



League of Women Voters of Minnesota Records

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Excerpts from debate on constitutional revision
occurring at Annual Meeting of
Minnesota State Bar Association

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Senator Mullin: (Reasons for Bar taking stand in favor of convention) As you may recall, the Governor, pursuant to a resolution passed by the Legislature, created -- empowering him to create and name a commission, did so, that is, it was known as the Governor's Commission. The Legislature, through the Speaker and the President of the Senate, offered names also who were to participate in the study of the revision of the Constitution. That commission met and reported favoring general revision. Its document has been filed with the Secretary of State, and it is a very lengthy one. That fact was developed in the hearing on the matter before our committee.

Secondly, it was disclosed and admitted that both political parties had favored constitutional revision, that repeatedly through the years the proposition had been submitted to the Legislature and had been defeated. As you may know, gentlemen -- I assume you do know -- the present Constitution required before the question "shall there be revision" be submitted to the voters, that two-thirds of both bodies of the Legislature must approve that proposition.

We did not go into the various contentions offered by different groups as to how the Constitution should be amended, if at all, but we came to the conclusion that because the Legislature had deemed it important enough to study, the Governor's Commission reporting the general revision was necessary, both political parties having endorsed it, and that, without going into the merits or demerits of any proposed changes, that it seemed reasonable for us to recommend to the Bar, and for the Bar, in turn, to recommend to the Legislature, that the question -- that the question "shall there be a constitutional convention?" should be submitted to the voters for their acceptance or rejection.

(Out of 34 members of committee, twenty-four voted - four opposed.)

opposed
Mr. Galvin:8

Mr. President, ladies and gentlemen of the convention: It is my pleasure to rise as the minority member of the committee for constitutional revision to tell you why the Bar Association of this State, which I have the pleasure to head, and which I have the pleasure to be a member of this committee for some past six years, should not go on record as favoring a general constitutional revision.

Now, I am not disputing the name 2 and 3 recommendations, but this question has been before the Legislature since 1945 and I have had the pleasure and the privilege, like Senator Mullin, of being a member of that body and having an opportunity to debate the question from the inside, as well as from the outside, and I debated, before the general constitutional revision question came out, the single question as to the selection of judges, out of which I think this grew, whether or not a judge -- an individual lawyer should have the right to file as a judge on a ballot uncontested, without that phrase on the ballot "shall the judge be retained."

Now, my opinion is, and I think all of us who have studied this question carefully, from an impartial viewpoint, is that this is one of the things that rose through the country. A few years ago we had a great move for the referendum and recall, and a few of the states of this

nation were foolish enough to go on record, like California and North Dakota, for referendum and recall, so that the Legislature cannot now pass laws without having them submitted to the people to be vetoed or recalled. And this is just another one of those waves. They have adopted a new constitution in Missouri and in New Jersey. They have provided for a new, different plan of selecting judges.

I want to say, in fairness, that I was afforded every opportunity before this committee, as I was two years ago when I came here and disputed this question two years ago, and the Bar Association two years ago sustained me on it, and I think that the Bar Association will sustain again. This is a thing that is repeatedly defeated in the Legislature. There isn't any reason why we should have a constitutional convention, and that is what the measure calls for. Why should we start all over again? And our constitution is not, as the Senator said, a compilation of statutes, but it is a matter of fundamental law, and any of you who have had the opportunity or taken the opportunity of studying it, must know that that is the situation.

Now, there are some things in the Constitution that a number of ~~people~~ people, the League of Women Voters and some others, say should not be retained, because our Constitution says that women shall not vote and that the United States senator is elected by the Legislature, but those things are obsolete; they are ineffective, they have been repealed by Federal constitutional ~~provisions~~ provisions. Now, why should the Bar Association, with all the burdens it should sustain and does sustain to pass legislation of benefit to us individually and to the general public -- why should they go against the legislative will of trying to pass this type of ~~a~~ a bill through the Legislature which has no legislative acceptance there, in my opinion, and which, in 1951, didn't even get a majority of votes in the House when it was voted on the floor, and has to have at least a two-thirds vote to pass? Why should we have our necks out so far as to say that we think there should be a general constitutional revision? If there is some dead timber in the Constitution, if there is something wrong with it, those things can be taken care of by individual amendment. Why should that be a burden of the Bar Association and the Legislative Committee and our ~~legislative~~ legislative representative to spend his time -- and I want to tell you it will take a lot of time, because I expect to be there, as I have been, and when this fight first started in 1945, when I was in the Legislature, I was pretty much fighting a lone battle. And then in 1947 and in 1949, the Governor, being for it, had a constitutional revision committee make a study and recommendations, and the things that they recommended were the things that I chose to argue against. They wanted a strong central government; they wanted the governor made the dictator of the state. You don't want an elected state auditor, you don't want an elected state treasurer; you don't want an elected state secretary of state; you don't want those three men passing on all the things that the Executive Council has to administer in this State. They will all be appointees of the governor and he will be all powerful. That may be fine under the present administration; it may have been fine under Governor Youngdahl's administration, who was the principal advocate of this type of reform in this State; and he was the man that spoke to the Board of Governors and everybody else and advocated this thing so strongly. It may have been fine, but, gentlemen, if it was 1937, and I could turn the time back to 1935 when I served in the Legislature and when the majority group of the Senate

had but thirty-five votes and the gover or was the man who is now the head of Americans for Democratic Action, you wouldn't want that kind of power vested in a governor, you would want the authority vested in the people who could vote for members of the Executive Council.

Now, this tidal wave is sweeping the country, but don't let it sweep the Bar Association, ~~am~~ men who should be of sound judgment, reasonable thinking, and who have time to study these things out.

Now, I had an opportunity to discuss this before the committee that met with some thirteen members on the committee; I think there were thirteen who were there. The thirteen ~~listened~~ listened to me very attentively; the rest of them got their information by mail. And I wrote to them, as well as to the Senator, who is chairman of the committee.

I think that we live in a great democratic system, in which in the Bar Association and anywhere else -- and this doesn't teach any disrespect for law, because there are obsolete things in our Constitution, and I have heard some of the members who advocate this proposal say that it does teach disrespect for law, that the legislative session should be unlimited, that you and I and everybody else should wait until the Legislature takes its time and concludes its work; they shouldn't be limited to ninety days, and that's one of the principal reasons for advocating a constitutional revision.

Well, now, you know as well as I do, and I think most of the members who have served in the Legislature are very glad to see the session over; we are glad to see it concluded, so that we will know where we are at. People interested in business live in suspense during those particular days. Why, activities now are principally confined to determining what advice should be given to people who are interested in legislative activities. And if they had to wait for six months, eight months, or ten months, like they do in Wisconsin, why, the anticipation, the expectancy, everything else just keeps you in suspense that much longer, so that you can't plan, you can't budget, you can't know what your expectancies may be; you don't know whether this type of a bill may be passed or what is going to happen. Ninety days is ~~plenty~~ plenty of time to have a legislative session. Nobody has suffered. There ~~is~~ is no great need on account of the provisions that are in our Constitution now. There are no people that are being put on relief; there are no industries being particularly hurt; there are no lawyers being particularly hurt; there are no labor organizations being particularly hurt; everybody individually and collectively are pretty well protected under the fundamental statements that are contained in our Constitution.

Now, the Legislature did last year propose an amendment to the Constitution which will be voted on this fall, and if there is a constitutional convention -- I will not spend much time talking about that -- but if there is a constitutional convention, that the people should have the right to then vote on the proposed constitution. We don't have any such protection now. And whether or not that provision will be adopted we will have to wait until after November to find out.

One of the principal reasons for constitutional revision is that they say that revenue laws should originate in the Senate as well as in the House. That's only minor, easy to amend. If a constitutional provision setting

setting that forth ~~x~~ is a proposal of the people of the State of Minnesota, they would have an opportunity to say whether that provision should be accepted or rejected, and shouldn't they have an opportunity to say whether or not each and every one of these proposals should be accepted or rejected on its merits, and not the general constitutional revision, particularly at a time in which we are now engaged.

Mr. French:8

Mr. Chairman and members of the State Bar Association: As some of you may know, I am a member of the State Legislature and have been there for some time. This matter was before the last Legislature and they spent considerable time mulling over the various problems involved in calling a constitutional convention. Now, those problems are not simple; they are intricate, and the Legislature listens to the arguments both from a standpoint of the necessity for a constitutional convention and also the arguments relative to the legal implication involved in the holding of a constitutional convention, and here is the thing that was felt as far as the Legislature was concerned: there is considerable doubt in the law today as to whether a constitution promulgated by a (convention) would be submitted to the people for ratification.

At the Legislature, there were excerpts from Corpus Juris, which you people are all acquainted with, photostatic copies of some pages of it, and let me read a few words from there to show you what the nature of a constitutional convention is: "A ~~xxx~~ constitutional convention is not a coordinate branch of the state government, but it is an extraordinary body, the representatives of the people convened on special occasions for the purpose of amending or revising the constitution. Once assembled, it is sovereign; it is above the legislature, and free from control by the courts. It is a legislative body of the highest order. It may not only frame, but it may also enact and act and promulgate a constitution, and this is true even though the act of the legislature under which the convention assembled expressly provided that no constitutional amendment should go into effect until submitted to a vote of the people and approved by them."

This is one view of the power of a constitutional convention. It is a legislative body itself with power to enact a constitution, and the people do not get a chance to vote on it. Now, there is also a minority view or another view that the constitution would be submitted to the people, but there is no clear-cut line of demarcation in the United States in the decisions of the various states as to whether a constitution should or should not be submitted to the people. ~~xxxxx~~ Our own constitution is entirely silent on it and no one would discern from reading it whether a constitution written by the convention would be submitted to the people or not, so you are up against a proposition where somebody some time would have to decide if the convention can promulgate a constitution and not submit it to the people.

With that situation in mind, it seems to the Legislature to be foolhardy to at this time, call a constitutional convention, so some of us who opposed the constitutional convention were the authors of the bill which is mentioned in proposal number 3 or the constitutional amendment which is mentioned in report number 3, proposal to amend the constitution, so that it would provide that a new constitution written by a constitutional convention would have to be submitted to the people before it went into effect, and it just seems to me to be good judgment to suspend action on proposal number 1 at this time, give the people an opportunity to vote on proposal number 3, and when that is in effect so that any

that any convention will have to be

that any constitution that is written by a constitutional convention will have to be submitted to the people, then it is time enough for this organization to go on record in favor of a constitutional convention.

Voted down 83-82

On Recommendation 3

Mr. Holmes: (Moved amending as follows) "and ~~if~~ that if the proposed amendment is so adopted by the voters, the State Bar Association favors submitting to the voters of the State of Minnesota the question of the calling of a constitutional convention and the Bar Association shall include in its legislative program for the 1953 legislative session a recommendation to the Legislature favoring the submission of the question of the calling of a constitutional convention, said question to be submitted to the voters at the general election to be held in 1954."

Gentlemen, the reason for the amendment is perhaps to save time. If I understood Mr. Galvin and Mr. French correctly, this proposed amendment is up before the voters this fall. That means that there will not be another convention meeting of this body until following the 1953 session. I think we should act on this matter now. It seems to me that we are taking a rather false position here in that we are in effect saying, "You, the voters of Minnesota, have no right to consider the question of whether or not you want a convention, even though a hundred years have gone by since that Constitution was written."

Mr. Galvin: This, ladies and gentlemen of the convention, is the same question that you defeated by laying it on the table, and it is not a question ~~as to~~ as to whether or not the voters next fall will vote on the approval of submitting a constitutional revision to the people, but the question is much broader as proposed in this amendment. It says if this amendment now pending is adopted, Mr. Holmes' motion is that then we go on record for a constitutional convention. That means that we start all over. Even though our constitution, ladies and gentlemen, is a hundred years old, as Mr. Holmes said, it has been a hundred years of progress, it has been a hundred years that this State has been settled and developed, and, if we can progress as much in another hundred years under the same Constitution, we will certainly have gone far ahead and be much better off than we were a hundred years ago. Why, can anybody say that the present Constitution has prevented progress? Has prevented welfare? Has prevented good incomes for ~~xx~~ individuals? Has prevented anything else that you may think of? That has stood in the way of anything? That anybody has been injured under the present Constitution? Do you want to take the chance and responsibility -- and mind you, the present Constitution says that no member of the Legislature shall hold any other elective office for the term for which he is elected, so the

people you send to the constitutional convention must be people who are not members of the Legislature, who are not presently experienced people; I probably would be a candidate; there are probably others of you who would be candidates who have served in the legislative body; there are probably others with judicial experience, but with hundreds of our - some three or four hundred thousand of our youth of this State who are away in military service, would not have an opportunity to vote on the people who would be sent to a constitutional convention.

Do you want to take a chance on sending those who will put themselves forth presently as the candidates to the constitutional convention, as to whether or not they will be the theorists, the professors of economics, if you want, from the colleges in the summertime who would feel that they would like to serve in this capacity? Maybe some of them would be very good, but would any of those people have the practical experience that you would expect and hope to have at a constitutional convention?

Now, this proposal is just the same thing as what we laid on the table a few minutes ago, and there isn't any reason for it. There isn't any good, broad, fundamental basis for it. There is no reason why we should stick our necks out and put another proposal before the Legislature which could be defeated.

Now, I want to tell you some years ago when I became active in this Bar Association, that every year the Bar came up there with ten or twelve or fourteen or eighteen proposals, and they were thoroughly studied out. I remember one that came was a workmen's compensation matter tried in the district court, and that came in a last minute motion before the Bar Association and it was adopted. Well, of course, it didn't stand a ghost of a show before the Legislature and this won't ~~right~~ either and why should you, as the thinking, sound people to whom the State of Minnesota and its voters look for good thinking on fundamental law, go on record for such a proposal. It hink the amendment should be defeated.

Noes have it.

1950 ?

WHY THE MINNESOTA STATE CONSTITUTION NEEDS REVISION

To help arouse public interest and legislative support for the holding of a constitutional convention, Governor Youngdahl appointed the Governor's Advisory Committee on Constitutional Revision. This Fact Sheet is issued by the Advisory Committee on Constitutional Revision to give the reader an understanding of some of the reasons why Minnesota's antiquated constitution should be replaced by a modern constitution written at a constitutional convention. The first step is to obtain a recognition from all members of the 1951 legislature of the need to submit the question of a constitutional convention to the people.

Background Facts

The only constitutional convention ever held in Minnesota convened in St. Paul on July 13, 1857, under the authority given it by Congress to draft a constitution for the proposed new state. At that time the population of Minnesota was but 150,000.

For best results, a constitution should be drawn up in a calm and deliberate manner. This was not true of our constitution. Delegates fought so bitterly that the convention split into a Republican wing and a Democratic wing. Each insisted that it was the only legal convention.

Not until both had drafted constitutions did their leaders finally come to admit that two documents could not be submitted to the voters. A conference committee of the two bodies was called and, in the end, both conventions substituted the compromise constitution for the separate ones upon which they had been working.

Nobody at the convention seems to have been very happy about the results. Seven weeks were spent in dispute, but the final constitution was then hurriedly pieced together in a little over a week by the conference committee and was passed by the opposing conventions within 24 hours, without change and almost without debate.

Dr. William Anderson, distinguished student of Minnesota government, quotes one delegate as saying:

"This is a dose that has got to go down and we might as well shut our eyes and open our mouths and take it."

That remark seems to have generally expressed the feeling of both sides in the heated battle.

Two so-called "originals" of the constitution were made--one for each convention. There were no typewriters in those days and so a group of copyists toiled through the night on this task. The job was

Why the Minnesota State Constitution Needs Revision - 2

done with such haste that a careful comparison of the two has shown 300 differences in punctuation and some seventeen slight discrepancies in wording.

So, since both originals are of equal validity, no one can be sure as to exactly what the constitution contains!

Our Constitution is a patch-work of amendments

Both wings of the constitutional convention agreed on the importance of making the amending process easy so that changes could be made later. Under provisions adopted, a single legislature could propose amendments by a simple majority vote in each house, and the amendment would go into effect if it received the approval of a majority of the voters balloting on the proposition.

The Legislature and the people of Minnesota adopted 48 amendments during the 40-year period, 1858-1898. In the latter year, the amending article was changed to require ratification by "a majority of all the electors voting at the election." Since then the rate of adopting amendments has slowed down considerably, but 27 additional amendments have been ratified.

Does this fact alone indicate the need for constitutional revision? Experts on government say that it does.

Dr. Lloyd M. Short, Professor of Political Science at the University of Minnesota, puts it this way:

"It is hardly necessary to suggest that a constitution which has been amended seventy-five times is quite likely to stand in need of substantial revision, at least by way of eliminating the conflicting and obsolete sections."

Examples of Obsolete Provisions

Did you know that our present constitution provides that the Legislature and not the people shall elect our United States Senators? Article four, Section 26 of the constitution says that "Members of the Senate of the United States from this state shall be elected by the two houses of the legislature in joint convention, at such time and in such manner as may be provided by law."

This provision is still in our constitution despite the 17th amendment of our Federal Constitution, which supersedes it and provides for the popular election of all United States Senators.

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Did you ever read Article 9, Section 13 of our constitution? If not, you will be surprised to find that it provides for the regulation of currency to be issued by state banks.

Of course, the Federal government, as you know, entered the money issuing picture in 1863, chartering national banks to issue money on a country-wide basis and eliminating the great variety of American greenbacks. Nevertheless, the obsolete and superseded provision for the state control of state banks, printing their own money, is still in our constitution.

Then, there is Article VII of our constitution which permits women to vote only for school officers and members of library boards. This restriction is obsolete since the passage of the 19th amendment to the Federal Constitution extended the right to vote regardless of sex.

Another obsolete provision says that the state may not contract any debt over \$250,000, a limit which has been destroyed by court decisions and by other provisions.

Then, there are unenforced and, therefore, obsolete provisions, such as the one providing that the state take a census every ten years. The last one was accomplished in 1905.

To ignore certain sections of our constitution does not create the greatest respect for constitutional government, particularly in the minds of our young people.

Other Subjects Meriting Attention in Considering Constitutional Revision

In addition to eliminating obsolete and unenforced provisions, there are major portions of the constitution that should be studied for possible revision. The entire document should be examined to see if it cannot be improved to better serve the people in this modern day. Since it was adopted in 1857, great changes have occurred in our society and the growth of governmental services has been tremendous.

For instance, today the executive department of Minnesota is one of the largest administrative jobs in the state. In the light of this development, it should not be surprising that the framework of this department needs some fundamental changes now.

The duties of the legislature have also increased heavily. Should it, therefore, be granted authority to extend its biennial session beyond the present 90-day limit? Should both houses be permitted to initiate revenue measures? Those are among the questions that seem worthy of study.

Why the Minnesota State Constitution Needs Revision - 4

Is our court system up to date and organized to meet the needs of modern times? What can we do to develop a more unified court system? In 1946, the State Judicial Council consisting of leading judges and lawyers recommended a complete revision of the judiciary article of the constitution.

What can we do to strengthen local government? Should not home rule be extended to counties? Should not greater efficiency and economy be allowed through authorizing city-county consolidation by home rule charter?

Would it not be wise to provide for submission to the voters of the question of calling a constitutional convention at regular intervals--perhaps every 20 years?

These are among the many issues and questions worthy of consideration in planning a revision of our constitution.

Method of Revision

The legislature could draft a group of amendments and submit them to the voters. But the best way--and the traditional American way--would be to call a constitutional convention. This requires a two-thirds majority in both houses of the legislature, and it can only submit the following question to a vote of the people: "Shall a constitutional convention be called?" If a majority of all the electors voting at the next general election cast their ballots in favor of a convention, then the next legislature would provide for electing delegates to a convention.

The people would have the final say on any plan of revision. In the first place, the delegates must, according to the constitution, be chosen in the same manner as members of the House of Representatives. The convention shall also consist of the same number of members as the House. In the second place, the revised constitution would be submitted to the voters for approval or rejection.

This would certainly be a most democratic procedure. Both major political parties have taken stands in favor of holding a constitutional convention.

A special Commission on Constitutional Revision, established by the 1947 legislature, after long and careful study, unanimously adopted a resolution stating that the necessary revisions could be made only by means of a convention, and urged that such a convention be called.

The 1949 legislature had resolutions introduced in both houses for the purpose of submitting the question of a constitutional convention to the people. The resolution was reported out of committee in both houses and came up for a vote in the House, where it failed by just eight votes to secure the necessary two-thirds support required. Because of

Why the Minnesota State Constitution Needs Revision - 5

this vote and the pressure of time, a vote on the resolution was not taken in the Senate.

Conclusion

The 1951 legislature should permit the people of Minnesota to vote on the question of calling a constitutional convention.

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Flynn, Edward F.
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Dr. Kopple Friedman
North High School - Mpls. Minn.

(Not a member, but notify - I hope he will be)
Howard, Charles B.

1260 N W Bank Bldg - Mpls.

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Please return to League office

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March 6, 1950

The Honorable Luther W. Youngdahl
Governor of Minnesota
St. Paul, Minnesota

My dear Governor:

The League of Women Voters of Minnesota enthusiastically accepts your invitation to be represented on the Advisory Committee on Constitutional Revision. If permissible, the state Board suggests that I, as president, and Mrs. Lincoln Thomas, second-vice president, serve on this committee as alternates in order that we always have a member at meetings. Mrs. Thomas is well-informed on the subject and I worked with the Constitutional Commission's Public Information Bureau.

We are looking forward to our service on the committee.

Yours sincerely,

Mrs. Malcolm Hargraves
President



State of Minnesota

EXECUTIVE DEPARTMENT

Saint Paul 1

LUTHER W. YOUNGDAHL
GOVERNOR

February 28, 1950

Mrs. Mildred Hargraves, President
Minnesota League of Women Voters
Rochester, Minnesota

Dear Mrs. Hargraves:

I am going to appoint a Governor's Advisory Committee on Constitutional Revision. The function of this Committee will be to endeavor to stir up citizen support before the next Legislature so that we can get some kind of action in this important governmental activity.

The League of Women Voters having been a leader in this field, should be adequately represented on this Committee. I would appreciate, therefore, some suggested names for membership on the Committee. I may not use all of them, but I know you will be able to give me some good suggestions.

Sincerely yours,

L. W. Youngdahl
Governor

Ans. w. e. v.

LWY:mb

June 15, 1950

The Honorable Luther W. Youngdahl
Governor of Minnesota
St. Paul, Minnesota

Dear Governor Youngdahl:

The League of Women Voters is very much heartened that a committee is being appointed to inform and interest the public in the need for Constitutional revision in Minnesota. This is the fourth year that the League has had this subject on its program and, although we have not yet begun to adequately educate communities, we do have a membership which is aware of the problem and has had experience in reaching the public.

My only hesitancy in accepting this appointment is that I am now commuting weekly from Rochester to meet with the General Administration Committee of the Efficiency in Government Commission. The work is fascinating, but strenuous, since our report must be made by October first. I do not want the League's contribution to the committee on the constitution to be limited to what I shall be able to do in the next three months.

Therefore, I suggest that I be permitted to ask Mrs. Lincoln Thomas of Minneapolis to serve as my alternate representing the League of Women Voters of Minnesota. Mrs. Thomas has had several years' service on the state League Board and has been particularly interested in Constitutional revision. She is qualified to discuss League procedure in carrying such a subject to the public.

I can assure you that one of us would always be at meetings and that we could preserve continuity by conferring between times. This is not a subject about which the League is half-hearted.

Sincerely yours,

Mrs. Malcolm Hargraves
President



State of Minnesota

EXECUTIVE DEPARTMENT

Saint Paul 1

June 8, 1950

LUTHER W. YOUNGDAHL
GOVERNOR

Mrs. Malcolm Hargraves
Rochester, Minnesota

Dear Mrs. Hargraves:

I desire to appoint a Governor's Advisory Committee on Constitutional Revision in the near future. The purpose of this committee will be to stimulate public interest and legislative support for the revision of our State Constitution, which is now long overdue.

Such an advisory committee will have no funds with which to operate. The members will be contributing their efforts to an outstanding public service in this important task of securing more efficient government for our state.

We do not want to unduly burden the committee members with too many meetings. We hope to have the original meeting in the Governor's office and then the committee will be left to determine just how it shall function and operate in helping to lay the foundation for this constructive step in our state government.

We trust that as one of the leaders in our state you will see fit to serve on this advisory committee. We would like to get your answer, if possible, within the next couple of weeks.

Sincerely yours,

Luther W. Youngdahl
Governor

LWY:dhc

GOVERNOR'S ADVISORY COMMITTEE ON
CONSTITUTIONAL REVISION

August-September 1950

*As approved
by Com. - 24 and
#5*

Suggested Resolution

1. WHEREAS, the Constitution of Minnesota was drawn up and adopted in 1857 when the state had but 150,000 population and was just preparing for admission to the Union; and

WHEREAS, the Constitution has been amended over eighty times with the result that it consists of many patches and provisions that are not well coordinated and some of which are obsolete and no longer enforced; and

WHEREAS, all branches of the State Government, Legislative, Executive and Judicial, are handicapped by various provisions of the present Constitution; and

WHEREAS, local governments are unduly restricted in their exercise of home rule; and

WHEREAS, due to an amendment hastily adopted in 1898 the process of amendment has been much more cumbersome in recent years, with the result that the amending process is expensive and time-consuming, and not adequate to bring the Constitution fully up to date to enable Minnesota to have the most efficient and economical government that is available under modern conditions; and

WHEREAS, a constitutional convention elected by the voters in the same manner and from the same districts as the state legislature, which can concentrate its full attention upon the problems of the Constitution, and whose proposals must be referred back to the voters for adoption, is the American democratic way of revising state constitutions; and

WHEREAS, both major political parties have taken stands in favor of holding a constitutional convention, and a special Commission on Constitutional Revision established by the 1947 Legislature, after long and careful study, unanimously adopted a resolution that the necessary revisions of the Constitution could be made only by means of a convention, and urged that such a convention be called, now

BE IT RESOLVED, by the Governor's Advisory Commission on Constitutional Revision that we urge upon all members of the Legislature and upon all citizens to join in a movement for a convention, so that the 1951 Legislature will provide for an election in 1952 on the question; Shall a constitutional convention be held?

MINUTES OF
Executive Committee of
THE GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION

The Executive Committee of the Governor's Advisory Committee on Constitutional Revision met at the State Capital on August 25, following the meeting of the entire committee.

The choice of chairmen for the subcommittees of publicity and finance were discussed. John Pillsbury of Minneapolis, Leslie Aimes of West Publishing Co., St. Paul, and Francis Butler of St. Paul were suggestions for the finance committee chairman. For possible publicity committee chairmen, it was suggested that Ralph Keller and Ralph Casey be contacted for their recommendations.

Since Mr. Pierson lives out of the Twin Cities, he asked Dr. Anderson if he would make preliminary contacts with these men. It was suggested that he might wish to confer with Dr. Short for any further suggestions. Dr. Anderson agreed to do this, and the committee adjourned, after agreeing to meet at 10:30 at the G.T.A. on Sept. 15.

Respectfully submitted,

Mrs. Lincoln Thomas

*met at 10:30
G.T.A.*

Minutes of
Executive Committee of
THE GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION
Sept. 15, 1950

The Executive Committee of the Governor's Advisory Committee on Constitutional Revision met at the Grain Terminal Association Bldg. at 10:30 a.m. on Sept. 15, 1950, Mr. Pearson, Chairman, presiding.

Mr. Pearson requested the opinion of the committee on appointing Richard Johansen as Executive Assistant to the Chairman. Dr. Anderson moved that the Executive Committee make recommendation of this appointment to the entire committee, Mrs. Thomas seconded the motion, and the same was approved.

Dr. Anderson next reported his findings regarding possible chairmen and members of the finance and publicity committees:

Finance - Mr. Carl Herbert of the St. Paul Bureau of Municipal Research had suggested Julian Baird, Pres. of the 1st Nat'l Bank of St. Paul as possible chairman of this committee and had indicated his willingness, if the committee so desired, to contact Mr. Baird.

- It was also suggested that Mr. Elwood Newhart of the N.W. Nat'l Bank in Minneapolis and Chairman of the Good Government Group might be a good candidate for chairman or co-chairman of the finance committee. Other members of the Good Government Group were mentioned: Mr. Lloyd Hale, Mr. Stuart Leck, and Mr. Les Park (also of the Baker Prop. Co.). It was thought that possibly some of these latter suggestions might better be made for the publicity or planning committees.

Publicity - Mr. Carl Herbert suggested Art Eggert, Vice President of Minnesota Mining and Manufacturing. Dr. Anderson had also received the suggestion of Mr. Louis Melamed of the Melamed Hobbs Agency of St. Paul and Minneapolis for Chairman of this committee. Other possibilities for chairman or members of this committee were: Clifford Russell of the MANKATO FREE PRESS, George Petersen of the MINNEAPOLIS STAR, Cy Plattis of General Mills, Russel Asleson of , Harry Leonard, Sander Genis, and Mike Finkelstein, all as representatives of Labor.

The resolution which Dr. Anderson and Justice Matson had drawn up for committee approval was discussed. Mrs. Thomas felt it might be advantageous to include some reference to the restraining effect our present constitution has on local governments. The other members agreed, and two additional "whereases" to the resolution were drafted: 1) Whereas all branches of the State Government - Legislative, Executive, and Judicial - are handicapped by various provisions of the present constitution, and 2) Whereas local governments are unduly restricted in their exercise of home rule and thus denied the right of local self-government. With these additions, the suggested resolution was approved by the executive committee for presentation to the committee entire.

An agenda for the meeting of the whole committee which was to follow this smaller meeting was drawn up, and the meeting adjourned.

Respectfully submitted

Mrs. Lincoln Thomas, Secretary

MINUTES OF
THE GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION
August 25, State Capitol, St. Paul, Minn.

The first meeting of the Governor's Advisory Committee on Constitutional Revision was held in the Governor's Office at 11 o'clock a.m. on Friday, August 25. Although a few of those who had consented to serve were unable to attend, most of the committee members were present.

Governor Youngdahl called the meeting to order shortly after 11 o'clock, and after expressing his appreciation of the willingness of the men and women on this committee to assume this civic responsibility, he outlined in general terms the purpose of such an advisory committee. He pointed out that to arouse the interest of the people of the state in the subject of constitutional revision would be considerably more difficult than it had been to arouse them in the case of the metal industry. He made it clear that following this first meeting, the committee was to function on its own, entirely separate from his office, but that the facilities of the latter would be available for whatever assistance was appropriate and possible. At the suggestion of one of the members present, the Governor then asked each member to introduce him- or herself and to state his or her organization connection or vocational position.

Following this introduction, Judge LeRoy Matson, at the request of the Governor, reviewed the efforts made during the past few years to bring about revision of our state constitution, including a Brief resume of the work of the Constitutional Commission set up by the 1947 Legislature, of which Judge Matson was a member and Dr. Lloyd Short of the Univ. of Minnesota the Chairman. A general discussion of ways and means to awaken the people of Minnesota to the need of their constitution for revision ensued. It was admitted that the subject was at the same time both one for which interest would not easily be aroused and yet also a potentially very controversial one. Mr. George Lawson, who was also a member of the Constitutional Commission, stated that he felt it would be strategically wise for the committee to refrain completely from reference to the report of the Commission, since some of its recommendations had proved to be highly controversial, and bringing it into the picture at the present time would be almost certain to alienate considerable support which might be forthcoming for the general proposition of a constitutional convention. The consensus of the committee, as ideas crystallized, was that its efforts should be directed specifically toward arousing support for the calling of a constitutional convention. If this could be accomplished, it was felt that the valuable contributions of the Commission would in all probability provide the basic background for the deliberations of the convention, and that many of the controversial problems, such as reapportionment, dedicated funds, appointive versus elected officials, special tax provisions, etc., which would stymie action if introduced into the situation prematurely, would have a good chance of compromise solution on the convention floor.

The committee then undertook the task of organizing itself. After some discussion it was agreed that a choice of Chairman would be better made from outside of the past members of the Constitutional Commission and political science faculty members. Mr. Thatcher of the Farmers Union Grain Terminal nominated Mr. Wm. Pearson of Ogilvie, State *Master* ~~President~~ of the Grange, for this position. The nomination was seconded and approved by committee members. Mrs. Rosser Mattson of St. Paul suggested that since the League of Women Voters was the one organization which had already been working for the past 4 years on Constitutional Revision, that the Secretary of the committee be the representative of that organization and accordingly nominated Mrs. Lincoln Thomas for the position, which nomination was also seconded and received the approval of the members. Dr. Wm. Anderson of the University of Minnesota nominated Mr. George Lawson as Vice-Chairman, and Mr. Alan C. McIntosh of Luverne, moved that the secretary cast a unanimous ballot for Mr. Lawson, which motion was seconded and approved.

Dr. Wm. Anderson suggested that there should be an Executive Committee empowered to act between committee meetings, and it was agreed that this committee should consist of the Chairman, Vice Chairman, Secretary and two others. Judge Mattson and Dr. Anderson were chosen as the two additional members. Dr. Anderson moved that two sub-committees, one for publicity, one for finance, be appointed by the Executive Committee. It was agreed that the former should have 5 members and the latter 3 members.

At this time the discussion returned to ways and means of accomplishing our purpose. Earlier Governor Youngdahl had promised that before the next meeting the report of the Constitutional Commission, together with other background material, would be sent to each member. Mr. McIntosh had volunteered the theory that if the people could be made to feel they were being deprived of something, they would soon become interested. The question arose - "If we are to avoid all controversial issues, are there remaining reasons for change sufficient to arouse public interest?" Judge Mattson expressed an affirmative opinion on this, and he and Dr. Anderson were chosen to draw up a resolution for presentation to the committee at its next meeting, the "whereases" of which would include these basic non-controversial reasons we should have revision, and which could be used in arousing citizen interest in a movement for a constitutional convention. It was suggested that it might be well for this resolution to include the stipulation that the results of such a convention be put to a popular vote before becoming effective.

The question of the time of the next meeting was next discussed. It was suggested that since Sept. 17 was Constitution Day, a strategic time for the next meeting would be Friday, Sept. 15. This would give an opportunity to tie together the Governor's usual Proclamation of Constitution Day and the publicity concerning the committee meeting and the adoption of the resolution calling for a constitutional convention. Mr. Thatcher volunteered the Farmers Union Grain Terminal as a place for the meeting and even most generously offered that that organization would be hosts at luncheon for committee members. The invitation was accepted with alacrity, and the time set for 12 o'clock noon, Friday, Sept. 15 - the address, Larpenner and Snelling.

Mr. McIntosh moved that the meeting be adjourned; the members approved.

Respectfully, submitted,

Mrs. Lincoln A. Thomas, Sec.

MINUTES OF
THE GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION
September 15, GTA Bldg., St. Paul, Minn.

The second meeting of the Governor's Advisory Committee on Constitutional Revision was held at the Grain Terminal Association Bldg. on Sept. 15, 1950 at 12 noon, Mr. Wm. Pearson, Chairman, presiding. Present were: Miss Frye, Mesdames Bischoff, Christopherson, Hargraves, Jordan, Mattson, Meineke, Rasmussen, Schneider, Thomas, Tucker, and Zack; and Messrs. Altman, Anderson, Coulter, Dell, Dubois, Gale, Johansen, Otis, Pearson, Peterson, Rarig, Rommen, Ross, Thatcher, Turk - and at the luncheon - Governor Youngdahl. After listening to a radio interview of Governor Youngdahl and Mr. Pearson on the subject of constitutional revision by Mr. Roth of GTA and partaking of a delicious luncheon furnished by that organization, the committee formally convened in the Board Room at approximately 2:00 p.m.

MINUTES The minutes of the previous meeting were read and approved.

PROPOSED Dr. Anderson read and explained the resolution calling upon the
RESOLUTION legislature to put to a vote of the people the calling of a constitutional convention which he and Justice Mattson had drawn up, as requested by the committee at its last meeting. He restated what the committee had agreed upon at its first meeting to be its primary function, namely, that of getting the legislature to start the machinery necessary for the calling of a constitutional convention. At the request of one of the members, the secretary reread the resolution paragraph by paragraph, and each was considered separately. All met with the approval of the committee as submitted with the exceptions of paragraphs 4 and 5. In paragraph 4, ~~that~~ dealing with the constitution and local government, it was suggested that the words "and thus denied the right of local self-government" be deleted. There was considerable discussion on the wording of paragraph 5, that dealing with the amending process. Some members felt that using the fact that it is difficult to amend our present constitution as an argument for constitutional revision might alienate support of those who might support the general idea of calling a convention but who firmly believe that constitutions should be hard to change. The question was also raised as to whether the committee's putting itself on record as disapproving the present amending process did not go beyond the conception of the committee's purpose - as agreed upon by the committee. It was decided that the word "difficult" should be omitted and the word "cumbersome" substituted; also, that the clause, "that made later amendments much more difficult to adopt" be omitted entirely. But several committee members expressed the belief that if the committee were going to stimulate support for the calling of a convention they could not remain entirely without opinion on some of the needs for change. Mr. George Peterson questioned whether or not the entire resolution was not premature and would not better come at the close of the committee's deliberations. Mrs. Zack and several other members, however, spoke up and said that they needed it for work in their organizations, and Dr. Dubois said that one must first sell oneself on an idea before one can sell others, and that one must have a framework to sell - a basic content. Mr. Dell of Fergus Falls brought the discussion to a conclusion by moving that the resolution be adopted as modified that day by the committee with the exception of paragraph 5 on the amending process, and that this be referred back to the executive committee for rewording in accord with opinions expressed by the committee. Mr. Thatcher seconded the motion, and it was approved.

PUBLICITY Dr. Anderson, for the executive committee, made a report on possible
& FINANCE chairmen for the publicity and finance committees. Following a short
CHAIRMEN discussion and some further suggestions, Mrs. Christopherson moved
 that this progress report of the executive committee relative to choice
of personnel for publicity and finance committees be accepted. The motion was seconded and approved.

GENERAL
DISCUSSION

The chairman then threw the meeting open to a general discussion on methods of approach, stating that our goal was educational - that of convincing the people and convincing the legislature. Mr. Gale called attention to the time schedule regulating the work of the committee and questioned whether favorable action by the legislature would mean the work of the committee was completed. Dr. Anderson replied in the affirmative, and Mr. Gale pointed out that this would affect the strategy and timing of both publicity and local action. It would be necessary to work during the campaign. Another member called attention to the fact that there were but 7 weeks until election and 8 weeks after that until the legislature convened.

Various suggestions were made by committee members on arousing public interest, and members representing organizations said they would like a fact sheet for their members, together with a copy of the resolution. Dick Johansen was requested to draw up such a fact sheet and submit it to the executive committee for approval. Mrs. Matson expressed a desire to have the stand of the candidates on a constitutional convention; Dr. Anderson said that the question should be stated so as to include "Do you favor putting to a vote of the people the question of calling a constitutional convention. Mr. Rarig moved, and Dr. Turck seconded, that the Chairman appoint a committee to compose and send such a questionnaire to the candidates for the legislature. The motion was approved, and Mr. Pearson appointed Mr. Rarig as chairman of this committee, with Mr. Thatcher and Mrs. Meineke as additional members. Mrs. Meineke called attention to the need for committees to plan the campaign and get out educational material. Some thought this should be left to the publicity committee, but Mr. Gale pointed out that the publicity committee was the equivalent of the advertising force, and that an educational and planning committee would be the equivalent of the sales force. It was agreed that there should be such a committee, possibly to be known as the strategy committee, and the Chairman appointed Mrs. Meineke as its chairman, and to serve with her, Judge Otis, Dr. DuBois, Mr. Rarig, and Dr. Turck. Mr. Rarig's questionnaire committee became a sub-committee of this larger committee, from which at Mr. Thatcher's request, his name was withdrawn and Dr. Turck's substituted.

NEXT
MEETING

A time and place for the next meeting was discussed. The possibility of having evening meetings was considered, but the majority seemed to favor daytime meetings. Miss Frye moved we meet next on Friday, the 13th of October at 1 p.m. at the GTA Bldg. Mr. Thatcher then moved for adjournment, and the meeting adjourned.

Respectfully submitted,

Mrs. Lincoln A. Thomas, Secretary

MINUTES OF

Special Meeting of Executive, Finance, Publicity, & Strategy Committees
of the GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION, Sept. 27, Room 113,
St. Capitaol Bldg, 7:30 pm.

A special meeting of the Executive, Finance, Publicity and Strategy Committees was called by Mr. Pearson for Sept. 27 at 7:30 p.m. in Room 113 of the State Capital Bldg. Present were Mesdames Meineke and Thomas and Messrs. Anderson, Holmgren, Johansen, Lawson, Maley, Melamed, Otis, Turck. Mr. Pearson presided. *Bjornson*

STRATEGY Mrs. Meineke, as chairman, reported on the plans of the strategy committee. She stated that they were considering a three-way approach:

1) To start out in seeking help and cooperation ^{from} with those organizations known to be intensely interested in, and on record in support of, the calling of a constitutional convention. These are - the two political parties, DFL & Republican, ADA, the League of Women Voters, and the Good Government Group.

2) As soon as answers are received from the candidates to the questionnaire sent out, a personal contact with those replying in the negative or failing to reply will be arranged by the strategy committee; that is, a member or ^{or} members of whatever organization named above is most feasible will be asked to write, to talk in support of constitutional revision by means of a convention to a certain candidate, and to influence other individuals to do likewise.

3) Each member of the entire Governor's Advisory Committee will be asked by the strategy committee what organizations he or she is willing and in a favorable position to contact with a view to getting that organization to pass a resolution calling for putting to a vote the calling of a constitutional convention which would be addressed to the legislature and to the Governor, and in stimulating as many of the members of that organization as individuals to speak or write to their legislators on the subject.

The group approved these plans, and Dr. Anderson made the additional suggestion that Mrs. Meineke contact Arthur Naftalin and ask him to discuss the subject in his column, which is used by many of the local newspapers. It was felt that with time so short, emphasis should be placed on getting out the questionnaire to the candidates. Mr. Johansen had brought his fact sheet which the entire committee had requested him to prepare for organization use, and it was suggested that this be condensed as much as possible, accompanied by a letter prepared by the chairman of the questionnaire sub-committee, Mr. Rarig, and a return postcard for his answer, and be sent to each candidate as quickly as possible. *and signed by Mr. Pearson as chairman*

FINANCE Mr. Rollin Bishop, of the American National Bank, who had consented to serve as finance chairman, was represented at the meeting by Mr. Maley. There was some discussion as to how much the committee would need in the way of money, and it was decided that \$500 might well cover the expenditures planned to date. Mr. Holmgren moved, and Mr. Lawson seconded, that the sum of \$500 be set as that to be raised by the finance committee at this time. Upon a request from Mr. Maley as to policy in seeking donations, it was suggested that the money be secured from a relatively few sources - some of which should be in Minneapolis and some St. Paul.

Judge Otis moved that Mrs. Tucker serve as treasurer, Mrs. Meineke seconded, and the motion was approved.

Judge Otis moved that a resolution be adopted that checks could be drawn by the treasurer with her lone signature, after the approval of the expenditure by at least one member of the executive committee. Mr. Lawson seconded the motion, and it was approved.

Judge Otis moved a resolution be adopted designating the American National Bank as depository. Dr. Anderson seconded, and the motion was approved.

PUBLICITY

Mr. E. T. Holmgren of Melamed Hobbs Agency in St. Paul had consented to serve as chairman of the publicity committee, and he and Mr. Melamed both attended the meeting. Mr. Holmgren brought up the necessity of having stationary printed and of having an address for the letterhead. The committee members wondered if it might be possible to use the office of the League of Women Voters of Minnesota as official headquarters for incoming mail, and permission was requested of and received from Mrs. Hargraves of Rochester, President of the Minnesota League by telephone during the evening. The address is Room 417, 84 South 10th Street, Minneapolis. Mrs. Hargraves thought that it might also be possible ~~that~~ if at a later ~~time~~ it should become necessary for the committee to have clerical help, that desk space might be made available for a limited period of time. It was decided that the names of the officers of the committee should be included in the letterhead, and that the names of committee members should be along the side.

Mr. Holmgren recommended using mailing service for the letters to candidates and said he would make arrangements for getting the stationery and for mailing out the letters. Mr. Melamed inquired if the brochure or fact sheet contents ~~and~~ that of the letter could be released to newspapers and radios, and received an affirmative answer. He also asked who would be responsible for approving all literature and the subject matter of all future releases which might go out. It was moved by Dr. Anderson and seconded by Judge Otis that Mr. Johansen, Mrs. Meineke, and Frank Rarig should act in this capacity. The motion was approved.

GENERAL

Dr. Anderson moved and Dr. Turck seconded that it be recommended to the Governor that Mr. Rollin Bishop and Mr. E. T. Holmgren be appointed to his advisory Committee on Constitutional Revision. The motion was approved, and the meeting adjourned at 10:00 p.m.

Respectfully submitted,

Mrs. Lincoln A. Thomas, Secretary

MINUTES OF
THE GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION
October 13, 1950 - GTA Bldg., St. Paul

The third meeting of the Governor's Advisory Committee on Constitutional Revision was held at the Grain Terminal Association Bldg. on Oct. 13, 1950 at 1 p.m. Present were: Miss Frye, Mesdames Bischoff, Jordan, Matson, Meineke, Rasmussen, Schneider, Thomas, Tucker, and Zack; and Messrs. Altman, Johansen, Bjornson, Bishop, Krawetz, Leck, Pearson, Matson, Otis, Rarig, Ross, and Turck. Mr. Wm. B. Pearson, Chairman, presided.

MINUTES: The minutes of ^{the} last meeting of the entire committee ~~held~~ on Sept. 15 were read and approved. Then the minutes of the special meeting of the combined executive, finance, publicity and strategy committees held at the State Capitol Bldg. on Sept. 27 were read. Mr. Pearson asked for the entire committee's approval of the actions taken by these sub-committees in their joint meeting and suggested that a motion approving the minutes of this meeting could serve as approval of the actions reported therein. Dr. Turck moved that the minutes of the special meeting be approved, Mrs. Meineke seconded, and the motion carried.

NEW COMMITTEE MEMBERS: The chairman announced the addition of four new committee members: Mr. Rollin D. Bishop, Pres. of the American National Banks, who ~~was~~ ^{would} serve as Chmn. of the Finance Committee; Mr. E. T. Holmgren of Melamed Hobbs, Inc., who ^{would} serve as Chmn. of the Publicity Committee; Mr. Edward T. Flynn, District Governor of Rotary; and Mr. Israel Krawetz, St. Paul attorney.

REPORT OF STRATEGY COMMITTEE Mrs. Meineke reported the planning of the strategy committee much as outlined in the minutes of the special meeting. She said that in addition to the five organizations listed ^{which were} known to be very interested in the calling of a constitutional convention and whose assistance and cooperation would be immediately sought, there were other groups in which some of the members were already interested and in which further interest could be easily stimulated - among these she mentioned the Grange, the Coop groups, the Bar Assoc., and the St. Paul Inter Club Council. The latter organization, at its Sept. 25 meeting, heard the Governor speak on constitutional revision, ^{distributed} copies of the resolution passed by the Governor's Advisory Committee, and urged the representatives of the various organizations there to use ~~the subject of~~ constitutional revision as a program ^{material} during the year in their respective organizations if this was possible. Mrs. Meineke stated that from ^{all} these groups they would like suggestions for speakers, help in contacting candidates before election, and for legislative work later.

Mrs. Meineke requested that each committee member present list that day the names of the organizations in which he or she holds a preferred position. This information will be used for the larger educational or public opinion building job. Committee members will be asked to make arrangements for getting the fact sheets to the organization (s) in which he or she has some influence, or possibly to see if a resolution supporting the calling of a convention can be considered by the group, or if they can use a program on constitutional revision during the year, etc. She stated that she would try to get some consideration of the question at the PTA Congress to which she was going that coming week.

DISCUSSION OF STRATEGY Mr. Leck commented that ^{he was certain we were all} ~~we are all very much~~ interested in getting to work on something very much down to earth, the end result of which ^{would} ~~will~~ be to get the voters to get the legislators committed for the calling of a constitutional convention. He asked whether the committee would have a letter which could be used more or less as a guide ~~by~~ those who would be contacting candidates or nominees on the subject. Mr. Rarig, a member of the strategy committee explained that following the last meeting, Mr. Johansen had prepared a fact sheet as directed by the committee, that he and Dr. Anderson had gone over it and copies had been made. In addition, he, Mr. Rarig, had prepared a draft of a letter - re-



MARIA KRAMER, PRESIDENT

HOTEL ROOSEVELT

SIXTEENTH ST. AT V AND W
WASHINGTON, D.C.

Oct 13
page 2

stating why a constitutional convention should be called and urging the candidates to read the material (fact sheet) included and answer the questionnaire postcard. Mr. Johansen read the letter to the committee members, and copies of the fact sheet were distributed.

Dr. Tunck suggested that included in the letter should be the information that the Press would be given the results of the questionnaire. Mrs. Rasmussen wanted to know if the letter and fact sheet were going out to the papers at the same time as they went to the candidates. Mrs. Schneider said she doubted very much if the editors would use the material if it just came through regular channels. Mrs. Rasmussen volunteered to send out the fact sheet and letter with a personal note to all the editors of weeklies and dailies, for which offer the committee was most grateful. Mrs. Meineke stated that no answer within a week would constitute a "No" answer, and her committee would then follow up ^{by asking} ~~by asking~~ members of cooperating organizations to contact candidates replying "No" or failing to reply and ^{bringing} ~~bringing~~ whatever local pressure ^{possible} ~~possible~~ to ^{secure} ~~secure~~ his support for the calling of a convention. Also, ^{she} ~~she~~ ^{reminded} ~~reminded~~ each committee member should be sure to contact his own candidates. ^{stressed to Mr. Altman} ~~stressed to Mr. Altman~~ committee members that speakers at groups should try to get resolutions adopted by the organizations if possible, and that a copy of each such a resolution should be sent to the Governor's Committee to be kept on file to be used during the Legislative session.

FINANCE COMMITTEE REPORT Mr. Bishop stated that he had hesitated to proceed before getting a clearer idea from the committee as to just how he was to proceed. Mrs. Meineke stated that Mr. Carl Herbert of St. Paul had expressed a willingness to assist Mr. Bishop and to give him some suggestions. It was again suggested that the amount of \$500 ^{should initially be} ~~should initially be~~ raised and that it would be well to secure some of this amount in Mpls. and some in St. Paul.

PUBLICITY COMMITTEE REPORT The chairman next announced that Mr. Holmgren, Publicity Committee Chairman, was unable to attend, but that Mr. Jon Bjornson, who was assisting him was on his way over. It would be necessary, therefore, to postpone publicity discussion until his arrival.

OLD BUSINESS Mrs. Thomas called attention to the fact that the committee had referred back to the Executive Committee the wording of Paragraph 5 of the resolution calling upon the Legislature to put to a vote of the people the question of calling a constitutional convention. She read the substitute paragraph: "Whereas, due to an amendment hastily adopted in 1898, the amending process has become expensive and time-consuming and has proved to be inadequate for keeping the Constitution up to date and for enabling Minnesota to have the most efficient and economical government that is available under modern conditions; and". This wording was accepted by the committee, and it was noted that in future copies ~~to be made~~, this revised wording would be used.

GENERAL DISCUSSION ^{wisdom of the} Mr. Leck questioned the addition of ~~the~~ note saying that the Press would be given the results of the questionnaire to the letter being sent to the candidates. He felt this was putting them on the spot unnecessarily and that it might make some of them hesitant to reply. Justice Mattson agreed with Mr. Leck, as did Mr. Rarig. Mr. Rarig also called attention to the fact that the time element might make it impossible to do follow-up work on all the candidates, and questioned the value of the effort that would be involved in so doing. He felt it would be wiser to concentrate on those actually elected after Nov. 7. Justice Mattson suggested that the committee might secure the cooperation of Ex-Senator Wm. Dahlquist, who had served on the Commission but was not running again for office, in contacting some of the men in his area. Mr. Rarig moved that the letter be sent out as originally prepared without any note about the Press, and that the strategy committee follow up as much as possible between now and election, but that the major effort be concentrate on candidates after election. This motion was seconded and approved.



MARIA KRAMER, PRESIDENT.

HOTEL ROOSEVELT

SIXTEENTH ST. AT VAND W
WASHINGTON, D.C.

To support a resolution

Judge Otis explained, in answer to a query by Mrs. Zack at an earlier meeting, how it had come about that the Bar Assoc. had ~~failed~~ *failed* calling for a constitutional convention. A committee of 24 had been set up to study the matter of constitutional revision and reported 20 to 4 in favor of a convention. Mr. Monte Brown, Chairman of this committee presented this report and moved its adoption at the June meeting of Bar Assoc., but only 26 members ~~out~~ of 2500 were present. Mr. ~~Calvin~~ *Calvin*, counsel for the railroads got the floor and moved the committee report be tabled, which ~~was~~ *was* approved by a vote of 14 to 12. ~~Therefore, technically the Bar Assoc. has tabled a constitutional convention resolution but this does not actually represent a majority opinion. Justice Matson commented that a new committee has been appointed and very likely favorable action will be forthcoming in the future.~~

At the particular time the resolution was presented.

Mrs. Jordan suggested the possibility of assembly periods in high schools being used as constitutional convention programs. Mr. Johansen said that the Library Assoc. has a magazine for school libraries, and that as ~~they~~ *they* are much interested in constitutional revision, it might be very possible to get material in this magazine.

Mrs. ~~atson~~ *atson* raised the question as to how organizations ~~can~~ *could* get resolutions passed, what ~~technics~~ *technics* ~~can~~ be used? Justice Matson suggested that Reuben Thoreen of the Bar Assoc. might be willing to work with the committee. Mrs. Meineke suggested that many organizations, such as churches, which themselves do not pass resolutions, have social action departments or clubs, and that it might be more effective to work through these. Mrs. Schneider posed the question as to how effective resolutions in names of organizations really are. Justice Mattson said he thought it was more important to get the people in these groups actually interested, and Mr. Leck added that the advantage of resolutions lay in their psychological effect, and pointed to the recent school green ballot campaign in Minneapolis. He suggested that there be one person on the committee in charge of resolutions, and that this person contact Mrs. Eugene Burgess of Minneapolis who was in charge of resolutions in the recent Minneapolis "Vote Yes" campaign to which he referred. The Chairman requested Mrs. Meineke to appoint ~~A~~ *one* person as resolutions chairman on the strategy committee.

PUBLICITY COMMITTEE Mr. Joh Bjornson arrived at this time and announced that the letterhead stationary was being printed, and that the letter and questionnaire would be going out within a few days to all the candidates. He promised that everything would be done to coordinate publicity with this action of the committee, and upon Mr. Rarig's comment that it appeared that there should be more cooperation between the strategy and publicity committees, that the strategy committee seemed to be bearing too much of the load, assured the committee that the publicity committee would cooperate closely with the strategy & entire committee in the future.

ADJOURNMENT Justice Mattson moved that that the committee meet again at the call of the Chairmen. This was seconded by Mr. Leck, approved by the committee, and the meeting adjourned.

Respectfully submitted,

Mrs. Lincoln Thomas, Secretary

League of Women Voters of Minnesota
Room 406, 84 South Tenth Street
Minneapolis 2, Minnesota
Sept. 1, 1950

METHODS OF CONSTITUTIONAL REVISION

Revision of Minnesota's Constitution is the responsibility of the citizens and their elected representatives in the legislature. In the years to come the League must play the very important role of making Minnesota's citizens aware of that responsibility and of the need for an evaluation and modernization of their basic law.

Research such as the League is doing must be placed before the public in such a way that a substantial group of citizens knows the faults that need to be corrected and how this can be done. Thus we must serve for the core of a pressure group to promote revision.

There are four methods of revision and no matter which method is utilized, the legislature plays an important role. We shall discuss these 4 methods, their advantages and disadvantages and their application to the case in Minnesota and the League position.

I. REVISION BY AMENDMENT

A. Biennial amendments

1. Under the present Constitution a bare majority of both houses may propose an amendment concerning only one alteration which then must be approved by a majority of all those voting in the election.

Note: The League advocates that this process be revised thusly: A $2/3$ majority of both houses should be required to propose an amendment and a majority of those voting on the amendment should be required to approve it.

2. The biennial amendment is the method which has been used thus far in Minnesota and most other states. Research has indicated that it is very costly and has been a piecemeal, uncoordinated effort resulting in a more cumbersome document in need of further revision.

B. Coordinated Amendment

1. This term designates a series of amendments designed to completely revise a constitution and has been used successfully in several instances.

Such amendments are usually the result of thorough study by a legislature, constitutional convention or commission, and each is designed to stand or fall by itself. Thus in case of highly controversial issues the people may decide what shall or shall not be included in the revision.

2. The 1948 League-supported amendment to the amending process allowing for a whole article to be revised in one amendment would have constitutionally provided for coordinated amendments. Our present constitution disallows them.

3. The New York Constitutional Convention of 1938 submitted its work to the people in a series of 9 coordinated amendments and 6 were passed. In South Carolina and Colorado plans are under way to use this same method.

C. Complete Revision by One Amendment

1. The Legislature may frame a new Constitution and submit it to the people as one amendment in some states. The people of Georgia in 1943 adopted one amendment which is now the Constitution of Georgia.

2. Minnesota's Constitution does not allow this.

3. This method is considered politically unwise because the legislature does not seek permission at the polls to act as a convention.

II. LEGISLATURE ACTING AS A CONVENTION

A. The Legislature substitutes itself for a Convention and its legal position is similar to that of a Convention proper. It is well, however, for the legislature to hold a referendum on the question, for it should be remembered that final acceptance or rejection of the resulting document rests with the people.

B. Where the Constitution says nothing on the subject of the method of constitutional revision, the legislature has the legal right to act as a convention with or without the approval of the electorate signified by ballot.

It would probably be interpreted that since Minnesota's Constitution provides for the use of a constitutional convention, this method would be disallowed.

C. Arguments For This Method

1. The legislature by its inherent nature is fitted for the task of revision.
2. The legislative process is employed.
3. Because the legislature is organized, considerable savings in time and money result.
4. The legislature will not fight a process it can control.

D. Arguments Against This Method

1. Fundamental law is placed in the hands of the party in power.
2. The legislature cannot devote the time necessary to make adequate revision.
3. The revision can be accomplished more effectively by a convention of delegates elected for that purpose.
4. Concentration of public attention on revision would not be possible during a short and crowded legislative session.

E. Where a Legislature Has Acted As A Convention

1. New Jersey 1943

The citizens by vote authorized the legislature to rewrite the Constitution. It was defeated in 1944, but not because the document itself was not well written.

2. Florida 1948

The citizens passed an amendment allowing their legislature to act as a convention and a determined group of citizens will request that it be done.

III. COMMISSION

A. For greatest success the commission should be utilized only as an instrument devised to study and recommend changes in constitutional structure to the legislature. Where its task has been to usurp the function of the constitutional convention and submit a basic document to the people, its record of achievement has been mediocre.

B. The powers, selection of members, size and expense appropriations of a commission are determined by the legislative act which brings it into existence.

C. Advantages of a Commission

1. It is smaller in size and can therefore work more efficiently.
2. It is an appointive body and can thus command the services of the ablest men in the state.
 - a. It can make more effective use of the experience of other states.
 - b. It is more independent.
 - c. It is less susceptible to pressure groups.
3. It is the least expensive method of revision.
4. It is politically expeditious.

In both New Jersey (1941) and Georgia (1943) the legislature established a commission because it thought it could control the commission's action.

D. Disadvantages of a Commission

1. The members are appointed and thus not representative of the people.
2. The majority of members could look with disfavor on change.
3. The Legislature usually requires a commission to report to it before its work can be submitted to the people and thus retains a large portion of control over its work.

E. Value of a Commission

1. It is an excellent device for submitting minor changes of a technical nature.

2. It can stimulate interest in and understanding of the purpose of a constitution.

Example: New Jersey overwhelmingly adopted its new constitution submitted by constitutional convention on November 4, 1947. The success of this venture was attributed in a great measure to the deep impact on the thinking of the convention delegates and the people by the 1941 Commission's proposals.

3. It can prepare the way for a constitutional convention by research and the resultant publicity given its work.

Note: There is no doubt that the proposals and recommendations of Minnesota's Constitutional Commission of 1947 will be closely scrutinized in future steps toward revision. Thus an extremely valuable service has already been completed.

IV. THE CONSTITUTIONAL CONVENTION

The best known and most universally accepted method.

A. The Legal Aspects of a Convention

1. Steps in calling a convention in Minnesota

a. Two-thirds of both houses must approve the proposal to call a convention.

b. The call goes before the voters at the next legislative election. Approval of a majority of all voters voting in the election is required to pass it.

c. After approval is given, the Legislature is required to provide by law for calling a convention which must be elected in the same manner as the House of Representatives and must be the same size - that is 131 members.

B. Powers of a Convention

1. A convention is an autonomous and sovereign assembly responsible only to the people elected for the specific purpose of proposing changes in the basic law.

2. A legislature may not restrict or limit the procedure and policy of a convention unless a specific restriction was contained in the convention call ratified by the people. e.g. New Jersey citizens voted for a convention which was directed not to consider reapportionment.

3. A convention may adopt its own rules of procedure and decide in which form the resulting document should be submitted to the people.

The Attorney General in Minnesota has ruled that the revised constitution drafted by the convention need not be submitted to the people. An amendment requiring that it be submitted will no doubt be forthcoming in this next legislative session.

4. The convention may utilize the information compiled by the commission and its sub-committees as well as that compiled by other research organizations.

C. Political Aspects of a Convention

It is important to understand that substantial political opposition to constitutional change exists everywhere.

1. This opposition is generally centered in interest groups afforded special protection by the existing law.

Such groups are easily discerned where tax limits are severe, where taxes are earmarked for specific purposes or where there is inadequate constitutional support for existing regulations.

2. The question of reapportionment constitutes an even greater political obstacle where the order of the day is domination of the legislature by minorities in the rural areas.

In Minnesota, however, the majority of the convention delegates will be from rural areas just as they are in the lower house so that obstacle may not be too difficult to overcome, because they may feel that matters cannot get too far out of hand.

D. Psychological Aspects of the Convention

1. Psychological barriers are made up of a number of attitudes.
 - a. It was good enough for my grandfather, it's good enough for me.
 - b. Why rewrite the Bible?
 - c. Our constitution is adequate. The state has grown big under it and we've kept it up to date with amendments.
2. Mistrust of the people
 - a. Fear of the convention's falling into the hands of the more radical elements.
 - b. Fear of revision based on trivial grounds.

Such attitudes ignore history. The record of Constitutional change shows that the people show a sober and cautious sense of responsibility in electing delegates; and delegates to past convention have not departed too markedly from the basic constitutional pattern established in any state. The principle psychological fact about all constitutional conventions is that they are constrained by the community and the full light of publicity and by the dignity of their responsibility to be sincere, cautious and moderate.

These then are the four methods of revision. Which method shall Minnesota utilize? We have discussed the role the legislature plays in each method and must now prepare ourselves to act during the coming legislative session. We must also prepare others to act by information and education for only by convincing our legislators that the majority of their constituents want constitutional revision can we assure ourselves that the necessary first steps toward revision will be taken.

In conclusion then we must keep in mind always that without the cooperation of the Legislature, any move for constitutional revision is foredoomed to failure. The League can do a great deal to help secure that cooperation. We must bend all our efforts toward satisfying the legislators that revision is necessary to secure a modern and efficient form of government geared to respond to the changing needs of the times; and that the people as a whole, not special interest, are promoting this change in our basic law.

* * *

Speech by Governor Luther V. Youngdahl to the Officers of the Minnesota State Bar Association, September 29, 1950:

Members of the Bar Association of our State: I am glad of this opportunity which is the first I have had, since becoming governor, to officially appear before at least a representative group of your organization to thank you for the great constructive program that you have put into operation. I sincerely regret that your State Conventions have been held at the same time as the Governors' Conferences, making it impossible for me to accept your kind invitation to attend the Conventions. I have sorely missed the Conventions. I always got a great deal of inspiration from attendance at the State Bar meetings, the fine speakers you have and the good, hot discussions you get into sometimes on some of the issues. I am, therefore, happy to have this opportunity to be with you again and to thank you for the many magnificent contributions you are making to Minnesota.

I just saw a rough draft the other day of an article to be published in the Saturday Evening Post within two or three weeks on our State Youth Conservation program, giving considerable credit to the American Law Institute and the State Bar Association. It is quite a thrilling article that will be published on that important work. Members of the Bar certainly were out in force on the fight for passage of the Youth Conservation Act in Minnesota. Although you had some setbacks in the early period of years in connection with that program, you carried on, and we are grateful to Maynard Persig and to the members of the Bar and the Association itself for having backed the program. I am sure you will be thrilled to know the constructive effects of it. It has been possible to rehabilitate many boys and girls under this more humanitarian and scientific approach to handling these youngsters.

Then there is the work in connection with the reform of our divorce laws. We are indebted to Judge Carroll and his committee, and other members of the Bar, for the work they are doing in connection with this important problem. I think you will all agree there never has been a time in the history of our country when there was a greater need to maintain the integrity of the home, the basic institution of our society. I am glad to see the Bar Association of Minnesota in the forefront of the effort to preserve and strengthen family life.

We like your work on highway safety too. As we see life held so cheaply in other parts of the world, it is a wonderful thing that we work together in the conservation of human life as we do in the safety program. You have had an active committee in connection with that program, for which we are grateful.

Then there are your radio programs. It was an honor for me to participate with members of the Bar and the Chief Justice in the opening of your series of broadcasts, in which you are intensifying your efforts in public relations.

Your program on American citizenship has become known throughout the country. I could spend all my time talking on the program of the Minnesota Bar. I quite agree with the statement made at a recent meeting of the American Bar Association to the effect that there isn't a state in the Union with a better or more well-rounded program than the Minnesota Bar Association. Maybe some states exceed in certain phases of the work, but, considering the program as a whole, I think we ought to feel mighty proud of the work that the Bar Association has done. A special word of praise should go to all the officers, you

lawyers, who generously give time out of your busy lives, when you are trying lawsuits, to attend meetings which lay the foundation for all programs. What work has got to be done at these board meetings! To all of you people we feel a sense of gratitude today as we recognize the record that has been achieved.

You are performing one of the non-enforceable obligations of citizenship. You know there are two types of obligations. The enforceable is the type you have to perform by reason of a Court decree or a law or statute or ordinance, such as payment of taxes, or complying with speed laws. These obligations are important too, but the obligations that really stamp the character of a citizenry are the non-enforceable obligations,--obligations that cause us to walk the extra mile, the obligation that brings you here today. You are here, not because you are required to be here, or you are forced to be here, but you are here because you want to have an active part in your Association work. We feel a lift in the idea that you are contributing extra-curricularly something of your time in helping to build a stronger Association and better State in which to live.

What I am going to say to you this noon on the subject of the revision of our Constitution and the calling of a Constitutional Convention is not original or new. I am going to try to picture to you the story as we will endeavor to tell it to the people of Minnesota during these coming months before the next Legislative session. I am going to try to present today to you, leading lawyers of Minnesota, the issue that I think is before the people of our commonwealth, now as we approach our 100th year birthday as a State. Last year of course we

commemorated our centennial as a territory. In 1858 we came into being as a State, and so in just a few years we will be celebrating the centennial of that historic event. I think, therefore, the time has come now, when we are 93 years of age as a State, to pause, reflect and consider the basic law of our State. We should decide as to whether the time has not come when we owe it to ourselves and posterity to get together and to re-examine our Constitution. We should decide whether to eliminate obsolete provisions and consider other provisions that should be adopted.

As you know, of course, Minnesota has had but one constitution adopted in 1857 by a Convention authorized by the Congress to draft a new constitution for the proposed new state. This basic law now is 93 years of age, and we have never had a Constitutional Convention to consider the revision of that Constitution.

Getting our Constitution formulated and adopted back in 1857 was quite an acrimonious affair. It is interesting to read this early history. When the delegates were elected, it was found the Republicans and Democrats were about equal in strength. Anticipating trouble, the Repuboican members took possession of the meeting hall at midnight, twelve hours before the Convention was to open. Mr. Folsom, one of the members, said, and I quote, "Occasionally a delegate nervously examined a revolver as if he anticipated some necessity for its use."

A few minutes before the appointed hour the Democratic delegates burst into the hall. About noon, the leader of each group attempted to call the Convention to order. Nominations were being shouted from the floor by members of both groups in a scene of wild confusion.

Each group finally completed an organization for the Convention. The Democrats adjourned to another hall. Each group, claiming it was the legal Convention, proceeded to draw up a Constitution. Finally, after many weeks of bitterness, it gradually became apparent a State couldn't operate under two Constitutions, and the calmer heads prevailed to select a Conference Committee of five members from each group to work out a compromise. Probably no stormier session has been held in the history of Minnesota than that session. At one point arguments became so heated that Republican Wilson and Democrat Gorman attacked each other with canes. Said a headline of one story, "A most ruffianly assault by Governor Gorman upon the Republican Governor of the Compromise Committee." A Democrat said of Republican Wilson, "He has shown himself to be possessed of an unbridled tongue and a malicious, quarrelsome and watching disposition."

The Compromise Committee hastily patched together in a little over a week a Constitution that had sections from the Democratic and Republican documents and many provisions not found in either. Two original copies were made, and each group passed its own copy within 24 hours almost without debate. Said one delegate, and I quote, "This is a dose that has to go down, and we might as well shut our eyes and open our mouth and take it." And so they did. 51 Democrats signed one copy; 53 Republicans signed the other, neither by a majority of the 108 delegates. Comparison of the two documents later showed three hundred differences in spelling and seventeen discrepancies in wording. Since both are called originals and of equal validity, no one can be sure they know what the Constitution contains.

As a proposition for business, questions even have been raised whether Minnesota has one Constitution, two Constitutions or none. The constitution was written in the days of the oxcart, of the log cabin and the sparsely settled frontier activity of Minnesota. It only seems reasonable, Members of the Bar, to assume it ought now to be carefully examined in the light of modern conditions and brought up to date. Over the years the Constitution has been amended 75 times. As a result it has been tied together in a patchwork that has been likened to a crazy-quilt. The amending process was made much more difficult in 1898 by changing the Constitutional requirement so that a majority of all the votes cast at the general election is required rather than just a majority of the votes cast on the amendment, and I need not tell you gentlemen now how difficult it is to secure the passage of an amendment to the Constitution. Students of government have called attention to a number of conflicting sections which should be corrected. I called the attention of a women's group in St. Paul the other day to this provision on voting, "What persons are entitled to vote--every male person of the age of 21 years or upwards. Women may vote for school officers and members of library boards and shall be eligible to hold any office pertaining to managing of schools or libraries."

Now obviously, according to our present Constitution, women cannot vote or hold office except as pertained to school activities, but of course the Nineteenth Amendment to the Federal Constitution changed that situation. So it should be rather an easy task for us to sell the idea of a Constitutional Convention to the women!

The wording of the present Constitution specifies that members of

the Senate of the United States from this State shall be elected by the two houses of the Legislature in joint Convention. This provision is still in our Constitution despite the fact the Seventeenth Amendment to the Federal Constitution supercedes it and provides for the popular election of United States Senators.

Another example of an obsolete provision is the one providing for the regulation of currency to be issued by State banks. It is still there despite the fact the National Government entered the money picture back in 1863 and eliminated a great variety of greenbacks.

A further illustration of antiquity is the section dealing with the elective franchise for Indians. It refers to them as if they were not citizens, whereas an Act of Congress in 1924 gave Indians full citizenship.

In addition to these obsolete provisions, the Minnesota Constitution has parts which have not been in force for many years such as the one calling for a state census in 1865 and every tenth year thereafter. The last enumeration by the State Government took place in 1905, and, of course with the Federal Government in the census picture, we seem to all agree the State census is unnecessary. Yet the requirement is there in our State Constitution. Ignoring the provisions that are now obsolete or unnecessary, enables us to get along in meeting changed conditions, but this method of dealing with the situation certainly does not create respect for law or constitutional government. We should think especially of the impression upon the school children studying the Constitution. We tell them, "Now,

boys and girls, you don't have to pay attention to this provision or to that section or the other section because it has become obsolete." You can readily understand the lack of respect for constitutional law and the basic law of our State that these young people are going to get from this slipshod way of meeting changed conditions.

Then there are other basic questions of change which should be considered. First there is this matter of a more unified court system in which you are vitally interested. We have been glad to see the Bar Association take a lead in that important issue. Then there is the matter of whether the Legislative session should be extended to meeting beyond the 90 day biennial session so we don't have to go through the farce of covering up the clocks in order to get enough time to consider some of the necessary laws.

There is also the matter of the executive branch of the government. Should the Governor be elected for four years and other improvements made as have been suggested in the executive field? I recall at the last meeting of the Governor's Conference in White Sulphur Springs, West Virginia, as we were studying state re-organization, Governor Gruening of Alaska spoke up and said, "We are going to adopt a new Constitution. We would like some suggestions from you Governors. What do you think about recall?" Governor Dewey spoke up and said, "I think recall is an instrument of the devil." Then Governor Browning of Tennessee remarked, "Well, Governors," he said, "they elect Governors down in my state every two years. I think that is recall enough for me." It certainly is true. It is an issue seriously to be considered, though, as to whether we should not extend the term of the offices in the executive branch of the government.

Then there is the important consideration of local government. How can it be improved? Should home rule be extended to counties. And should home rule be made stronger in municipalities that already have it for greater efficiency?

Frustrations in getting amendments passed have led many persons to believe the only effective way to bring the Constitution up to date is by calling of a Constitutional Convention. Now how would this be done? I know many of you are familiar with the procedure, but maybe, even though it is repetition, it is good for us to have it brought to our attention again. Well, first, two-thirds of the members of each branch of the Legislature must approve the Convention call. Suppose this were done at the 1951 session of the Legislature. Then the proposal would go to the next general election in November, 1952. There a majority of those voting at the election would be needed to approve the Convention. The next Legislative session in 1953 would provide for electing delegates, the same number as the membership of the house of representatives; namely 131. The delegates would meet within three months of their election. They would decide upon revision of the Constitution and also decide how and when the revised Constitution was to be submitted to the voters. The whole process would take four years or more, more likely more. Although the Constitution is silent on re-submission to the people of the work of the Convention, the general agreement is that this should be done. In fact, this has been unanimous opinion of both the Interim Commission, appointed by the Legislature to study revision, and by the

Governor's Advisory Committee recently appointed. Both groups agree that when the vote is taken upon whether or not a Convention should be called, it shall be upon the condition that when the Constitution has been revised, the revised Constitution shall be submitted to the people for final approval. This is a real democratic process. I want to call to your attention that in three different respects the people are taken into confidence and have a right to determine the issue involved. First, the people will vote upon the issue as to whether a Convention is to be called. In the second place, the people will elect the 131 delegates to serve at the Constitutional Convention, and in the third place, the people will finally vote on the approval of a new Constitution.

I know there are those who feel that if a Constitutional Convention is called, some unusual provisions will be adopted, and we will get ourselves into some kind of a situation that will bring about provisions in the Constitution that we should fear, but with such complete protection and the people brought into the picture in three specific ways, I believe that when the process has been completed, we will have a Constitution that we can be proud of. When you go to an election specifically for the purpose of voting for 131 delegates who have as their responsibility the job of studying and revising the State Constitution, the chances are you will get delegates that are more specifically committed to that one task than when you have an election to the Legislature. I think also there will be a greater opportunity for more of you lawyers to file for delegates where it doesn't involve the amount of time that is involved in matters of the Legislature. Because it is a matter related so closely to your profession, you will see the challenge in this job, taking on the

responsibility of filing as a delegate and having a part in the revision process.

Now, the 1947 Legislature created a Constitutional Committee to study the Constitution and recommend changes. The House appointed 19 members; the Senate 19 members, and the Governor appointed 3 members. Professor Short of the University of Minnesota served as chairman of the Commission. They did an outstanding job, and they have filed a very significant report. They filed it before the last Legislature, and the provision for the calling of a Constitutional Convention came before the last Legislature and failed to pass it by, I believe, only eight votes in the House. Because it was defeated in the House, it did not come before the Senate. Since it was such a close vote, we believe we have a real opportunity at the next session of the Legislature to pass a provision for the calling of the Constitutional Convention, providing we can get the leadership of the Bar of the State of Minnesota. All together some 50 citizens from all walks of life joined in the important task of studying that issue and filing this report. Their suggestions are the result of very conscientious work and much deliberation, and even though they weren't successful at the last session of the Legislature, and even though the controversial issues of their report should not be an issue in this year as we talk about Constitutional revision, yet their suggestions will be of considerable benefit, if, and when, a Constitutional Convention is called because they have done the spading work. It will be of tremendous information to the delegates of the Constitutional Convention to have this basis as a beginning for their study.

On the basis of its experience, the Commission unanimously recommended that the Legislature submit to the people the question, "Shall there be a Convention to revise the State Constitution, such revised Constitution to be submitted to the voters for approval or rejection at a general election." In the 1948 election the voters received a proposed amendment which would have made the amending process easier by allowing a number of related changes to be considered as a single amendment, but as you well know, that amendment failed to receive the necessary majority of votes.

Both political parties in the State of Minnesota have approved the calling of a Constitutional Convention; so it isn't a political issue at all in the partisan sense. Many organizations have worked hard for years in connection with this issue. One of the leading organizations, as you know, has been the League of Women Voters. We want to get the Bar Association in this picture, too, as a leader this fall. We appreciate the fact that you have studied this issue before. I understand there was a negative vote at a certain meeting where attendance wasn't too large. But we feel the circumstances have now changed, and with what is going on in the world today, it is more necessary than ever before that we keep our state and local governments strong, and that the Bar Association get back of this prospect for the calling of the Convention.

I have felt in order to bring this issue before the people that it was necessary to have a citizens' committee. You recall in connection with the Mental Health issue, we had a citizens' committee of

of some 50 people. They gave of their time in telling that story to the people of Minnesota, and even as dramatic a story as that was—where we could picture people on a floor grovelling together as cattle without a clock on the wall or a calendar to look at, not treated as human beings—it wasn't easy, from all the support we had from the representative committee of 50 people to sell that story. But we were finally able to produce before the members of the Legislature convincing proof of the fact that a vast majority of our people wanted to discipline themselves and pay the price for a strong program of Mental Health.

It is going to be much more difficult to sell the story of Constitutional revision to the people of Minnesota because it is hard to dramatize.

In order to help tell the story, I have appointed a Governor's advisory committee on Constitutional revision, consisting of some 35 representative people in our State, from all walks of life cutting across political lines and other lines in our State. They have had three or four meetings. They serve without pay, come to meetings at their own expense. They are fine people committed to the task of good government in Minnesota. Mr. William Pearson serves as chairman of the Committee; Dr. Anderson of the Political Science Department of the University, Vice-chairman; Judge Matson of the Supreme Court, Vice-chairman; George Lawson, another Vice-chairman; Mrs. Lincoln Thomas of the League of Women Voters is secretary of the committee. I say this with a sense of reflection, but just to be realistic about it—there are going to be special interests which will naturally oppose

calling of a Constitutional Convention. They fear that because there are certain provisions in the Constitution at the present time, protecting their situation, that, if a Convention is called, those provisions may be eliminated. Because of that fact, and because probably some of these interests may not work out in the open, it is going to make our job just a little more difficult, but I want to point out that in selling this program of Constitutional revision to the people of Minnesota, we are not interested in specific controversial issues, whether certain controversial provision shall be eliminated from the Constitution, or certain controversial provisions shall be added.

If we do nothing more, Members of the Bar, than come together in a Constitutional Convention and remove the obsolete provisions and bring our Constitution up to date, we are going to be performing an outstanding public service to the people of our community and to these young people whom we are trying to teach respect for laws and respect for the basic law of our State.

Some of the legislators, of course, too, will defend status quo, and we know some of them sincerely object to the calling of a Constitutional Convention. So we fully recognize the fact we are going to meet opposition, but we feel that this thing can be approached in an objective way, recognizing the fact that the task is going to be a formidable one. Yet we have concluded that there is a reasonable opportunity of taking the steps to the calling of a Constitutional Convention so that when we commemorate the 100th birthday of Minnesota as a state, we can hold our heads high and say to our young people

of Minnesota that we have brought our Constitution up to date. Certainly we recognize the fact we are not going to have any success without help of the lawyers of Minnesota. We haven't got a chance in the world to be successful in the calling of a Constitutional Convention without a reasonable majority of the lawyers assisting us. I am not suggesting we have to get unanimity, but if a majority of lawyers are actively opposing us in this proposition, I am ready to say it is going to be extremely difficult, if not impossible, to accomplish our task. Who ought to be leaders in this issue if not the lawyers of Minnesota? You have taken the lead in all the other constructive activities in building our State into a better place in which to live. You ought to be in the forefront of this challenge that comes to us now, and I know you will want to give further study to it. I know you will want to have your committee reactivate so they can get a complete picture and report back to the Bar Association in Convention when you can have the matter fairly and fully and objectively brought to your attention and can determine whether you have a majority of lawyers in the State in your Association who are willing to go all out and give us support. We are endeavoring to get resolutions before all the civic organizations. Already a great number of organizations have passed resolutions, and it is going to look a little strange, gentlemen, if most of the civic organizations of the State of Minnesota pass resolutions backing the calling of a Constitutional Convention, and the Bar Association is opposing it. I have a strong conviction that when the members of the Bar study this objectively and realize the fact that we are not looking for

scapegoats, we are not interested in attacking any industry or in settling any controversial questions, but we are basically interested in only one objective thing—that is bringing our Constitution up to date. If we do not make a fair start on that as a people, I think we miss the challenge that is before us in this enlightened age. I needn't tell you the issue that is around the world today in conflict. A story that came back from Korea the other day illustrates it. It is the story of a distinguished Catholic priest and a Baptist minister who tossed a coin to see who was going to stand by the wounded soldier. The agreement was whoever won the toss was going to stand by. The Catholic priest won the toss. He stood by the wounded soldier. He was mercilessly shot down by a North Korean communist. When the Communists attacked from the north, they didn't hand out a questionnaire to find out whether a man was Protestant, Catholic or Jewish. They exterminated them all. There isn't any place in the Communist regime for the Christian democratic way of life. You see clearly the issue at stake today. We don't always see as clearly the discipline that is necessary, the price we have to pay in order to keep this philosophy of ours in the ascendancy. Many people today think they can have their cake and eat it too. There wasn't any easy way for the early pioneers of Minnesota. There isn't going to be any easy way for us. A five billion dollar tax bill is just beginning, just a small indication of the price we will have to pay if we are going to keep this freedom of ours.

I recall when I was addressing 1200 business men in the last war. Quotas for buying bonds were low, and we were trying to stimulate their interest in the fact they had to buy bonds voluntarily, for Henry Morgenthau had issued the directive that if our people didn't buy bonds, the government might have to force them to do so. I said to those business men that God forbid the time should ever come when we have to force our people to buy bonds. If that time should ever come, this country would be on a downward trail. Thank God we didn't have to force our people to buy bonds. They accomplished the non-enforceable obligation of citizenship. They met their quotas. We seem to have a technique in this country, maybe it is a good one, I don't know, but it brings success for us anyway, of stumbling along and quarreling and bickering when things seem to be going along pretty well, but then when the chips are down, suddenly as no other people in the world, we seem to be able to congeal and pay the price for freedom.

Here, Members of the Bar, is the opportunity to show, too, whether we are willing to pay the price for freedom. In the bond drive we had a poster. It showed—the words at the top, "He died today for freedom". The words at the bottom, "What are you doing today for freedom?" Minnesota can do something for freedom. The Bar Association of Minnesota can do something for freedom. It takes leadership to revise our Constitution and bring it up to date so that we can show oncoming generations that we are a people who respect our laws and respect our Constitution, and are willing to pay the price for a modern basic code.

Some people think of this Democracy of ours as a fair weather proposition. They look in the Bill of Rights and thank God for the

opportunity to worship the God of their choice. They like the opportunity to have a jury trial and other privileges, but they fail to appreciate it isn't a "fair weather" proposition. Embraced in the Bill of Rights is a definite consideration that we are obligated to pay for those opportunities. Obligations are upon every one of us, as expressed by John Adams in writing a letter to his wife when the Declaration of Independence was signed. He said, "Mrs. Adams, Independence Day is going to be a day when we meet in fun, frolic and frivolity, but it is also going to be a day when we must appreciate the price that has to be paid for the keeping of these States together." There is a price we have in meeting our individual responsibilities if we are to have strong government—strong government nationally, at the state level, at the local level. We solicit your earnest cooperation, Members of the Bar, as we have done in so many other constructive endeavors, to work with you in the study of this issue, to join hands with you so we can set the machinery in motion for the study and possible revision of the fundamental document of government in Minnesota.



State of Minnesota

EXECUTIVE DEPARTMENT

Saint Paul 1

LUTHER W. YOUNGDAHL
GOVERNOR

September 21, 1950

Mrs. Lincoln Thomas
164 S.E. Bedford
Minneapolis, Minnesota

Dear Mrs. Thomas:

Mr. William Pearson, Chairman of the Governor's Advisory Committee on Constitutional Reform, is calling a joint meeting of the Executive, Strategy and Publicity Committees, for Wednesday, September 27, at 7:30 p.m., in Room 113 of the State Capitol.

It is hoped that it will be possible for you to attend this meeting at which publicity and finance plans will be developed.

Sincerely,

A handwritten signature in cursive script, reading "Richard L. Johansen".

RICHARD L. JOHANSEN

RLJ/eh



State of Minnesota

EXHIBIT A

(Form 100)

STATE OF MINNESOTA

IN SENATE

January 1, 1900

Present

Mr. [Name]

Mr. [Name]

REPORT OF THE COMMISSIONER OF THE LAND OFFICE
IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE
MAY 1, 1899

ALBANY, N. Y.: 1900

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MINUTES
of
THE GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION
GTA Building, St. Paul, Minnesota
September 15, 1950

The second meeting of the Governor's Advisory Committee on Constitutional Revision was held at Farmers Union Grain Terminal Association building, on September 15, 1950, at 12:00 Noon, Mr. William Pearson, Chairman, presiding. Present were: Miss Frye, Mesdames Bischoff, Christopherson, Hargraves, Jordan, Matson, Meinecke, Rasmussen, Schneider, Thomas, Tucker, and Zack; and Messrs. Altman, Anderson, Coulter, Dell, Dubois, Gale, Johansen, Otis, Pearson, Peterson, Rarig, Rommen, Ross, Thatcher, Turk - and at the luncheon - Governor Youngdahl. After listening to a radio interview of Governor Youngdahl and Mr. Pearson on the subject of constitutional revision, by Mr. Roth of GTA, and partaking of a delicious luncheon furnished by that organization, the committee formally convened in the Board Room, at approximately 2:00 P.M.

MINUTES The minutes of the previous meeting were read and approved.

PROPOSED Dr. Anderson read and explained the resolution calling upon the
RESOLUTION Legislature to put to a vote of the people the calling of a constitutional convention which he and Justice Mattson had drawn up, as requested by the committee at its last meeting. He restated what the committee had agreed upon at its first meeting to be its primary function, namely, that of getting the Legislature to start the machinery necessary for the calling of a constitutional convention. At the request of one of the members, the Secretary reread the resolution, paragraph by paragraph, and each was considered separately. All met with the approval of the committee as submitted, with the exceptions of paragraphs 4 and 5. In paragraph 4, that dealing with the constitution and local government, it was suggested that the words "and thus denied the right of local self-government" be deleted. There was considerable discussion on the wording of paragraph 5, that dealing with the amending process. Some members felt that using the fact that it is difficult to amend our present constitution as an argument for constitutional revision might alienate support of those who might support the general idea of calling a convention but who firmly believe that constitutions should be hard to change. The question was also raised as to whether the committee's putting itself on record as disapproving the present amending process did not go beyond the conception of the committee's purpose - as agreed upon by the committee. It was decided that the word "difficult" should be omitted and the word "cumbersome" substituted; also, that the clause, "that made later amendments much more difficult to adopt" be omitted entirely. But several committee members expressed the belief that if the committee were going to stimulate support for the calling of a convention they could not remain entirely without opinion on some of the needs for change. Mr. George Peterson questioned whether or not the entire resolution was not premature and would not better come at the close of the committee's deliberations. Mrs. Zack and several other members, however, spoke up and said that they needed it for work in their organizations, and Dr. Dubois said that one must first sell oneself on an idea before one can sell others, and that one must have a framework to sell - a basic content. Mr. Dell, of Fergus Falls, brought the discussion to a conclusion by moving that the resolution be adopted as modified that day by the

Meeting of
September 15, 1950

committee with the exception of paragraph 5 on the amending process, and that this be referred back to the Executive Committee for rewording in accord with opinions expressed by the committee. Mr. Thatcher seconded the motion, and it was approved.

PUBLICITY Dr. Anderson, for the Executive Committee, made a report on possible
& FINANCE chairmen for the Publicity and Finance Committees. Following a short
CHAIRMEN discussion and some further suggestions, Mrs. Christopherson moved
that this progress report of the Executive Committee relative to
choice of personnel for Publicity and Finance Committees be accepted. The motion
was seconded and approved.

GENERAL The Chairman then threw the meeting open to a general discussion on
DISCUSSION methods of approach, stating that our goal was educational - that of
convincing the people and convincing the Legislature. Mr. Gale called
attention to the time schedule regulating the work of the committee and questioned
whether favorable action by the Legislature would mean the work of the committee
was completed. Dr. Anderson replied in the affirmative, and Mr. Gale pointed out
that this would affect the strategy and timing of both publicity and local action.
It would be necessary to work during the campaign. Another member called atten-
tion to the fact that there were but seven weeks until election, and eight weeks
after that until the Legislature convened.

Various suggestions were made by committee members on arousing public
interest, and members representing organizations said they would like a fact
sheet for their members, together with a copy of the resolution. Dick Johansen
was requested to draw up such a fact sheet and submit it to the Executive Commit-
tee for approval. Mrs. Matson expressed a desire to have the stand of the
candidates on a constitutional convention; Dr. Anderson said that the question
should be stated so as to include: "Do you favor putting to a vote of the people
the question of calling a constitutional convention?" Mr. Rarig moved, and
Dr. Turck seconded, that the Chairman appoint a committee to compose and send
such a questionnaire to the candidates for the Legislature. The motion was ap-
proved, and Mr. Pearson appointed Mr. Rarig as Chairman of this committee, with
Mr. Thatcher and Mrs. Meinecke as additional members. Mrs. Meinecke called
attention to the need for committees to plan the campaign and get out educational
material. Some thought this should be left to the publicity committee, but
Mr. Gale pointed out that the publicity committee was the equivalent of the adver-
tising force, and that an educational and planning committee would be the equi-
valent of the sales force. It was agreed that there should be such a committee,
possibly to be known as the Strategy Committee, and the Chairman appointed
Mrs. Meinecke as its chairman, and to serve with her, Judge Otis, Dr. Dubois,
Mr. Rarig, and Dr. Turck. Mr. Rarig's Questionnaire Committee became a sub-
committee of this larger committee, from which, at Mr. Thatcher's request, his
name was withdrawn and Dr. Turck's substituted.

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Meeting of
September 15, 1950

NEXT MEETING A time and place for the next meeting was discussed. The possibility of having evening meetings was considered, but the majority seemed to favor daytime meetings. Miss Frye moved we meet next on Friday, the 13th of October, at 1:00 P.M., at the GTA Building. Mr. Thatcher then moved for adjournment, and the meeting adjourned.

Respectfully submitted,

MRS. LINCOLN A. THOMAS, SECRETARY

MINUTES
of
Special Meeting of Executive, Finance, Publicity, and Strategy Committees
THE GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION
Room 113, State Capitol, St. Paul, Minnesota
September 27, 1950

A special meeting of the Executive, Finance, Publicity and Strategy Committees was called by Mr. Pearson for September 27, at 7:30 P.M., in Room 113 of the State Capitol Building. Present were Mesdames Meinecke and Thomas, and Messrs. Anderson, Holmgren, Johansen, Lawson, Maley, Melamed, Otis, Turck, Bjornson and Pearson. Mr. Pearson presided.

STRATEGY Mrs. Meinecke, as Chairman, reported on the plans of the Strategy Committee. She stated that they were considering a three-way approach:

1. To start out in seeking help and cooperation from those organizations known to be intensely interested in, and on record in support of, the calling of a constitutional convention. These are: The two political parties, DFL and Republican; ADA, the League of Women Voters, and the Good Government Group.

2. As soon as answers are received from the candidates to the questionnaire sent out, a personal contact with those replying in the negative or failing to reply will be arranged by the Strategy Committee; that is, a member or members of whatever organization named above as most feasible will be asked to write or to talk in support of constitutional revision by means of a convention to a certain candidate, and to influence other individuals to do likewise.

3. Each member of the entire Governor's Advisory Committee will be asked by the Strategy Committee what organizations he or she is willing and in a favorable position to contact, with a view to getting that organization to pass a resolution calling for putting to a vote the calling of a constitutional convention which would be addressed to the Legislature and to the Governor, and in stimulating as many of the members of that organization as individuals to speak or write to their legislators on the subject.

The group approved these plans, and Dr. Anderson made the additional suggestion that Mrs. Meinecke contact Arthur Naftalin and ask him to discuss the subject in his column, which is used by many of the local newspapers. It was felt that, with time so short, emphasis should be placed on getting out the questionnaire to the candidates. Mr. Johansen had brought his fact sheet, which the entire committee had requested him to prepare for organization use, and it was suggested that this be condensed as much as possible, accompanied by a letter prepared by the Chairman of the Questionnaire subcommittee, Mr. Rarig, and signed by Mr. Pearson, as Chairman, and a return postcard for his answer, and be sent to each candidate as quickly as possible.

FINANCE Mr. Rollin O. Bishop, of the American National Bank, who had consented to serve as Finance Chairman, was represented at the meeting by Mr. Maley. There was some discussion as to how much the committee would need in the way of money, and it was decided that \$500 might well cover the expenditures planned to date. Mr. Holmgren moved, and Mr. Lawson seconded, that the sum of \$500 be set as that to be raised by the Finance Committee at this time. Upon a request from Mr. Maley as to policy in seeking donations, it was suggested that the money be secured from relatively few sources - some of which should be in Minneapolis, and some St. Paul.

Judge Otis moved that Mrs. Tucker serve as Treasurer, Mrs. Meinecke seconded, and the motion was approved.

Judge Otis moved that a resolution be adopted that checks could be drawn by the Treasurer with her lone signature, after the approval of the expenditure by at least one member of the Executive Committee. Mr. Lawson seconded the motion, and it was approved.

Judge Otis moved a resolution be adopted designating the American National Bank as depository. Dr. Anderson seconded, and the motion was approved.

PUBLICITY Mr. E. T. Holmgren, of Melamed Hobbs Agency in St. Paul, had consented to serve as Chairman of the Publicity Committee, and he and Mr. Melamed both attended the meeting. Mr. Holmgren brought up the necessity of having stationery printed and of having an address for the letterhead. The committee members wondered if it might be possible to use the office of the League of Women Voters of Minnesota as official headquarters for incoming mail, and permission was requested of and received from Mrs. Hargraves, of Rochester, President of the Minnesota League, by telephone during the evening. The address is Room 417, 84 South Tenth Street, Minneapolis, Minnesota. Mrs. Hargraves thought that it might also be possible, if at a later date it should become necessary for the committee to have clerical help, that desk space might be made available for a limited period of time. It was decided that the names of the officers of the committee should be included in the letterhead, and that the names of committee members should be along the side.

Mr. Holmgren recommended using mailing service for the letters to candidates, and said he would make arrangements for getting the stationery and for mailing out the letters. Mr. Melamed inquired if the brochure or fact sheet contents and that of the letter could be released to newspapers and radio, and received an affirmative answer. He also asked who would be responsible for approving all literature and the subject matter of all future releases which might go out. It was moved by Dr. Anderson and seconded by Judge Otis that Mr. Johansen, Mrs. Meinecke, and Frank Rarig should act in this capacity. The motion was approved.

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September 27, 1950

GENERAL Dr. Anderson moved, and Dr. Turck seconded, that it be recommended to the Governor that Mr. Rollin Bishop and Mr. E. T. Holmgren be appointed to his Advisory Committee on Constitutional Revision. The motion was approved, and the meeting adjourned at 10:00 P.M.

Respectfully submitted,

MRS. LINCOLN A. THOMAS, SECRETARY

MINUTES
of
THE GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION
GTA Building, St. Paul, Minnesota
October 13, 1950

The third meeting of the Governor's Advisory Committee on Constitutional Revision was held at the Farmers Union Grain Terminal Association building, on October 13, 1950, at 1:00 P.M. Present were: Miss Frye, Mesdames Bischoff, Jordan, Matson, Meinecke, Rasmussen, Schneider, Thomas, Tucker, and Zack; and Messrs. Altman, Bishop, Bjornson, Johansen, Krawetz, Leck, Matson, Otis, Pearson, Rarig, Ross, and Turck. Mr. William B. Pearson, Chairman, presided.

MINUTES The minutes of the last meeting of the entire committee on September 15 were read and approved. Then the minutes of the special meeting of the combined Executive, Finance, Publicity and Strategy Committees held at the State Capitol Building on September 27 were read. Mr. Pearson asked for the entire committee's approval of the actions taken by these subcommittees in their joint meeting, and suggested that a motion approving the minutes of this meeting could serve as approval of the actions reported therein. Dr. Turck moved that the minutes of the special meeting be approved, Mrs. Meinecke seconded, and the motion carried.

NEW COM- The Chairman announced the addition of four new committee members:
MITTEE Mr. Rollin O. Bishop, President of the American National Bank, who
MEMBERS would serve as Chairman of the Finance Committee; Mr. E. T. Holmgren, of Melamed Hobbs, Inc., who would serve as Chairman of the Publicity Committee; Mr. Edward T. Flynn, District Governor of Rotary; and Mr. Israel Krawetz, St. Paul attorney.

REPORT OF Mrs. Meinecke reported the planning of the Strategy Committee much
STRATEGY as outlined in the minutes of the special meeting. She said that in
COMMITTEE addition to the five organizations listed which were known to be very interested in the calling of a constitutional convention and whose assistance and cooperation would be immediately sought, there were other groups in which some of the members were already interested and in which further interest could be easily stimulated - among these she mentioned the Grange, the Co-op groups, the Bar Association, and the St. Paul Inter-Club Council. The latter organization, at its September 25 meeting, heard the Governor speak on constitutional revision, distributed copies of the resolution passed by the Governor's Advisory Committee, and urged the representatives of the various organizations there to use constitutional revision as a program subject during the year in their respective groups, if this was possible. Mrs. Meinecke stated that from all these groups, especially the five most interested, they would like suggestions for speakers, help in contacting candidates before election, and for legislative work later.

Mrs. Meinecke requested that each committee member present list that day the names of the organizations in which he or she holds a preferred position. This information will be used for the larger educational or public opinion building job. Committee members will be asked to make arrangements for getting the

Meeting of
October 13, 1950

fact sheets to the organization(s) in which he or she has some influence, or possibly to see if a resolution supporting the calling of a convention can be considered by the group, or if they can use a program on constitution revision during the year, etc. She stated that she would try to get some consideration of the question at the PTA Congress to which she was going that coming week.

DISCUSSION Mr. Leck commented that he was certain we were all interested in
OF getting to work on something very much down to earth, the end result
STRATEGY of which would be to get the voters to get the legislators committed for the calling of a constitutional convention. He asked whether the committee would have a letter which could be used more or less as a guide by those who would be contacting candidates or nominees on the subject. Mr. Rarig, a member of the Strategy Committee, explained that following the last meeting Mr. Johansen had prepared a fact sheet, as directed by the committee, that he and Dr. Anderson had gone over it, and copies had been made. In addition, he, Mr. Rarig, had prepared the draft of a letter re-stating why a constitutional convention should be called and urging the candidates to read the material (fact sheet) included and answer the questionnaire postcard. Mr. Johansen read the letter to the committee members, and copies of the fact sheet were distributed.

Dr. Turck suggested that there should be included in the letter the information that the Press would be given the results of the questionnaire. Mrs. Rasmussen wanted to know if the letter and fact sheet were going out to the papers at the same time as they went to the candidates. Mrs. Schneider said she doubted very much if the editors would use the material if it just came through regular channels. Mrs. Rasmussen volunteered to send out the fact sheet and letter with a personal note to all the editors of weeklies and dailies, for which offer the committee was most grateful. Mrs. Meinecke stated that no answer within a week would constitute a "No" answer, and her committee would then follow up by asking certain members of cooperating organizations to contact candidates replying "No" or failing to reply and to bring whatever local pressure possible to secure his support for the calling of a convention. Also, she reminded the committee that each member should be sure to contact his own candidate.

Mr. Altman stressed to committee members that speakers at groups should try to get resolutions adopted by the organizations, if possible, and that a copy of each such resolution should be sent to the Governor's Committee to be kept on file, to be used during the Legislative session.

FINANCE Mr. Bishop stated that he had hesitated to proceed before getting a
COMMITTEE clearer idea from the committee as to just how he was to proceed.
REPORT Mrs. Meinecke stated that Mr. Carl Herbert, of St. Paul, had expressed a willingness to assist Mr. Bishop and to give him some suggestions. It was again suggested that the amount of \$500 be initially raised

and that it would be well to secure some of this amount in Minneapolis and some in St. Paul.

PUBLICITY The Chairman next announced that Mr. Holmgren, Publicity Committee
COMMITTEE Chairman, was unable to attend, but that Mr. Jon Bjornson, who was
REPORT assisting him, was on his way over. It would be necessary, there-
fore, to postpone publicity discussion until his arrival.

OLD Mrs. Thomas called attention to the fact that the committee had
BUSINESS referred back to the Executive Committee the wording of paragraph
5 of the resolution calling upon the Legislature to put to a vote
of the people the question of calling a constitutional convention. She read the
substitute paragraph: "Whereas, due to an amendment hastily adopted in 1898,
the amending process has become expensive and time-consuming and has proved to
be inadequate for keeping the Constitution up to date and for enabling Minnesota
to have the most efficient and economical government that is available under
modern conditions; and". This wording was accepted by the committee, and it was
noted that, in future copies made, this revised wording would be used.

GENERAL Mr. Leck questioned the wisdom of the addition of the note saying
DISCUSSION that the Press would be given the results of the questionnaire to
the letter being sent to the candidates. He felt this was putting
them on the spot unnecessarily and that it might make some of them hesitant to
reply. Justice Matson agreed with Mr. Leck, as did Mr. Rarig. Mr. Rarig also
called attention to the fact that the time element might make it impossible to
do follow-up work on all the candidates, and questioned the value of the effort
that would be involved in so doing. He felt it would be wiser to concentrate
on those actually elected after November 7. Justice Matson suggested that the
committee might secure the cooperation of Ex-Senator Wm. Dahlquist, who had
served on the Commission but was not running again for office, in contacting
some of the men in his area. Mr. Rarig moved that the letter be sent out as
originally prepared, without any note about the Press, and that the Strategy
Committee follow up as much as possible between now and election, but that the
major effort be concentrated on candidates after election. This motion was
seconded and approved.

Judge Otis explained, in answer to a query by Mrs. Zack at an earlier
meeting, how it had come about that the Bar Association had failed to support a
resolution calling for a constitutional convention. A committee of twenty-four
had been set up to study the matter of constitutional revision and reported
twenty to four in favor of a convention. Mr. Monte Brown, Chairman of this com-
mittee, presented this report and moved its adoption at the annual June meeting
of the Bar Association, but only twenty-six members of 2500 were present at the
particular time the resolution was presented. Mr. Gelhorn, counsel for the
railroads, got the floor, and moved the committee report be tabled, which motion
was approved by a vote of fourteen to twelve. Therefore, technically, the Bar
Association has tabled a constitutional convention resolution, but this does not

Meeting of
October 13, 1950

actually represent a majority opinion. Justice Matson commented that a new committee has been appointed, and very likely favorable action will be forthcoming in the future.

Mrs. Jordan suggested the possibility of assembly periods in high schools presenting constitutional convention programs. Mr. Johansen said that the Library Association has a magazine for school libraries, and that as it is much interested in constitutional revision, it might be very possible to get material in this magazine.

Mrs. Matson raised the question as to how organizations could get resolutions passed, what techniques could be used? Justice Matson suggested that Reuben Thoreen, of the Bar Association, might be willing to work with the committee. Mrs. Meinecke suggested that many organizations, such as churches, which themselves do not pass resolutions, have social action departments or clubs, and that it might be more effective to work through these. Mrs. Schneider posed the question as to how effective resolutions in names of organizations really are. Justice Matson said he thought it was more important to get the people in these groups actually interested, and Mr. Leck added that the advantage of resolutions lay in their psychological effect, and pointed to the recent school green ballot campaign in Minneapolis. He suggested that there be one person on the committee in charge of resolutions, and that this person contact Mrs. Eugene Burgess, of Minneapolis, who was in charge of resolutions in the recent Minneapolis "Vote Yes" campaign to which he referred. The Chairman requested Mrs. Meinecke to appoint one person as resolutions chairman on the Strategy Committee.

PUBLICITY COMMITTEE Mr. Jon Bjornson arrived at this time and announced that the letter-head stationery was being printed, and that the letter and questionnaire would be going out within a few days to all the candidates. He promised that everything would be done to coordinate publicity with this action of the committee and, upon Mr. Rarig's comment that it appeared that there should be more cooperation between the Strategy and Publicity Committees -- that the Strategy Committee seemed to be bearing too much of the load, assured the committee that the Publicity Committee would cooperate closely with the Strategy and entire committee in the future.

ADJOURNMENT Justice Matson moved that the committee meet again at the call of the Chairman. This was seconded by Mr. Leck, approved by the committee, and the meeting adjourned.

Respectfully submitted,

MRS. LINCOLN A. THOMAS, SECRETARY

MEMORANDUM

To: Members of the Governor's Advisory Committee on Constitutional Revision

FROM: Richard L. Johansen
Executive Assistant

This is to remind you that the Committee will meet at 1:00 p.m.,
Friday, October 13, at the Farmers Union Grain Terminal Association
Building, Snelling Avenue North and Larpenteur Avenue West, Saint Paul.

Copy to Mrs. Lincoln Thomas

September 21, 1950

Dear Mr. Pearson:

C
O
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Y

Mr. Thatcher had to leave the city,
and requested that I write you. He has contacted
Mr. Rollin Bishop, and Mr. Bishop is pleased to
accept the responsibility of the chairmanship of
the Finance Committee and will be available on
call. His address is

Mr. Rollin O. Bishop, President,
American National Bank,
St. Paul, Minnesota.

Very truly yours,

Christine A. Nelson

For Mr. M. W. Thatcher

Mr. William Pearson,
Ogilvie,
Minnesota.

STATE GRANGE



MINNESOTA

Office of the
MASTER

OGILVIE, MINN.
September 19, 1950

Officers

MASTER

William B. Pearson
Ogilvie, Route 1

LECTURER

Mrs. Hildur S. Archer
501 Ridgewood Ave.,
Minneapolis 4

TREASURER

William Rugg
Brownsdale

SECRETARY

Miss M. Estelle Thompson
Lansing

EXECUTIVE COMMITTEE

Dale Hyatt
Brainerd
Robert Wendberg
Dalbo
C. E. Brugger
Austin

Mrs Lincoln A. Thomas
164 S.E. Bedford
Minneapolis, Minnesota

Dear Mrs Thomas:

In talking with you last evening I did not give you our publicity chairman's address. It is Mr E.T. Holmgren, Melamed-Hobbs Incorporated, E 907 First National Bank Building, St. Paul. He should be invited to the September 27 meeting, of course, as should also Mr Louis Melamed and Mr Jon H. Bjornson, 1050 Builders Exchange, Minneapolis. If Mr Thatcher is in town it would be desirable that he attend. He seems to have many good ideas.

At our September 27 meeting each committee chairman should outline what his committee plans to do. We should decide what money we need, where our office will be for sending out literature, etc.

Sincerely

William B. Pearson

William B. Pearson

WBP:AL
copy to: Dick Johanson

Butter
Bread
Bonaf
Pepper

WHEELER

CHES

TO ALL MEMBERS OF THE GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REFORM:

The next meeting of this committee will be a luncheon at 12:00 noon, Friday, September 15, in the Farmers Union Grain Terminal Association building at Snelling Avenue North and Larpenteur Avenue West, St. Paul.

The enclosed material is sent at the request of Mr. William B. Pearson, Chairman of the committee.

Sincerely yours,

RICHARD L. JOHANSEN
Administrative Assistant

RLJ:ds

UNIVERSITY OF MINNESOTA
COLLEGE OF SCIENCE, LITERATURE, AND THE ARTS
MINNEAPOLIS 14

DEPARTMENT OF POLITICAL SCIENCE

August 29, 1950

Mr. William B. Pearson
Minnesota Grange
Ogilvie, Minnesota

Mr. George Lawson
Minnesota Federation of Labor
St. Paul, Minnesota

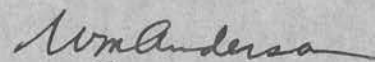
Mrs. Lincoln Thomas
164 Bedford Street S.E.
Minneapolis 14, Minnesota

Dear Colleagues:

Justice Matson went north on his vacation after the meeting of the Governor's Advisory Committee the other day, and I agreed to make a first rough draft of a resolution concerning the need for a constitutional convention. This draft has now been made and I have sent the copy on to him.

In order to keep all other members of the Executive Committee informed, I am sending each one of you a carbon of the same tentative resolution. This is, of course, subject to revision both as to form and content, and is not for publication. I am sure that Justice Matson and I would both greatly appreciate hearing from you if you have any suggestions with reference to the resolution.

Sincerely yours,



William Anderson

WA:hl

Encl.

GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION

Room 406 - 84 South Tenth Street, Minneapolis 2, Minnesota Atlantic 0941

October 20, 1950

EXECUTIVE COMMITTEE

William Pearson
Chairman
Mrs. Lincoln Thomas
Secretary
Prof. Wm. Anderson
George Lawson
Hon. LeRoy E. Matson

COMMITTEE

Rollin O. Bishop
Finance Chairman
E. T. Holmgren
Publicity Chairman
Mrs. Allan Meinecke
Education Chairman

Milton H. Altman
Mrs. Mabel Bischoff
Mrs. F. N. Christopherson
P. A. Coulter
Roger L. Dell
Dr. J. F. Dubois
Edward F. Flynn
Dr. Robert P. Fogerty
Miss Marion Frye
Samuel B. Gale
John Garbersen
Mrs. Malcolm Hargraves
J. S. Jones
Mrs. Harold Jordan
Prof. Joseph Kiese
Israel Krawetz
Herbert Lewis
Mrs. Rosser Matson
Alan C. McIntosh
Hon. James C. Otis
George L. Peterson
Frank Rarig
Miss Geraldine Rasmussen
Dr. Heinrich A. Rommen
Dr. G. W. C. Ross
C. H. Russell
Mrs. L. E. Schneider
M. W. Thatcher
Mrs. William P. Tucker
Dr. Charles Turck
Mrs. Stanley S. Zack

To all Candidates for the 1951 Minnesota Legislature:

The Governor's Advisory Committee on Constitutional Revision was appointed by Governor Youngdahl to help arouse public interest and legislative support for the holding of a constitutional convention. All members contribute their time in the interest of better government for our state.

This letter and the enclosed Fact Sheet on "Why The Minnesota State Constitution Needs Revision" are being sent to all candidates for the Senate and the House of Representatives, for the dual purpose of:

1. Providing you with information as to the need to revise our constitution.
2. Ascertaining your position with respect to submitting to the vote of the people the question of calling a constitutional convention.

We urge that you read the enclosed Fact Sheet. Unless you are a student of our constitution we are certain that you will find it very informative.

Our state constitution is the result of a badly split constitutional convention and in the opinion of many of the delegates represented an unsatisfactory compromise. It is a patchwork of amendments, having been amended 75 times. It contains many obsolete and inconsistent provisions. In addition, there are many changes which should be made to modernize our state government.

The Constitutional Commission of Minnesota, which was established by the 1947 Legislature, after a long and careful study unanimously adopted a resolution stating that the required revisions in our constitution could be made only by means of a convention and urged that such a convention be called.

We are not asking that you take a position with respect to what should be revised in the constitution, but merely as to whether you agree that the people of the state should have an opportunity to vote on the question "Shall a Constitutional Convention be called?".

The Governor's Advisory Committee on Constitutional Revision will greatly appreciate it if you will indicate your position on this question by completing the enclosed self-addressed post card and mailing it to the committee as soon as possible. If you wish you may, of course, enclose the post card in an envelope.

Thank you.

Sincerely,

William B. Pearson
WILLIAM B. PEARSON, Chairman
Governor's Advisory Committee
on Constitutional Revision

THIS SIDE OF CARD IS FOR ADDRESS



Governor's Advisory Committee on Constitutional Revision
Room 406
84 South 10th Street
Minneapolis 2, Minnesota

If elected to the State Legislature, will you support the following proposal?

At the general election to be held in November, 1952, the following proposition shall be submitted to the electors for decision: "Shall there be a convention to revise the state constitution, such revised constitution to be submitted to the voters for approval or rejection."

Please check your answer here: Yes () No ()

Name _____

Address _____

Copy

October 16, 1950

Mr Harry M. Reynolds, President
Minnesota Congress of Parents and Teachers
Winona, Minnesota

Dear Mr Reynolds:

This letter is to suggest that at this week's annual meeting of the Congress of Parents and Teachers your group adopt a resolution urging the legislature at its 1951 session to provide for an election in 1952 on the question: Shall a constitutional convention be called?

Our constitution has been amended over eighty times with the result that it contains many patches and provisions that are not well coordinated and some of which are obsolete and no longer enforced. To name only a few obsolete provisions; the constitution provides for a state debt limit of \$250,000; it states that women shall have the vote only on school elections; it provides that our United States senators shall be elected by the state legislature; and for the issuance of currency by the state, which harkens back to the late fifties when states issued their own currencies. There are many other obsolete sections.

All branches of the state government, legislative, executive and judicial are handicapped by various provisions of the present constitution and local governments are unduly restricted in their exercise of home rule.

Our constitution might be likened to a tree, whose trunk is sound but some branches need to be removed and others pruned. It is agreed by all authorities that this revision cannot be accomplished through amendment but only through a convention called for this purpose.

The calling of a constitutional convention requires a two-thirds majority vote of each house of the legislature in favor of submitting to the people the question; Shall a constitutional convention be called? At the next general election this question is submitted to the people in the same manner as an amendment. If this passes, the next session of the legislature sets up the machinery for the calling of a constitutional convention. The members of the

convention are elected in the same manner and in the same number as are those in the lower house in the state legislature. When this convention has revised the constitution, the people vote on its adoption. This process will take at least four years and probably six but is entirely democratic with the people in all instances having the final vote.

I trust that you convention will resolve in favor of this important question. All good wishes for a successful convention.

Very truly yours

William B. Pearson, Chairman
Governors Advisory Committee on
Constitutional Revision

P.S. Enclosed is a fact sheet which gives some of the salient points relative to constitutional revising.

WBP

CITIZENS COMMITTEE FOR A CONSTITUTIONAL CONVENTION

December 18, 1950

Dear Friend:

We cordially invite you to send a representative of your group to an organizational meeting of the Citizens Committee for a Constitutional Convention. This meeting will be held Thursday, December 28, 1950, at 7:30 p.m. at the Continuation Center of the University of Minnesota, Room 235. (The Continuation Center is on 17th Avenue between Washington and University.) Please use the east entrance.

The enclosed fact sheet, prepared by the Governor's Advisory Committee on Constitutional Revision, sets forth some of the reasons many citizens are interested in having the next Legislature submit to the people the question of calling a constitutional convention. In order to promote the passage of such a bill and to educate the people with regard to constitutional revision, this meeting is being held. The purpose of this meeting will be to set up a working organization and to elect its officers and executive committee.

If your group wishes to participate in this effort, will you, if possible, send a representative to the meeting on December 28 authorized to nominate one of your members (himself or another) to the executive committee. Please reply at Atlantic 0941.

Although this formal invitation is being issued only to a representative list of organizations, the Citizens Committee for Constitutional Convention will welcome the membership of all organizations and individuals interested in promoting its purpose.

We consider the call for a constitutional convention an important proposal. It will take the cooperative effort of all of us to get the question submitted to the people.

We look forward to your reply and to your aid in this movement.

Very truly yours,

Florence Livingston

Mrs. H. H. Livingston, Chairman
Temporary Organizing Committee
Room 406, 84 South 10th St.
Minneapolis 3, Minnesota

Mr. Walter Craymond, Central Labor Union
Mr. Floyd Flom, Republican Party
Mr. Orlin Folwick, Public Relations, Minnesota AFL
Mr. Maynard Hasselquist, Minneapolis Junior Chamber of Commerce
Mr. L. Jay Iverson, Good Government Group
Mrs. Dorothy Jacobson, Democratic-Farmer-Labor Party
Mrs. S. M. Littlejohn, Republican Party
Mrs. H. H. Livingston, League of Women Voters of Minnesota

The steering committee of the Citizens Committee for a Constitutional Convention met at the Minneapolis YMCA at 6 P.M., Dec. 12, 1950.
Present:

Mrs. Dorothy Jacobson, DFL state chairwoman
Mr. Maynard Hasselquist, Mpls. J.C.C.
Mrs. H. H. Livingston, Minn. League of Women Voters
Mr. Walter Craymond, Central Labor Union
Mr. L. Jay Iverson, Good Government Group
Mr. Orlin Folwick, Public Relations, Minn. AFL
Mr. Floyd Flom, Republican Party
Mrs. S. M. Littlejohn, Republican Party

Mr. Flom suggested that in view of the high opinion in which the League of Women Voters is held it would be appropriate for Mrs. Livingston to serve as chairman of this steering committee. It was moved by Mrs. Littlejohn, seconded by Mr. Folwick, that Mrs. Livingston so serve. Motion passed unanimously.

Mrs. S. M. Littlejohn was appointed temporary secretary for the steering committee.

Mr. Flom asked for clarification of the members' understanding of the motion at the first general meeting of the Citizens Committee for a Constitutional Convention which established the steering committee and designated its duties. Mr. Iverson said he thought the committee was to nominate members of a representative group of organizations to the executive committee. Mr. Hasselquist said he understood the steering committee was to select a number of organizations and ask them to nominate one of their members to the executive committee. Mr. Flom and Mrs. Littlejohn expressed this as their understanding.

Mrs. Jacobson suggested the committee extend an invitation to join the Citizens Committee for a Constitutional Convention to any group which would be willing to join. Mrs. Livingston suggested any group invited should be known to be in favor of offering the question of a convention to the people. There was some discussion as to whether the invitations should be issued only to state-wide groups. The consensus was that unless they were limited to state-wide groups it would be impossible to decide where to stop and also the physical task of getting out the letters would be beyond the committee's ability and time.

Mrs. Jacobson expressed what she felt was a conflict in understanding of the job of the steering committee: whether the steering committee was to nominate an executive committee or whether it should invite membership in a large committee which would include everybody and let the large committee select an executive committee.

Mr. Folwick suggested the steering committee should submit to a full meeting suggested names as members of an executive committee. He felt

we might muff the ball if we spent much time waiting for the submission of names from a large number of organizations. He suggested the steering committee make the selection of names wide enough to represent a large number of varied interests and submit that list at the next general meeting of the whole Committee. He called the committee's attention to the fact that the Legislature would meet in three weeks and that every week lost put us farther behind.

Mrs. Jacobson suggested that there were advantages in not having a nominating committee. She proposed that the steering committee call an over-all meeting. She pointed out that the number of people able to attend would probably not be so large as to make the meeting cumbersome, and that these people could then choose an executive committee. Mrs. Livingston suggested that those attending the general meeting come prepared to suggest one of the members of their respective organizations for the executive committee.

After further discussion, it was finally decided to send a letter on behalf of the steering committee to the list of organizations given below, inviting them to a general meeting of the Citizens Committee for a Constitutional Convention for the purpose of electing officers and an executive committee, and suggesting that they come ready to nominate one member of their respective organizations to the executive committee. It was agreed that the steering committee make no recommendation as to the size of the executive committee. In accordance with a suggestion by Mr. Folwick, it was decided to limit the invitation to state-wide organizations. An exception was made in later discussion when it was agreed to invite representatives of local business and labor organizations in Minneapolis, St. Paul, and Duluth.

It was agreed to try to arrange for the next general meeting to be held at the University, and Mr. Flom offered to make arrangements for a meeting place. It was felt that the best time for the meeting would be the week between Christmas and New Year's.

Mrs. Littlejohn was designated to draft a letter of invitation in accordance with the committee's suggestions (copy attached) and to send it to Mrs. Livingston, who volunteered to have it mimeographed and mailed through the League of Women Voters office. Mr. Folwick offered to pay postage. It was further suggested that a return-address postcard be enclosed for reply and also a copy of the fact sheet prepared by the Governor's Advisory Committee on Constitutional Revision. The committee directed that the letter be signed by the Temporary Organizing Committee of the Citizens Committee for a Constitutional Convention.

The meeting adjourned at 8:30 P.M.

Respectfully submitted,

Mary Littlejohn
 Mary T. Littlejohn, temp. sec.

State of Minnesota
REVISOR OF STATUTES

State Capitol
St. Paul (1) Minnesota

WILLIAM B. HENDERSON, REVISOR
DUNCAN L. KENNEDY, ASSISTANT REVISOR
GERTRUDE W. THOREN, CHIEF CLERK

December 1, 1950

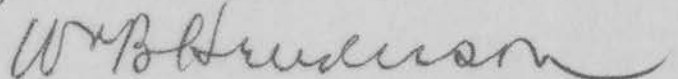
Nan Blanpied, Organization Secretary
League of Women Voters of Minnesota
84 South Tenth Street, Room 417
Minneapolis 2, Minnesota

Dear Madam:

Practically speaking, there is no real reason why a limitation should be placed in a call for a constitutional convention because it is unbelievable that any delegation making up the constitutional convention would have the nerve to promulgate the constitution without referring it back to the voters for approval.

The reason why the Christy amendment was proposed at the last session was because those opposed to the calling of a constitutional convention were endeavoring to scare the members of the legislature by stating that there might be danger of a convention being promulgated without being approved.

Cordially,



REVISOR OF STATUTES

WBH:gwt

State of Minnesota
REVISOR OF STATUTES

State Capitol
St. Paul (1) Minnesota

WILLIAM B. HENDERSON, REVISOR
DUNCAN L. KENNEDY, ASSISTANT REVISOR
GERTRUDE W. THOREN, CHIEF CLERK

December 1, 1950

Miss Nan Blanpied
Organizational Secretary
League of Women Voters
84 South Tenth Street
Room 406
Minneapolis 2, Minnesota

Dear Miss Blanpied:

This answers your letter of November 30.

The ultimate power of legislation lies in the people who vote---the people are sovereign. The delegates to a constitutional convention, having been chosen directly by the people, constitute the highest legislative authority. The legislature has no control and cannot in any way control, modify, or defeat the constitution as drafted by the constitutional convention. The constitutional convention, unless limited as hereafter stated, may promulgate the new constitution without referring it to the electorate for their approval. There have been 183 state constitutional conventions, and in every instance but two, they have voluntarily in a schedule referred the matter to the voters for their approval. Refer if you please to Schedule #8 of our present Minnesota Constitution.

The position of a Virginia convention in adopting a new constitution without popular ratification was held to be valid in *Taylor v Commonwealth*, 101 Va. 829, but the highest court of the land in holding the constitution valid said that the act was "without support in law, logic, or morals." In Louisiana where a convention was promulgated without a vote of the electorate the legislature at the next session called a new constitutional convention to revise the one so recently promulgated.

The Minnesota State Constitution is silent with respect to the submission to the voters of a constitutional revision made by a constitutional convention, but the weight of authority based upon decisions of the supreme court in other states is that the legislature may in its bill calling for the plebiscite place in the call a provision that the constitution adopted by the convention shall contain a provision for approval by the electorate; if the people voting on a plebiscite to call a convention where the call contains a limitation that there must be a vote of approval, the proposed new constitution must contain in the schedule a provision that the constitution become effective upon its being approved by the electorate. I am convinced that the approval must be by a majority of those voting at the election. The people themselves having the ultimate power may place the limitation on the convention, a limitation that the legislature is itself without power to enforce.

December 1, 1950

The courts seem to agree that the powers of the constitutional convention may be effectively limited by the terms of the statute calling the convention into existence, which has been approved by the people at an election held for that purpose.

State v. American Sugar Ref. Co. (1915) 137 LA 407, 68 So 742
Foley v. Democratic Parish Committee (1915) 138 LA 220, 70 So 104
Hayne v. Assessor (1918) 143 LA 697, 79 So 280 (recognizing rule)
Vanderlich v. New Orleans R. & Light Co. (1919) 145 La 21,
81 So 741
Sheridan v. Washington Parish (1919) 145 LA 403, 82 So 386
Re Perez (1920) 146 La 373, 83 So 657
Opinion of Justices (1833) 6 Cush (Mass) 573
Loring v. Young (1921) 239 Mass 349, 132 NE 65
Erwin v. Nolan (1920) 280 Mo 401, 217 SW 837
Re Opinion to Governor (1935) 55 RI 56, 178 A 433, supra, II
State ex rel. M'Cready v. Hunt (1834) 20 SCL (2 Hill) 1
Staples v. Gilmer, 183 Va. 338, 158 ALR 495, 33 SE 2d 49.

In 158 American Law Report, beginning at page 515, will be found a digest of numerous cases holding as above.

In MLR 189, Professor William Anderson says: "The framers of the constitution wisely refrained from trying to tie the hands of the convention. It left that body free to revise little, much, or all of the constitution, as it saw fit and left it free also to determine for itself when and how to submit its proposals to the electors and what majority to require for adoption."

While it is impossible to definitely state what our supreme court might hold on a matter of this kind, we believe our supreme court would take a position similar to that taken in the recent Minneapolis Municipal Charter Case, Leighton v Abell, 225 M 565, by holding that any proposed revision is an amendment to our present constitution, and if voted upon by the people, the amendment before going into effect must receive a majority of all votes cast at the election.

Yours very cordially,

Wm B. Anderson

REVISOR OF STATUTES

WBA:md

A BILL

FOR AN ACT PROPOSING A CONVENTION TO REVISE THE
CONSTITUTION OF THE STATE OF MINNESOTA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. There shall be submitted to the electors, at the
general election to be held in November, 1952, the question:

"Shall there be a convention to revise the Constitution of
the State of Minnesota?"

Sec. 2. The electors may vote by ballot for or against a
convention. The election shall be conducted and the returns thereof
made, canvassed, and certified in the manner provided by law for
general elections. The form of the ballot shall be:

Shall there be a convention to revise the	Yes _____
Constitution of the State of Minnesota,	
the revised constitution to be submitted	
to the electors for approval or rejection?	No _____

The voter shall designate his choice by a cross mark opposite
the word "Yes" or the word "No" in the space provided therefor. If
a majority of the voters voting at the election shall have voted
for a convention, the legislature at its session next succeeding this
election shall provide for calling such convention.

C I T I Z E N S C O M M I T T E E
for a
C O N S T I T U T I O N A L C O N V E N T I O N

January 29, 1951

Dear Sir:

The Citizens Committee for a Constitutional Convention has recently organized to support the passage of a bill to submit to the people the question of calling a constitutional convention. We believe that such a convention, elected as is our legislature and representing the varying viewpoints in the state, will result in a document better integrated and more nearly meeting the requirements of a fundamental instrument of government than one changed by the cumbersome amending process.

We are working for wide public understanding of this matter, a favorable consideration of it in committee and an affirmative vote in both houses.

Sincerely,

Mrs. Malcolm Hargraves, Chairman
CITIZENS COMMITTEE FOR A
CONSTITUTIONAL CONVENTION
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

PARTICIPATING STATE-WIDE ORGANIZATIONS:

Americans for Democratic Action
Democratic-Farmer-Labor Party of Minnesota
The Grange
League of Women Voters of Minnesota
Minnesota Association of Cooperatives Board
Minnesota Junior Chamber of Commerce
Minnesota Machinists' Non-Partisan Political League
Minnesota Republican State Central Committee
Council of Jewish Women
Young Democratic-Farmer-Labor Party of Minnesota
Young Republican League of Minnesota

WHO FOR THE RAILROADS OR THE PEOPLE

The railroad lobby in the State Legislature is the chief opponent of the proposal for a Constitutional Convention in Minnesota.

The railroads are the only industry in Minnesota whose tax rates are kept at a fixed level by the present State Constitution. All other industries pay taxes at rates fixed by the Legislature.

Are the railroads entitled to perpetual protection against sharing in government costs while other industries, the farmers, business and home owners must pay taxes as the Legislature decides?

Think it over before you vote on H.F. 22.

The Citizens Committee for a Constitutional Convention

(Member Organizations on Other Side)

Member Organizations of the Citizens Committee
For A Constitutional Convention

Minnesota League of Women Voters
Minnesota State Grange
Governor's Advisory Committee
Republican State Central Committee
Democratic-Farmer-Labor Party
Young Republican League
Young Democratic-Farmer-Labor League
Republican Workshop
Good Government Groups
St. Paul Trades & Labor Assembly (AFL)
Duluth Federated Trades & Labor Assembly (AFL)
Machinists' Local No. 459 (AFL)
Minnesota Machinists Non-partisan Political League
Duluth Industrial Union Council
Inter Club Council of St. Paul
Minnesota Junior Chamber of Commerce
Minneapolis Junior Chamber of Commerce
Minnesota Association of Coops Board
National Council of Jewish Women
Americans for Democratic Action

C I T I Z E N S C O M M I T T E E
for a
C O N S T I T U T I O N A L C O N V E N T I O N

February 21, 1951

Re: Constitutional Convention (H.F. 22)

The House General Legislation Committee has recommended the passage of House File 22. The bill was to have been voted upon in the House, Wednesday, February 21, but has been delayed. It may be voted upon on Monday, February 26.

It is important that Representatives receive encouragement to vote favorably on this bill. Failure in the House will mean that the bill will not be taken up in the Senate.

Immediate and numerous responses to this request may mean that citizens will vote in 1952 on these questions: "Shall a constitutional convention be called?" and "Shall the report of a constitutional convention be submitted to the people for approval or rejection?"

Write and telegraph Representatives immediately as an organization.

Urge your members and other citizens to write their Representatives.

C I T I Z E N S C O M M I T T E E
for a
C O N S T I T U T I O N A L C O N V E N T I O N

March 8, 1951

To: Members, Citizens Committee for Constitution Convention
From: Mrs. Malcolm Hargraves, Chairman

Defeat in the House of the bill to submit to the people the calling of a constitutional convention has changed both the urgency and the emphasis of our public education campaign. This legislation will not now be considered in the Senate and consequently is a finished issue for the session. Your steering committee will meet after the legislature adjourns to make long-term plans which will be submitted for your consideration later in the year.

Meanwhile you might write representatives, commending those who voted favorably and voicing your disappointment in those who voted against the bill.

March 9, 1951.

The following speech regarding Constitutional Revision was made by Representative Sally Luther, 30th Legislative District, before the 57th Legislature:

Mr. Speaker, I rise in reluctant support of House File 21. I would like to explain my reluctance and also to say a few words about the bill and to clarify some things which might have been left in doubt after the debate on this question yesterday.

First, let me review the week's work on Constitutional Revision. On Wednesday we discussed and killed, by a vote of 63 to 53, House File 22, which would have given the people of Minnesota the chance to vote on this question, "Shall there be a convention to revise the constitution of the State of Minnesota, the revised Constitution to be submitted to the electors for approval or rejection?" On Thursday we debated House File 21 and recommended it to pass. House File 21 submits to the people, for their approval or rejection, an amendment to the Constitution. This amendment provides that should a new Constitution be written it would not become effective until ratified by a majority of all the electors voting in a general election. Today we will take a final vote on House File 21.

There are three things that I would like to say about the various debates on these subjects. In the first place, one of the proponents of House File 21 said yesterday, when supporting the difficulties inherent in House File 21, that he was proud that we dared to be different in Minnesota ... that we had some peculiarities. He was proud of the fact that we do not have party designation. He must also be proud that this House refused to re-establish party designation in this session, thus continuing to keep Minnesota the only State in the United States (except Nebraska*) where we have this peculiar and, in my opinion, untruthful system of politics. He also said that he was proud that when it comes to amending the Constitution we have one of the most difficult amendment processes. I want to say that I am not proud of these things. I don't think they help us get what we want - efficient, economical government machinery and true expression of the will of the people. And I am not proud now, that by voting for House File 21 we will extend further this difficult and undemocratic amending process. (With our present Constitution requiring that amendments must receive a majority vote of all those voting at the election, not on the question, amendments are defeated by the uninformed voter who fails to vote on the question.) To do so is considered unnecessary by many authorities on the subject. House File 22 carried within it the assurance that a new Constitution, if written, would have to be ratified by the people in order to become effective. House File 21 sets up so cumbersome a ratification procedure as to make ratification virtually impossible. This is understandable when we examine the sponsors and proponents of House File 21 - most of them consistently opposed Constitutional Revision. Here I want to interject a reminder as to who the people are who want Constitutional Revision. They are the ordinary citizens of Minnesota who believe in efficient progress. They are members of both political parties. They are members of reputable organizations like the League of Women Voters, the American Association of University Women, the American Federation of Labor, various Chambers of Commerce and, they include the Governor himself.

The second thing I want to say on this subject deals with another point made yesterday by the proponents of House File 21. They repeatedly pointed out that they had been careful not to cloud Wednesday's debate on Constitutional Revision with fears that a new Constitution, when written, might not be submitted to the people. Now, of course, the proponents of House File 21 didn't cloud Wednesday's debate with this question. Why? Because we would have said to them let's pass both House File 22 and House File 21. If you were honestly for constitutional revision you would have voted yes on both bills. Several of the authors of House File 21

*Nebraska has a unicameral Legislature.

told me, when I asked them last month, that they felt it would be logical to submit both questions to the people; however, they did not vote that way. They voted against House File 22 on Wednesday.

Finally and most important and the only real reason I felt I must speak today - It was said by a proponent of House File 21 yesterday that you could all go home and tell your constituents that by voting for House File 21 you had, in truth, been unchallenged. I don't need to be the one to challenge it - the people of Minnesota are not so foolish to believe it. They will see that you voted 63 to 53 to kill their chance to decide on Constitutional Revision before you voted unanimously to make the matter of Constitutional Revision even more remote. They will see through this because they are smart and because they wanted a chance to vote on Constitutional Revision. It will be as clear to them as it is to me. When they ask you how you voted on Constitutional Revision, and they will ask you, I think you should tell them what really happened. That is, that you built up a straw man - the fear that a duly elected Constitutional Convention might not submit its new Constitution for ratification, in spite of being expressly bound so to do in House File 22. You built up that straw man and, then, in a grand gesture you knocked him down with House File 21. In so doing you strengthened the position of the opponents of Constitutional Revision. We have cleared the way for Constitutional Revision, said a House File 21 proponent yesterday. I say you have covered the way with a heavy fog and I am sorry and disheartened to see that you have done so.

J. A. A. Burnquist
Attorney General
State Capitol
St. Paul 1, Minnesota

April 16, 1951

Mrs. H. H. Livingston, Legislative Chairman
League of Women Voters of Minnesota
84 South Tenth Street, Room 417
Minneapolis 2, Minnesota

Dear Mrs. Livingston:

You have requested a comment with reference to an alleged statement by me to the effect that "there were only two sections of the constitution/ which needed to be changed, the rest had been changed through court decisions".

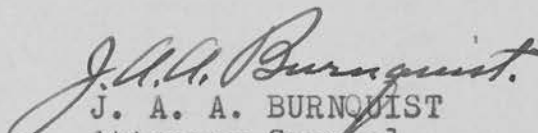
It is possible that in some conversation I have said that such a provision of the constitution as the one which requires a state census every ten years, and has not been complied with for more than fifty years, ought to be repealed, or that the constitutional provision requiring apportionment according to population, under which no new allotment of legislative districts has resulted for nearly forty years, ought to be revised.

It is also possible that I have said that some provisions of the constitution which are now impractical have been construed by the Supreme Court in such a way that they do not block progress. Such construction has been applied to the constitutional debt limit of \$250,000 by decisions holding that that debt limit is not applicable when the legislature provides for tax levies creating special funds out of which appropriations are authorized for the payment of the principal of and interest upon certificates of indebtedness.

However, in speaking of our constitution I have never intended at any time to convey the impression that there were only two sections which needed to be changed and that the rest had been changed through court action.

I, of course, believe that, when any amendments are proposed that will improve our constitution, they should be adopted by our people.

Very truly yours


J. A. A. BURNQUIST
Attorney General

JAAB MM gek

April 10, 1951

The Honorable J. A. A. Burnquist
Attorney General of Minnesota
State Capitol
St. Paul, Minnesota

Dear Sir:

We have received the following question regarding constitutional revision from Mrs. J. C. Engel, who is president of the League of Women Voters of New Ulm.

"What about our attorney general? (Representative) Dirlam wrote us he advised a group who asked him about the constitution that there were only two sections which needed to be changed, the rest had been changed through court decisions."

We would appreciate your commenting on this.

Sincerely,

Mrs. H. H. Livingston
Legislative Chairman

PROPOSED STATE PROGRAM

Constitutional Convention

by Mrs. H. H. Livingston

Constitutional Revision has been on the agenda of the League of Women Voters since 1948. We have studied the report of the Constitutional commission which gave us a standard for a good basic law and we have found that our present Constitution falls short of this standard. I am sure that every League member, if she has studied her lesson, is convinced that our Constitution should be re-written - with some sections clarified, some sections strengthened, and some sections deleted and that it should be made flexible enough to provide for adjustment to meet future needs. But 4,000 women will not bring about these changes if all we do is study and talk to ourselves. We must exert our efforts toward public education on the need for these changes. In the last two sessions of the Legislature a bill to allow the people to vote on this question "Shall a Constitutional Convention be called?" has been defeated in the House. In the 1949 session it lost by only 8 votes. In the 1951 session the bill was indefinitely postponed in the committee of the whole.

Now why has the House refused to allow the voters to decide the question of calling a Constitutional Convention? It is well known that the strong opposition comes from a few legislators obviously representing businesses protected by our Constitution and they are fearful that a convention would correct these inequalities. Unfortunately these legislators have great power in the House. The reason they give for opposing a convention is "It is not necessary! There is nothing wrong with the Constitution that we can't change by amendments!"

Then there are many dependent legislators, who follow the leader, and because not enough of their constituents demand this legislation, are opposed to a convention. Their reasons run like this. "You can't trust the people - they might elect a bunch of radicals to the convention and they'd throw out all the good things in the Constitution." "There would be no assurance ^{for} education funds." "A convention would reapportion and we don't want the cities running the state." Another representative thought the legislators should compose the convention to re-write the Constitution. They knew how to resist the special interest pressure groups better than an elected convention would. And we also heard in the Legislature other reasons equally unsound. We found there was a great lack of understanding as to how a convention was elected - that it would be elected by their own districts and that each district would have the same representation in the convention that they now have in the House. They hadn't reasoned that since the House was now conservative the people would very likely elect a conservative convention nor had they reasoned that the rural delegates would be in the majority in the convention and would protect the interests of the rural population.

Constitutional Convention was ^aplank in the platform of both political parties yet in committee hearings we heard the League of Women Voters charged with being responsible for stirring up all this dissatisfaction with our Constitution. We were the whipping post. Therefore I hope that this convention will vote to put this item "The League will build public opinion for a new State Constitution" on the Agenda this year and continue to spread this dissatisfaction until every voter has heard it.

The state resource Chairman will need to supply you with information and techniques to carry out this program of public education. But I am sure if 4,000 well-informed women talk loud enough and long enough word will get around that a Constitutional Convention is a most important issue for the welfare of our state.

Therefore, Madam Chairman, I move the adoption on the Current Agenda of the item, "The League will build public opinion for a new State Constitution."

Constitutional Convention Committee

August 22, 1951

The Constitutional Committee met and decided to explore the possibility of carrying out the following projects:

1. A Constitutional Convention staged by Boys and Girls State next June. They might crown a Miss Constitution or a Mr. Convention. We will talk with American Legion representative to see if it's possible.
2. An Essay Contest to be carried on in the civic classes in high schools on "Why We Need a New Constitution".
3. A booth at next year's State Fair.
4. Cartoon several (6 or 8) of our reasons for having a new constitution. We will consult the citizens committee on style, cost and format.

We could try to get an artist to donate his work and we might hire them done. P. J. Hoffstrom or Hawf (he's from St. Paul Pioneer Press) was suggested. He could do a very clever job. Maybe a touch like his would attract a lot of attention. Attention is what C. R. needs.

5. Prepare slides using cartoons used on the broadsides plus additional ones.
6. Hold a meeting with a League representative and the chairman and chairwoman from both political parties to discuss plans for bringing the issue before the ~~the~~ public.

Committee members will send in suggestions and ideas for the cartoons.

Since our meeting we received the cartoons from National on How a Bill Becomes a Law.

Mrs. Doris Guthrie

Citizens Committee for a Constitutional Convention
Room 406, 84 South Tenth Street
Minneapolis 3, Minnesota

November 20, 1951

MEETING OF

THE CITIZENS COMMITTEE FOR A CONSTITUTIONAL CONVENTION

Place: YMCA, 9th and LaSalle, Minneapolis

Date: Tuesday, November 27

Time: 6:15 p.m. - 8:15 p.m.

Those who wish to eat at the YMCA may come at 5:30 and carry their trays from the cafeteria to the meeting room which will be posted on the bulletin in the lobby. The 8:15 adjournment is to prevent infringing on your entire evening and to permit consultation of the members of the various sub-committees.

Purpose: Is to form working sub-committees -----

OrganizationIt will prepare a plan for setting up local citizens committees over the state through which our committee will work for wide public education on constitutional revision.

ResourceResearch and preparation of literature.

Public Relations ..Press, radio, visual aids, (posters, stickers, movie trailers, etc.) and speakers bureau. Advisory to the other committees on use and distribution of materials, how to approach the public, strategy in specific areas of the state, etc.

FinanceFund-raising and drafting of a finance policy.

Constitutional Amendments to be voted in November 1952 - Mr. Charles Howard will present an explanation of these.

Please be prepared to make suggestions for these working committees and to accept responsibility on one of them.

Mrs. Malcolm Hargraves, Chairman