

TABLE OF CONTENTS

INTRODUCTION	1
INTEREST AND EXPERTISE OF <i>AMICI CURIAE</i>	1
ARGUMENT.....	2
I. Grouping Related Bills Is a Common, Legitimate, and Useful Means to Serve the Public.	2
II. Respondent Presents a Misleading Account of H.F. 5247’s Passage.	6
III. The Court Should Reject Respondent’s New and Unprecedented Vision for the Single Subject and Title Clause.	14
A. Respondent’s proposed standard diminishes the constitutional authority of the Legislature by asking courts to disregard a law’s legislatively expressed subject.	15
B. The provision Respondent challenges is germane to the operation and financing of state government.	18
C. The Court should reject Respondent’s staggering request to strike down H.F. 5247 in full.	20
CONCLUSION	24

TABLE OF AUTHORITIES

Page(s)

Cases

<i>Associated Builders and Contractors v. Ventura</i> , 610 N.W.2d 293 (Minn. 2000).....	15, 19, 21, 23
<i>Defenders of Wildlife v. Ventura</i> , 632 N.W.2d 707 (Minn. App. 2001).....	17
<i>Hegseth v. Am. Family Mut. Ins. Grp.</i> , 877 N.W.2d 191 (Minn. 2016).....	20
<i>Johnson v. Harrison</i> , 50 N.W. 923 (Minn. 1891).....	<i>passim</i>
<i>Lifteau v. Metro. Sports Facilities Comm’n</i> , 270 N.W.2d 749 (Minn. 1978).....	3
<i>Otto v. Wright County</i> , 910 N.W.2d 446 (Minn. 2018).....	<i>passim</i>
<i>State ex rel. Pearson v. Probate Court</i> , 287 N.W. 297 (1939)	17
<i>Townsend v. State</i> , 767 N.W.2d 11 (Minn. 2009).....	18
<i>Wass v. Anderson</i> , 252 N.W.2d 131 (Minn. 1977).....	17

Statutes

2015 Minn. Laws ch. 77	4
2016 Minn. Laws ch. 189	4
2017 Minn. Laws ch. 94	4
2021 Minn. Laws ch. 31	4
2024 Minn. Laws ch. 127	<i>passim</i>
Minn. Stat. § 3.011	3

Minn. Stat. § 245C.14.....	19
Minn. Stat. § 245C.15.....	19
Minn. Stat. § 609.67	17, 18, 19
Minn. Stat. § 626.8452	19

Other Authorities

House J., 93d Leg., Reg. Sess. 1349 (Mar. 6, 2023)	8
House J., 93d Leg., Reg. Sess. 11291 (Feb. 19, 2024).....	8
House J., 93d Leg., Reg. Sess. 11459 (Feb. 26, 2024).....	7
House J., 93d Leg., Reg. Sess. 12869 (Apr. 2, 2024).....	12
House J., 93d Leg., Reg. Sess. 13009 (Apr. 4, 2024).....	8
House J., 93d Leg., Reg. Sess. 13158 (Apr. 11, 2024).....	11
House J., 93d Leg., Reg. Sess. 14894-95 (Apr. 26, 2024)	6
House J., 93d Leg., Reg. Sess. 15432 (May 1, 2024)	7
House J., 93d Leg., Reg. Sess. 15597-98 (May 2, 2024)	9
House J., 93d Leg., Reg. Sess. 15746-47 (May 6, 2024)	11
House J., 93d Leg., Reg. Sess. 15793 (May 7, 2024)	11
House J., 93d Leg., Reg. Sess. 16191-206 (May 9, 2024)	11
House J., 93d Leg., Reg. Sess. 16373-74 (May 9, 2024)	9
House J., 93d Leg., Reg. Sess. 16839 (May 15, 2024)	12
House J., 93d Leg., Reg. Sess. 17332 (May 17, 2024)	9
House J., 93d Leg., Reg. Sess. 17373-74 (May 17, 2024)	8
House J., 93d Leg., Reg. Sess. 18241 (May 19, 2024)	8
House J., 93d Leg., Reg. Sess. 18464-65 (May 19, 2024)	7
House J., 93d Leg., Reg. Sess. 18590 (May 19, 2024)	13

Hr’g before House Commerce Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (May 1, 2024).....	12
Hr’g before House Health Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (Mar. 13, 2024)	7
Hr’g before House Health Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (Mar. 20, 2024)	7
Hr’g before House Health Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (Mar. 21, 2024)	7
Hr’g before House Higher Ed. Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (Mar. 14, 2024)	8
Hr’g before House Higher Ed. Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (Mar. 21, 2024)	8
Hr’g before House Judiciary Fin. & Civil L. Comm., 93d Leg., Reg. Sess. (Apr. 29, 2024).....	12
Hr’g before House Taxes Comm., 93d Leg., Reg. Sess. (Apr. 17, 2024).....	12
Hr’g before House Taxes Comm., 93d Leg., Reg. Sess. (Apr. 18, 2024).....	12
Hr’g before House Taxes Comm., 93d Leg., Reg. Sess. (Apr. 4, 2024).....	12
Hr’g before House Transp. Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (Apr. 16, 2024).....	6
Hr’g before House Transp. Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (Apr. 18, 2024).....	6
Hr’g before House Way & Means Comm., 93d Leg., Reg. Sess. (May 10, 2024).....	12
Hr’g before House Ways & Means Comm., 93d Leg., Reg. Sess. (Apr. 29, 2024).....	12
Hr’g before House Ways & Means Comm., 93d Leg., Reg. Sess. (Apr. 3, 2024).....	7

Hr’g before House Workforce Dev. Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (Apr. 24, 2024)	12
Hr’g before Senate Energy, Utils., Env’t, and Climate Comm., 93d Leg., Reg. Sess. (Apr. 17, 2024)	9
Hr’g before Senate Fin. Comm., 93d Leg., Reg. Sess. (Apr. 19, 2024)	9
Hr’g before Senate Fin. Comm., 93d Leg., Reg. Sess. (Apr. 26, 2024)	10
Hr’g before Senate Hum. Servs. Comm., 93d Leg., Reg. Sess. (Apr. 15, 2024)	10
Hr’g before Senate Hum. Servs. Comm., 93d Leg., Reg. Sess. (Apr. 17, 2024)	10
Hr’g before Senate Hum. Servs. Comm., 93d Leg., Reg. Sess. (Apr. 8, 2024)	10
Minn. Const. art. IV, § 12	3
Minn. Const. art. IV, § 17	2, 14, 16
Minn. R. Civ. App. P. 129.03	1
Off. of Revisor of Statutes, Minn. Revisor’s Manual (2013)	16
Richard Briffault, <i>The Single-Subject Rule: A State Constitutional Dilemma</i> , 82 Alb. L. Rev. 1629, 1630 (2019)	16
Senate J., 93d Leg., Reg. Sess. 12048 (Mar. 7, 2024)	11
Senate J., 93d Leg., Reg. Sess. 12195 (Mar. 13, 2024)	9
Senate J., 93d Leg., Reg. Sess. 13880 (Apr. 4, 2024)	10
Senate J., 93d Leg., Reg. Sess. 13910-11 (Apr. 15, 2024)	8
Senate J., 93d Leg., Reg. Sess. 15592-93 (Apr. 30, 2024)	10
Senate J., 93d Leg., Reg. Sess. 16286-308 (May 3, 2024)	11
Senate J., 93d Leg., Reg. Sess. 16325-48 (May 6, 2024)	9

Senate J., 93d Leg., Reg. Sess. 16411-12 (May 6, 2025).....	7
Senate J., 93d Leg., Reg. Sess. 16476-90 (May 7, 2024).....	12
Senate J., 93d Leg., Reg. Sess. 16516-17 (May 7, 2024).....	7
Senate J., 93d Leg., Reg. Sess. 16644-45 (May 9, 2024).....	9
Senate J., 93d Leg., Reg. Sess. 18227 (May 19, 2024)	10
Senate J., 93d Leg., Reg. Sess. 18372, 20025 (May 19, 2024)	10
Senate J., 93d Leg., Reg. Sess. 18373 (May 19, 2024)	11
Senate J., 93d Leg., Reg. Sess. 18541, 20025 (May 19, 2024)	11
Senate J., 93d Leg., Reg. Sess. 18590-91 (May 19, 2024).....	8

INTRODUCTION

Pursuant to the Court’s November 18, 2025 Order and Minnesota Rule of Civil Appellate Procedure 129, the Minnesota DFL House Caucus and DFL Senate Caucus submit this brief as *amici curiae* in support of Appellants.¹

INTEREST AND EXPERTISE OF *AMICI CURIAE*

The Caucuses are composed of the members of the Minnesota House of Representatives and Minnesota Senate who are part of the Democratic-Farmer-Labor Party. Their members constituted a majority of the House and Senate when the legislation at issue, H.F. 5247, passed in 2024. *See* 2024 Minn. Laws ch. 127. The Caucuses’ values and institutional position give them at least two significant public interests in this case.

First, the Caucuses have an interest in protecting validly enacted legislation on behalf of their members’ constituents and all Minnesotans. The legislation at issue in this case contains numerous important provisions relating to the operation and financing of state government which deeply affect the lives and livelihoods of individuals across the state. Although this matter centers on only one of those provisions, a decision in Respondent’s favor threatens far broader consequences, inviting a flood of piecemeal and politicized litigation challenging other individual provisions of the law—not to mention similar challenges to provisions found in the many other omnibus bills that populate the

¹ No counsel for any party authored this brief in whole or in part. No person or entity, other than the *amici curiae*, their members, or their counsel made any monetary contribution to the preparation or submission of this brief. *See* Minn. R. Civ. App. P. 129.03.

volumes of the Minnesota Laws. The Caucuses have a public interest in preventing the unraveling of the Legislature's important work on behalf of Minnesotans.

Second, the Caucuses have an interest in protecting the Legislature's role in establishing, within the bounds of the Constitution, its own procedures for considering, debating, and adopting legislation. Respondent pushes a restrictive understanding of the Single Subject and Title Clause that would elevate form over substance and inappropriately limit the mechanisms available to pass legislation in the public interest.

ARGUMENT

The Minnesota Constitution provides that “[n]o law shall embrace more than one subject, which shall be expressed in its title.” Minn. Const. art. IV, § 17. With this lawsuit, Respondent hopes to upend decades of precedent recognizing the Legislature's authority, within the Clause's bounds, to determine how best to package and enact legislation. Respondent's argument is willfully blind to the realities of modern lawmaking, rests on mischaracterizations regarding H.F. 5247's passage, and invites an unprecedented expansion of the judiciary's role at the Legislature's expense.

I. GROUPING RELATED BILLS IS A COMMON, LEGITIMATE, AND USEFUL MEANS TO SERVE THE PUBLIC.

Underlying Respondent's challenge is the notion that it is somehow improper or unlawful for the Legislature to group standalone bills together into a single, larger bill for consideration and passage. Respondent's briefing in the District Court is full of rhetorical flourishes about the H.F. 5247's size, as if enough citations to the sheer length of the law or the number of bills combined to create it can establish a violation of the Single Subject

and Title Clause. *See, e.g.*, Doc. 22 at 16 (referring to H.F. 5247 as a “1,400-plus-page Frankenstein’s monster” consisting of “*nine* separate constituent omnibus bills” (emphasis in original)).² But nothing in the Constitution prevents the Legislature from combining related bills—even many of them—for passage. *See Johnson v. Harrison*, 50 N.W. 923, 924 (Minn. 1891) (describing the “policy of incorporating the entire body of statutory law upon one general subject in a single act” as “very commendable”). On the contrary, this practice is a necessary component of modern lawmaking. *See Lifteau v. Metro. Sports Facilities Comm’n*, 270 N.W.2d 749, 753 (Minn. 1978) (observing the importance of understanding “the growing complexity of the legislative process in modern times” in applying the Single Subject and Title Clause).

Minnesota’s Legislature is designed to operate efficiently within extremely limited windows of time. *See* Minn. Const. art. IV, § 12 (providing that the legislature “shall meet at the seat of government in regular session in each biennium at the times prescribed by law for not exceeding a total of 120 legislative days” and “shall not meet in regular session . . . after the first Monday following the third Saturday in May of any year”); *see also* Minn. Stat. § 3.011. The public expects its part-time legislators to complete their work—including passage of a budget to fund a complex state government and policy changes to address the state’s many pressing problems—on schedule.

² Citations beginning with “Doc.” refer to the Index number on the District Court docket, which is publicly available at <https://publicaccess.courts.state.mn.us/>.

Packaged legislation addressing government funding and policy is common, and it has been under the legislative leadership of both major political parties. To name just a few examples:

- In 2015, the Legislature passed S.F. 888, an “act relating to the operation of state government” that appropriated funds and made policy changes affecting issue areas ranging from energy, nutrition, occupational licensing, and corporations to campaign finance, veterans affairs, pari-mutuel horse racing, and more. *See* 2015 Minn. Laws ch. 77. The Minnesota Supreme Court upheld S.F. 888 against a single-subject challenge in *Otto v. Wright County*, 910 N.W.2d 446 (Minn. 2018).
- In 2016, the Legislature passed H.F. 2749, an “act relating to state government” that addressed funding and government operations across a wide range of policy areas, including higher education, agriculture, broadband development, the courts, public safety, corrections, the environment, natural resources, housing, health and human services, and more. *See* 2016 Minn. Laws ch. 189.
- In 2017, the Legislature passed S.F. 1456, an “act relating to state government” that appropriated funds and made policy changes affecting labor, commerce, energy, housing, and more. *See* 2017 Minn. Laws ch. 94.
- In 2021, the Legislature passed H.F. 1952, an “act relating to state government” that addressed issue areas from historic preservation and campaign finance to elections and information technology. *See* 2021 Minn. Laws ch. 31.

See also Br. of Appellants 15 (Nov. 17, 2025) (identifying additional examples).

It would be impossible for the Legislature to complete its work in the allotted time if each bill proceeded separately through each step of the lawmaking process. In the 2023-2024 biennial session, over 5,400 bills were introduced in the House and over 5,500 bills

were introduced in the Senate.³ Even assuming it were theoretically possible for each bill to proceed individually through introduction, committee deliberation, floor debate, initial passage, conference committee, and a final vote in both chambers, the reality is that the Legislature’s rules and customs permit extensive, open-ended debate, and members of the minority party—whichever party it happens to be—have an incentive to use any tool possible to delay consideration of legislation they do not support.⁴ Combining related bills into a single package is often the only realistic way for legislators to complete their work.

Indeed, while parties challenging large budget and policy bills under the Single Subject and Title Clause argue that they undermine legislative transparency, the opposite is often true. For example, the Senate devotes a specific webpage to publicizing its “Omnibus Budget and Policy Bills,” providing direct links to the history and current text of each bill, a description and summary of the bill, and in many cases a detailed spreadsheet comparing different versions of the bill.⁵ These resources allow lobbyists, regulated parties, and members of the public interested in a particular area of legislation to go to one source to see all key updates on that subject. And interested observers can follow every

³ *Number of Bills Introduced and Laws Enacted in Minnesota, 1849-Present*, Minn. Legislative Reference Library, <https://www.lrl.mn.gov/history/bills> (last visited Nov. 22, 2025).

⁴ See *House GOP Filiburger*, YouTube (May 22, 2024), <https://www.youtube.com/watch?v=KcrebBa2XLo> (video compilation of House members using floor time to discuss their favorite hamburgers).

⁵ *2025 Omnibus Budget and Policy Bills*, Minn. Senate, <https://www.senate.mn/omnibus> (last visited Nov. 22, 2025).

update to a bill through live and archived video of relevant committee meetings and floor debates.

In short, Respondent's rhetoric about the supposed evils of omnibus bills rests on flawed assumptions. These bills are a necessary tool in the Legislature's toolbox that help ensure the consideration and passage of numerous important provisions each year, without sacrificing legislative transparency.

II. RESPONDENT PRESENTS A MISLEADING ACCOUNT OF H.F. 5247'S PASSAGE.

Respondent presents a provocative narrative of the events leading to H.F. 5247's passage. To hear Respondent tell it, H.F. 5247's provisions sprang into existence late in the final evening of the session, taking legislators completely by surprise and leaving them and the public in the dark about the bill's contents.

The reality was far more mundane. In fact, the final version of H.F. 5247 simply folded together a collection of nine bills—all related to the financing and operation of state government—that had proceeded separately through an extensive and transparent process of debate and, in many cases, enjoyed broad support.

H.F. 5242 received extensive consideration by the House Transportation Finance and Policy Committee and the House Ways and Means Committee, where legislators heard testimony from at least eleven individuals representing a range of interests.⁶ Its provisions

⁶ Hr'g before House Transp. Fin. & Pol'y Comm., 93d Leg., Reg. Sess. (Apr. 16, 2024), <https://www.house.mn.gov/Committees/minutes/93026/100871>; Hr'g before House Transp. Fin. & Pol'y Comm. 93d Leg., Reg. Sess. (Apr. 18, 2024), <https://www.house.mn.gov/Committees/minutes/93026/100939>; House J., 93d Leg., Reg.

were the subject of over eleven hours of debate on the House floor alone. Both the House and Senate passed versions of the bill, and the House repassed the bill as amended by the conference committee.⁷ At that point, with time running out, the bill was combined with H.F. 5247 for final passage by both chambers.

H.F. 4247 was introduced in February 2024.⁸ It was discussed in no less than three meetings of the House Health Finance and Policy Committee and one meeting of the House Ways and Means Committee, where legislators heard individual testimony and questioned a House Research Analyst regarding its provisions.⁹ The House passed the bill with bipartisan support, and the Senate passed an amended version unanimously.¹⁰ The House unanimously adopted the conference committee's report and repassed the bill as

Sess. 14894-95 (Apr. 26, 2024) (hereinafter, "House J."), <https://www.house.mn.gov/cc/journals/2023-24/J0426106.htm#14894>.

⁷ House J. 15432 (May 1, 2024), <https://www.house.mn.gov/cc/journals/2023-24/J0501109.htm#15432>; Senate J., 93d Leg., Reg. Sess. 16411-12 (May 6, 2025) (hereinafter, "Senate J."), <https://www.senate.mn/journals/2023-2024/20240506112.pdf#page=97>; House J. 18464-65 (May 19, 2024), <https://www.house.mn.gov/cc/journals/2023-24/J0519119.htm#18464>.

⁸ House J. 11459 (Feb. 26, 2024), <https://www.house.mn.gov/cc/journals/2023-24/J0226085.htm#11459>.

⁹Hr'g before House Health Fin. & Pol'y Comm., 93d Leg., Reg. Sess. (Mar. 13, 2024), <https://www.house.mn.gov/Committees/minutes/93010/100716>; Hr'g before House Health Fin. & Pol'y Comm., 93d Leg., Reg. Sess. (Mar. 20, 2024), <https://www.house.mn.gov/Committees/minutes/93010/100757>; Hr'g before House Health Fin. & Pol'y Comm., 93d Leg., Reg. Sess. (Mar. 21, 2024), <https://www.house.mn.gov/Committees/minutes/93010/100805>; Hr'g before House Ways & Means Comm., 93d Leg., Reg. Sess. (Apr. 3, 2024), <https://www.house.mn.gov/Committees/minutes/93028/100811>.

¹⁰ House J. 15206-07 (Apr. 29, 2024), <https://www.house.mn.gov/cc/journals/2023-24/J0429107.htm#15207>; Senate J. 16516-17 (May 7, 2024), <https://www.senate.mn/journals/2023-2024/20240507113.pdf#page=84>.

amended.¹¹ Before the Senate took up the conference committee's report, the bill was combined with H.F. 5247 for final passage by both chambers.

H.F. 4024 was also introduced in February, and was discussed at two meetings of the House Higher Education Finance and Policy Committee, at which ten individuals testified.¹² After floor debate, the House version of the bill passed with bipartisan support.¹³ An amended version then passed in the Senate—also with bipartisan support.¹⁴ The bill went to a conference committee, which produced a report that repassed in the House with bipartisan support before the bill was combined with H.F. 5247.¹⁵ The bill's provisions received over three hours of floor debate in the House alone.

H.F. 2609—the subject of Respondent's challenge—was first introduced in March 2023.¹⁶ As Appellants explain in detail, both H.F. 2609 and its Senate companion bill were

¹¹ House J. 18241 (May 19, 2024), <https://www.house.mn.gov/ccjournals/2023-24/J0519119.htm#18241>.

¹² House J. 11291 (Feb. 19, 2024), <https://www.house.mn.gov/ccjournals/2023-24/J0219082.htm#11291>; Hr'g before House Higher Ed. Fin. & Pol'y Comm., 93d Leg., Reg. Sess. (Mar. 14, 2024), <https://www.house.mn.gov/Committees/minutes/93011/100709>; Hr'g before House Higher Ed. Fin. & Pol'y Comm., 93d Leg., Reg. Sess. (Mar. 21, 2024), <https://www.house.mn.gov/Committees/minutes/93011/100821>.

¹³ House J. 13009 (Apr. 4, 2024), <https://www.house.mn.gov/ccjournals/2023-24/J0404098.htm#13009>.

¹⁴ Senate J. 13910-11 (Apr. 15, 2024), <https://www.senate.mn/journals/2023-2024/20240415102.pdf#page=228>.

¹⁵ House J. 17373-74 (May 17, 2024), <https://www.house.mn.gov/ccjournals/2023-24/J0517117.htm#17373>. Although the conference committee's report was combined with H.F. 5247, the Senate also separately repassed it with bipartisan support. Senate J. 18590-91 (May 19, 2024), <https://www.senate.mn/journals/2023-2024/20240519119.pdf#page=592>.

¹⁶ House J. 1349 (Mar. 6, 2023), <https://www.house.mn.gov/ccjournals/2023-24/J0306030.htm#1349>.

the subject of extensive debate and testimony, both for and against, across several different committees in both chambers. *See* Br. of Appellants 4-7. The House passed its version of the bill on May 2, 2024, and the Senate passed an amended version on May 9.¹⁷ The House then repassed the bill as amended by the conference committee.¹⁸ Before the Senate acted on the conference committee report, H.F. 2609 was combined with H.F. 5247 for final passage by both chambers. All told, its provisions received over an hour and a half of floor debate in the House alone.

S.F. 4942 was introduced in March and received testimony and debate in meetings of the Senate Committee on Energy, Utilities, Environment and Climate and Senate Committee on Finance.¹⁹ After floor debate in which numerous amendments were considered, the Senate passed its version of the bill with bipartisan support.²⁰ The House passed an amended version after nearly six hours of floor debate.²¹ A conference

¹⁷ House J. 15597-98 (May 2, 2024), <https://www.house.mn.gov/ccj/journals/2023-24/J0502110.htm#15597>; Senate J. 16644-45 (May 9, 2024), <https://www.senate.mn/journals/2023-2024/20240509114.pdf#page=126>.

¹⁸ House J. 17332 (May 17, 2024), <https://www.house.mn.gov/ccj/journals/2023-24/J0517117.htm#17332>.

¹⁹ Senate J. 12195 (Mar. 13, 2024), <https://www.senate.mn/journals/2023-2024/20240313091.pdf#page=45>; Hr’g before Senate Energy, Utils., Env’t, and Climate Comm., 93d Leg., Reg. Sess. (Apr. 17, 2024), https://www.senate.mn/schedule/hearing_minutes.html?ls=93&hearing_id=18680&type=minutes&always_show_minutes=Y#header; Hr’g before Senate Fin. Comm., 93d Leg., Reg. Sess. (Apr. 19, 2024), https://www.senate.mn/schedule/hearing_minutes.html?ls=93&hearing_id=18675&type=minutes&always_show_minutes=Y#header.

²⁰ Senate J. 16325-48 (May 6, 2024), <https://www.senate.mn/journals/2023-2024/20240506112.pdf#page=11>.

²¹ House J. 16373-74 (May 9, 2024), <https://www.house.mn.gov/ccj/journals/2023-24/J0509114.htm#16373>.

committee reconciled the differences and produced a report that was combined into H.F. 5247 for passage by both chambers.²² S.F. 4942's provisions received a total of over nine hours of floor debate in the House alone.

S.F. 5335 was introduced in early April.²³ The bill was extensively discussed at three meetings of the Senate Committee on Human Services, where legislators heard testimony from a number of individuals and adopted amendments, as well as a meeting of the Senate Finance Committee.²⁴ The Senate passed the bill with bipartisan support.²⁵ After consideration by the House Ways and Means Committee and over six hours of floor

²² Senate. J. 18227 (May 19, 2024), <https://www.senate.mn/journals/2023-2024/20240519119.pdf#page=229>. Although the conference committee's report was combined with H.F. 5247, both chambers also separately repassed it. Senate J. 18372, 20025 (May 19, 2024), <https://www.senate.mn/journals/2023-2024/20240519119.pdf#page=374>.

²³ Senate J. 13880 (Apr. 4, 2024), <https://www.senate.mn/journals/2023-2024/20240404098.pdf#page=12>.

²⁴ Hr'g before Senate Hum. Servs. Comm., 93d Leg., Reg. Sess. (Apr. 8, 2024), https://www.senate.mn/schedule/hearing_minutes.html?ls=93&hearing_id=18646&type=minutes&always_show_minutes=Y#header; Hr'g before Senate Hum. Servs. Comm., 93d Leg., Reg. Sess. (Apr. 15, 2024), https://www.senate.mn/schedule/hearing_minutes.html?ls=93&hearing_id=18682&type=minutes&always_show_minutes=Y#header; Hr'g before Senate Hum. Servs. Comm., 93d Leg., Reg. Sess. (Apr. 17, 2024), https://www.senate.mn/schedule/hearing_minutes.html?ls=93&hearing_id=18706&type=minutes&always_show_minutes=Y#header; Hr'g before Senate Fin. Comm., 93d Leg., Reg. Sess. (Apr. 26, 2024), https://www.senate.mn/schedule/hearing_minutes.html?ls=93&hearing_id=18709&type=minutes&always_show_minutes=Y#header.

²⁵ Senate J. 15592-93 (Apr. 30, 2024), <https://www.senate.mn/journals/2023-2024/20240430108.pdf#page=20>.

debate, the House passed an amended version of the bill.²⁶ A conference committee reconciled the differences,²⁷ and the bill was ultimately folded into H.F. 5247.

S.F. 4699 was first introduced in early March.²⁸ After discussion and amendment by the Senate Committees on Health and Human Services and Finance, as well as further debate and amendment on the floor, the Senate passed its version of the bill on May 3.²⁹ The House then passed an amended version after consideration by the Ways and Means Committee and over three hours of floor debate.³⁰ A conference committee was convened, and the bill was ultimately combined with H.F. 5247 for final passage.

H.F. 5363 was introduced in April.³¹ Legislators discussed the bill at meetings of the House Workforce Development Finance and Policy Committee, Judiciary Finance and Civil Law Committee, Commerce Finance and Policy Committee, and Ways and Means

²⁶ House J. 15746-47 (May 6, 2024), <https://www.house.mn.gov/ccj/journals/2023-24/J0506112.htm#15746>.

²⁷ Senate J. 18373 (May 19, 2024), <https://www.senate.mn/journals/2023-2024/20240519119.pdf#page=375>. Although the conference committee's report was combined with H.F. 5247, both chambers also separately repassed it. See Senate J. 18541, 20025 (May 19, 2024), <https://www.senate.mn/journals/2023-2024/20240519119.pdf#page=543>.

²⁸ Senate J. 12048 (Mar. 7, 2024), <https://www.senate.mn/journals/2023-2024/20240307089.pdf#page=118>.

²⁹ *Committee Hearings and Actions for S.F. 4699*, Minn. Senate, https://www.senate.mn/schedule/unofficial_action.html?ls=93&bill_type=SF&bill_number=4699&ss_number=0&ss_year=2024 (last visited Nov. 23, 2025); Senate J. 16286-308 (May 3, 2024), <https://www.senate.mn/journals/2023-2024/20240503111.pdf#page=466>.

³⁰ House J. 15793 (May 7, 2024), <https://www.house.mn.gov/ccj/journals/2023-24/J0507113.htm#15793>; House J. 16191-206 (May 9, 2024), <https://www.house.mn.gov/ccj/journals/2023-24/J0509114.htm#16206>.

³¹ House J. 13158 (Apr. 11, 2024), <https://www.house.mn.gov/ccj/journals/2023-24/J0411101.htm#13158>.

Committee, where they heard testimony and agreed to amendments.³² The House passed the bill after nearly eight hours of floor debate.³³ Before the Senate took up the bill for a vote, it was combined with H.F. 5247 for final passage by both chambers.

Finally, H.F. 5247 itself was introduced in April.³⁴ Legislators heard extensive testimony and considered numerous amendments at four separate meetings of the House Taxes Committee, as well as a meeting of the House Ways and Means Committee.³⁵ After extensive floor debate, the House passed the bill on May 3.³⁶ More floor debate followed, and the Senate passed an amended version of the bill with bipartisan support.³⁷ A

³² Hr’g before House Workforce Dev. Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (Apr. 24, 2024), <https://www.house.mn.gov/Committees/minutes/93029/100951>; Hr’g before House Judiciary Fin. & Civil L. Comm., 93d Leg., Reg. Sess. (Apr. 29, 2024), <https://www.house.mn.gov/Committees/minutes/93015/100953>; Hr’g before House Commerce Fin. & Pol’y Comm., 93d Leg., Reg. Sess. (May 1, 2024), <https://www.house.mn.gov/Committees/minutes/93004/100940>; Hr’g before House Way & Means Comm., 93d Leg., Reg. Sess. (May 10, 2024), <https://www.house.mn.gov/Committees/minutes/93028/100933>.

³³ House J. 16839 (May 15, 2024), <https://www.house.mn.gov/ccojournals/2023-24/J0515116.htm#16839>.

³⁴ House J. 12869 (Apr. 2, 2024), <https://www.house.mn.gov/ccojournals/2023-24/J0402097.htm#12869>.

³⁵ Hr’g before House Taxes Comm., 93d Leg., Reg. Sess. (Apr. 4, 2024), <https://www.house.mn.gov/Committees/minutes/93024/100837>; Hr’g before House Taxes Comm., 93d Leg., Reg. Sess. (Apr. 17, 2024), <https://www.house.mn.gov/Committees/minutes/93024/100889>; <https://www.house.mn.gov/Committees/minutes/93024/100890>; Hr’g before House Taxes Comm., 93d Leg., Reg. Sess. (Apr. 18, 2024), <https://www.house.mn.gov/Committees/minutes/93024/100927>; Hr’g before House Ways & Means Comm., 93d Leg., Reg. Sess. (Apr. 29, 2024), <https://www.house.mn.gov/Committees/minutes/93028/100897>.

³⁶ House J. 15639 (May 3, 2024), <https://www.house.mn.gov/ccojournals/2023-24/J0503111.htm#15639>.

³⁷ Senate J. 16476-90 (May 7, 2024), <https://www.senate.mn/journals/2023-2024/20240507113.pdf#page=44>.

conference committee was convened to resolve the differences, and as time ran out to complete the Legislature's work on May 19, the conference committee recommended an amendment that combined the nine bills relating to the operation and financing of state government discussed in this section into a single bill for final passage.³⁸ Both chambers passed it, and the Governor signed it into law on May 24, 2024.

The decision to fold multiple bills covering the same general subject into a single bill for final passage was driven by nothing more than practical reality. As the session drew to a close, the Caucuses—the governing majority—were faced with a collection of separate bills filled with important provisions relating to the state's funding and operations. The Legislature had spent months crafting, debating, and achieving compromise on those bills, and many of them had bipartisan support. But there was simply insufficient time to bring each one up for a separate vote, due in part to the Legislature's rules and customs which allow all legislators—including those in the minority—to engage in rigorous, extensive, and at times purposely drawn-out debate. Rather than let its work go to waste (potentially leaving important parts of the government unfunded), the Legislature chose to combine the related bills as a final procedural step towards enactment. Respondent's presentation of this mechanism as a duplicitous and secretive maneuver cannot be squared with this history.

³⁸ House J. 18590 (May 19, 2024), <https://www.house.mn.gov/cc/journals/2023-24/J0519119.htm#18590>.

III. THE COURT SHOULD REJECT RESPONDENT’S NEW AND UNPRECEDENTED VISION FOR THE SINGLE SUBJECT AND TITLE CLAUSE.

The Minnesota Constitution provides that “[n]o law shall embrace more than one subject, which shall be expressed in its title.” Minn. Const. art. IV, § 17. The provision is primarily a tool of transparency and good government: it exists to prevent so-called “log-rolling legislation” and to prevent “surprise and fraud” by ensuring that the people and the legislature have notice of “the interests likely to be affected” if a bill becomes law. *Johnson v. Harrison*, 50 N.W. 923, 924 (Minn. 1891).

Over a century of precedent interpreting the Single Subject and Title Clause has resulted in a standard that strikes a careful balance between the prerogatives of the Legislature to craft and pass legislation as it sees fit and the duty of the courts to enforce the Constitution’s outer bounds. When a party alleges that a statutory provision appears in a law that violates the Clause, a court must decide whether the challenged provision is “germane” to the law’s subject as the Legislature has expressed that subject in the law’s title. *Otto v. Wright Cnty.*, 910 N.W.2d 446, 456-57 (Minn. 2018). “When a provision fails the germaneness test, . . . the proper remedy is simply to sever [the challenged] provision from the rest of the bill.” *Id.* at 456. To go further and strike down germane provisions because “other provisions of the law may not be germane” would risk “overstepping” the Court’s role. *Id.* at 458 (citation omitted).

Respondent asks the Court to adopt a much different standard. The Caucuses do not intend to duplicate the efforts of the parties, who extensively briefed the applicable

standard before the District Court and will do so again on appeal. But several points with special implications for the Caucuses’ institutional roles bear emphasis.

A. **Respondent’s proposed standard diminishes the constitutional authority of the Legislature by asking courts to disregard a law’s legislatively expressed subject.**

First, Respondent would inject a new “step one” inquiry into the governing standard. According to Respondent, before a Court can apply the germaneness test, it must determine the challenged law’s subject by engaging in its own comprehensive and free-wheeling review of the law’s provision to decide whether its provisions show a “common” or “predominating” theme. Doc. 51 at 9, 12-13. If the Court reviews all of a law’s provisions—including those not before the Court—and cannot satisfy itself that the provisions share a “common theme,” Respondent says, the Court should invalidate the entire law without ever addressing whether the challenged provisions are germane to the law’s legislatively declared subject.

Respondent’s proposal lacks support in precedent. The Supreme Court in *Otto* explicitly applied the germaneness test by reference to the subject expressed in the challenged law’s title—there, “the operation of state government.” *Otto*, 910 N.W.2d at 457. It did the same in *Associated Builders and Contractors v. Ventura*—the primary case Respondent cites for support—analyzing whether the challenged prevailing wage amendment was germane to “the subject of financing and operation of state and local government,” even as it also colloquially described the law’s subject as “tax relief and reform” and “financing and operation of local government.” 610 N.W.2d 293, 302-03 (Minn. 2000).

Of even greater concern to the Caucuses, however, is what Respondent’s “step one” inquiry portends for the balance of power between the Legislature and the Judiciary. The Constitution assigns to the Legislature the responsibility to “express[]” the subject of a law “in its title.” Minn. Const. art. IV, § 17. The Caucuses’ members take that responsibility seriously.³⁹ Contrary to Respondent’s politically charged rhetoric, legislators think carefully about what provisions belong together in one law and what theme best ties those provisions together. The end product may depend on many factors: how each chamber organizes its committees, the particular expertise and priorities of members serving on conference committees, and political compromises that are necessary to pass legislation, among others. In short, formulating a law’s “subject” is a quintessential matter of legislative judgment. See Richard Briffault, *The Single-Subject Rule: A State Constitutional Dilemma*, 82 Alb. L. Rev. 1629, 1630 (2019) (“[A] persistent theme in the single-subject jurisprudence has been the inevitable ‘indeterminacy’ of ‘subject’” (citation omitted)).

The Supreme Court has long recognized the Legislature’s flexibility in this area. Courts give the term “subject” “a broad and extended meaning” to “allow the legislature full scope to include in one act all matters having a logical or natural connection.” *Johnson*,

³⁹ The Legislature uses drafting principles established in the Minnesota Revisor’s Manual, which calls for bills to begin with the phrase “A bill for an act,” followed by a “general subject” that is “usually broad,” such as “relating to taxation” or “relating to state government.” Off. of Revisor of Statutes, Minn. Revisor’s Manual 12-13 (2013), <https://www.revisor.mn.gov/static/office/2013-Revisor-Manual.pdf>. Following the “general subject,” the title outlines the “objects or parts of the subject” by identifying the more specific issues addressed in the bill. *Id.* at 13.

50 N.W. at 924. “The subject may be *as comprehensive as the legislature chooses to make it*, provided it constitutes, in the constitutional sense, a single subject, and not several.” *Id.* (emphasis added). And the relationship the Legislature draws between provisions of a bill need not be one that a court finds “logical.” *Id.* Construing the Single Subject and Title Clause to “interfere with” the Legislature’s choices on these matters more than necessary to enforce the Constitution’s outer bounds would be “seriously embarrassing to honest legislation.” *Id.*; *see also Defenders of Wildlife v. Ventura*, 632 N.W.2d 707, 712 (Minn. App. 2001) (courts’ approach to Single Subject and Title Clause reflects “requisite deference each branch of government affords the other in management of its internal affairs”).⁴⁰

Respondent’s proposed standard creates the potential for far more mischief than it would prevent. For example, Respondent contrasts a law containing one or two unrelated provisions tacked onto an otherwise coherent theme with a law that has no “common” or “predominating” theme. But what does it mean for a theme to “predominate”? Would it be enough for 51% of a law to address the Court’s independently formulated topic? Would 75% or more be required? Should the Court measure predominance by the number of articles, sections, or pages of the law? And once the Court has cast aside the Legislature’s chosen subject, what stops it from deciding—contrary to precedent—whether it believes

⁴⁰ The Legislature’s discretion is not unlimited, because a law’s title still must be “sufficient to give notice of the general subject of the proposed legislation and of the interests likely to be affected.” *Wass v. Anderson*, 252 N.W.2d 131, 137 (Minn. 1977) (quoting *State ex rel. Pearson v. Probate Court*, 287 N.W. 297, 301 (1939)). That standard is easily met here, because the Legislature not only provided a description of H.F. 5247’s general subject but also identified the challenged provision, Minn. Stat. § 609.67, in the title itself.

the relationship among the law’s provisions is sufficiently “logical”? *Johnson*, 50 N.W. at 924. There is an obvious answer to these questions, and one which the Supreme Court has already settled: when ascertaining a law’s “subject,” a court need look no further than the subject supplied by the Legislature.

B. The provision Respondent challenges is germane to the operation and financing of state government.

Respondent challenges a single provision of H.F. 5247 relating to binary triggers—devices that make semiautomatic weapons more deadly by effectively doubling their rate of fire. *See* 2024 Minn. Laws ch. 127, art. 36, § 2. The challenged provision amends the definition of “[t]rigger activator” in Minnesota Statutes Section 609.67, subdivision 1, to include “a device that allows a firearm to shoot one shot on the pull of the trigger and a second shot on the release of the trigger without requiring a subsequent pull of the trigger.” *Id.*

The Court should reject Respondent’s challenge and reverse the District Court because the binary trigger provision is germane to the operation and financing of state government. The standard for germaneness is not high. The Single Subject and Title Clause is “construed liberally.” *Townsend v. State*, 767 N.W.2d 11, 13 (Minn. 2009). All it requires is that the Legislature avoid combining provisions that are “so incongruous that [they] could not, by any fair intendment, be considered germane to one general subject.” *Johnson*, 50 N.W. at 924. H.F. 5247’s amendment to section 609.67 creates several impacts on state government. In response to the amendment, state government agencies such as the Bureau of Criminal Apprehension and the State Patrol must adjust how they

enforce the state’s laws, which will no doubt include training for state employees on how to recognize and safely handle binary triggers. The Department of Human Services—which is required to disqualify individuals convicted of certain offenses, including offenses under section 609.67—will likely need to ensure that its background check process accounts for the expanded offense. *See* Minn. Stat. §§ 245C.14, 245C.15. The amendment may also impact what sorts of firearm training the Peace Officer Standards and Training Board approves.⁴¹ And expanding the scope of prohibited firearms-related devices will impact the financial resources of all these state agencies, as well as those of the state public-defender system, which will defend individuals accused of violating the expanded prohibition.⁴² It does not matter that the binary trigger amendment may also have been germane to other, more narrowly described subjects; it was perfectly “fair” for the Legislature to consider it germane to the financing and operation of state government.

The Caucuses acknowledge that the parties agreed below that the binary trigger amendment is not germane to H.F. 5247’s subject, and the District Court did not analyze the issue. While Minnesota appellate courts “generally will not decide issues raised solely by an amicus,” this Court “can consider any issue if the interests of justice so require,”

⁴¹ *See* Minn. Stat. § 626.8452, subds. 2-3 (requiring peace officers to receive annual training in the use of firearms); *In-Service Use of Force Learning Objectives*, Minn. Bd. of Peace Officer Standards & Training, https://mn.gov/post/assets/In-service%20Use%20of%20Force%20Learning%20Objectives-V4%28Secured%29_tcm1189-563364.pdf (last visited Nov. 23, 2025) (requiring “familiarization with authorized firearms”).

⁴² Although “an impact on state finances” alone may not establish germaneness, *Associated Builders & Contractors*, 610 N.W.2d at 302, that impact further supports the provision’s germaneness here.

particularly when the issue is “purely legal.” *Hegseth v. Am. Family Mut. Ins. Grp.*, 877 N.W.2d 191, 196 n.4 (Minn. 2016). Given the presumption in favor of upholding duly enacted legislation, the purely legal nature of the question, and the public importance of the issue, this Court should address the provision’s germaneness and reverse the District Court.

C. The Court should reject Respondent’s staggering request to strike down H.F. 5247 in full.

If the Court determines that the binary trigger amendment is not germane to H.F. 5247’s subject, it should sever the provision and uphold the remainder of the law. That result would be most consistent with precedent, would demonstrate the respect owed the Legislature as a coordinate branch of government, and would fully resolve Respondent’s alleged injury. *See* Doc. 1 ¶ 16 (alleging that H.F. 5247 “affects the interests of [Respondent] and its members by expanding the definition of a trigger activator to include binary triggers without any grandfather-clause provision protecting those previously lawfully in possession of binary triggers”).

Not content with redress for its alleged injury, however, Respondent asks the Court to do what the Minnesota Supreme Court has never done in the modern era: strike down the entirety of a major, comprehensive budget law, undoing months of legislative work and threatening chaos across state government. The Court should soundly reject this request.

To the extent Respondent argues or suggests that facial invalidation of a law should be the mandatory or even the default remedy for a violation of the Single Subject and Title Clause, it is wrong. The Supreme Court has specifically held that “the words of Section

17 do not require such a draconian outcome” and that the Clause “does not prohibit a bill from becoming law if it does embrace more than one subject.” *Associated Builders & Contractors*, 610 N.W.2d at 305. The Court spoke with even greater clarity in *Otto*, holding that severance of a challenged provision is “the proper remedy” for a violation of the Single Subject and Title Clause and declaring that it would uphold a law when the challenged provision was germane to the Legislature’s chosen subject “even though other provisions of the bill may not be germane.” 910 N.W.2d at 456, 458. Respondent’s reliance on its own understanding of the Clause’s “purpose and structure” and on separate opinions by individual justices cannot overcome the Court’s clear holding. *See* Doc. 22 at 31-32.

Even assuming the Supreme Court has left any room for facial invalidation of a law under the Clause, that remedy would not be appropriate in this case. For one thing, the vast majority of H.F. 5247’s provisions are indisputably and uncontroversially related to one another and to the operation and financing of state government. To take just a few examples, it is not difficult to see the common thread between articles concerning “Transportation Appropriations,” *see* 2024 Minn. Laws ch. 127, art. 1; “Labor Appropriations,” *see id.* art. 4; “Housing Appropriations,” *see id.* art. 14; “Higher Education Appropriations,” *see id.* art. 34; “Agriculture Appropriations,” *see id.* art. 37; appropriations related to energy and climate, *see id.* art. 41; and appropriations for health and human services, *see id.* art. 53, 67. Nor is it difficult to see why the Legislature might have chosen to group, for example, provisions establishing new government entities, such as a Minnesota Advisory Council on Infrastructure, *see id.* art. 3, § 5; a Task Force on

Long-Term Sustainability of Affordable Housing, *see id.* art. 15, § 49; a Legislative Task Force on Guardianship, *see id.* art. 46, § 39; a Mentally Ill and Dangerous Civil Commitment Reform Task Force, *see id.* art. 49, § 9; and an Office of Emergency Medical Services, *see id.* art. 63, § 3. In arguing otherwise, Respondent engages in the same baseless disregard of the Legislature’s chosen subject that Respondent invites from the Court. It has instead chosen to organize the “subjects” it identifies within H.F. 5247 by specific policy area, asserting, for example, that “transportation” and “housing” must be different subjects. But nothing in the Constitution limits the Legislature in that way. *See Johnson*, 50 N.W. at 924 (explaining that the connection that renders provisions “germane to one subject and to each other, can be of various kinds,” including similar “means to ends”).

Absent from Respondent’s briefing in the District Court is any meaningful acknowledgement of the impact of the decision it seeks. Facial invalidation of H.F. 5247 would be seismic. It would, of course, lay waste to months of legislative work by the Caucuses’ members, not to mention other legislators who contributed to and supported many of the individual provisions of the law, whether or not they voted for the final product. Millions of dollars of appropriations to state agencies would suddenly be gone. Much of that money will likely have already been spent—would it need to be clawed back? Other money may have been set aside for important government programs that would no longer be permitted to proceed.

What’s more, although the subject of H.F. 5247 is limited to the financing and operation of state government, some of the greatest effects would be felt by members of

the public. Costs and efforts expended in reliance on H.F. 5247 would be wasted. Grant applicants and recipients would need to wonder about the status of funding for matters such as stillbirth prevention, *see* 2024 Minn. Laws ch. 127, art. 67, § 3, subd. 2(a); child mental health, *see id.* art. 67 § 2, subd. 9; and promoting volunteerism to serve those at risk of homelessness, hunger, poverty, lack of access to health care, or deficits in education, *see id.* art. 67, § 14, subd. 2(pp). Nothing in the fifteen words of the Single Subject and Title Clause requires this “draconian outcome.” *Associated Builders & Contractors*, 610 N.W.2d at 305.

Respondent’s argument seems to be that the Court should disregard these impacts because the Legislature has been spoiled by judicial indulgence and must be taught a lesson. That is not how the separation of powers works. The judiciary provides a check on the Legislature by vindicating the rights of litigants, which this Court could fully accomplish by severing the provision that allegedly harms Respondent. It would be improper for the Court to “overstep[] [its] judicial bounds,” *Otto*, 910 N.W.2d at 458, just to send an interbranch message. That is particularly so because the Supreme Court’s precedents already send a clear message to the Legislature, including the Caucuses: if you violate the Single Subject and Title Clause, the Court will strike down provisions you care about.

Moreover, despite what Respondent says, facial invalidation of H.F. 5247 would go far beyond enforcing the bounds of the Constitution. All legislators, including the Caucus’s members, would need to fear that one wrong move of legislative procedure would undo the entirety of their work. Legislators would be incentivized to avoid legitimate but

untested procedures for passage and favor smaller, narrower legislation even when their policy judgment calls for—and the Constitution permits—something more. The effect of such a regime would be to chill legislators from exercising their legitimate authority under the Constitution.

Finally, Respondent’s proposed standard would only augur more high-stakes, politically charged litigation involving the Single Subject and Title Clause. Special-interest groups aligned with whichever party opposes major legislation would reasonably view the Clause as a potential political windfall—an opportunity to defeat legislation in the courts that they could not defeat at the floor vote. For such groups, the cost of litigation would be minimal compared with the potential payoff. So long as a group could identify a single provision that caused even a pretextual injury to a willing plaintiff, it would have a chance to void hundreds or even thousands of perfectly constitutional provisions of law. The Court should not invite that result.

CONCLUSION

Respondent’s novel theory of the Single Subject and Title Clause threatens to hamstring the Legislature’s ability to craft legislation and to usher in a new era of winner-takes-all litigation. This Court should reject that theory and reverse the District Court.

Dated: November 24, 2025

Respectfully submitted,

LOCKRIDGE GRINDAL NAUEN PLLP

s/Charles N. Nauen

Charles N. Nauen (#121216)

David J. Zoll (#0330681)

Rachel A. Kitze Collins (#396555)

R. David Hahn (#401262)

100 Washington Avenue South, Suite 2200

Minneapolis, MN 55401-2159

(612) 339-6900

cnnauen@locklaw.com

djzoll@locklaw.com

rakitzecollins@locklaw.com

rdhahn@locklaw.com

**ATTORNEYS FOR MINNESOTA
HOUSE DFL CAUCUS AND SENATE DFL
CAUCUS**

CERTIFICATION OF BRIEF LENGTH

I hereby certify that this brief conforms to the requirements of Minn. R. Civ. App. P. 132.01, subd. 3, for a brief produced with a proportional 13-point font. The length of this brief is **6,315** words. This brief was prepared using Microsoft Word Office 365.

s/Charles N. Nauen

Charles N. Nauen (#121216)