



## League of Women Voters of Minnesota Records

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January 28, 1956

Dear Jean: *Chesley*

I am enclosing copy of letter I just received from Margaret Norgaard in answer to my request for specific instances of deletion. Realizing the immense job of research - with 80 amendments and all - I had hoped she had some more concrete examples. Under the circumstances, I can see it will involve a lot more work, and I think we should go slow on it, don't you?

I am returning Mrs. Fletcher's letter - thanks for sending it. Perhaps it might be ~~xxx~~ wise to wait until after Council meeting - to see what, if any, opinion crystallizes before doing a popular article on a "C" item. Haven't read the judicial branch yet, but got the typewritten copy of the <sup>whole</sup> booklet today and will try and read it this week-end. In any event, we should do a pro and con voters service broadside on the amendment, and should know more about it and think your suggestion of the board discussing it a good one.

Let's see how far we get with all these matters at board meeting - am hoping we can devote quite a bit of time to it - and then set a committee meeting for later; if we think it necessary, maybe stay a day after board meeting. I go to Willmar the 7th, organization meeting the 8th, board 9th, and I can't see my way clear to get away before then. Thought I would ask Margaret to come to part of board meeting, or lunch at least.

See you -

Sincerely,

*Edith Young*

(COPY)

Jan. 26, 1956

Dear Ethel: My eyes are closing with sleepyness, but I'll be starting a small job tomorrow that will take me 2 weeks and I wanted to answer your letter about the changes in the constitution so that I can stop thinking about it for a while.

Most of the changes are small, but they had bothered me for months because I couldn't find out who was making them. Now that I know it is just a well-meaning old gentleman in the Revisor of Statutes office, I find my ire is pretty well dissipated. Truly, the changes that I have noted particularly do not change the constitution as a practical matter.

The deadwood that the League has long talked about is mostly removed. Article VII, Sec. 1 which, as late as 1927 or 1930 used to start "Persons entitled to vote - Every male person of the age of...." dropped the word "male". Sec. 8 of the same Article, which related to the various offices women were eligible for and when they could vote, was also dropped from the text. The point significant to me was not that they were deleted but that they were deleted without legislative or administrative authority and there is no law that provides for their deletion.

Most changes (and they are multitudinous - more than any one unpaid research worker would care to dig out) are small and consist of the addition of a word or the deletion of a word, or changes in punctuation or the like. Of course, trying to disentangle the wordings is made more difficult by the fact that each of the 80 amendments had to make a disruption in text before it could be inserted. The old sections had to be removed and the new amendments incorporated directly into the text, and then amendments had to be inserted into amendments. There's no way to tell, either, what was added by amendment; the sentence reads right along. Take Art. IX, Sec. 1. The 1927 section and the 1953 sections read identically until abruptly the words "and household goods and farm machinery" show up. Were they put in by amendment? It doesn't seem possible. They must have been necessitated by some new state law that made the small amendment necessary. But who worded it? You can see, Ethel, the whole thing is one monster jigsaw puzzle. No one can untangle it now. And, believe me, I'm not even going to try.

Good night,

Margaret

*Margaret*

January 22, 1956

Dear Margaret:

Thanks for your letters; will take up the MEETING Plan first, and leave the amazing information about the already-accomplished const. revision till last.

Grace sent me copy of your notes on the public meeting; sounds terrific and I will not oblige you by saying, as you suggest, "Simmer down; lay off". Who else, indeed, would have the imagination and dedication to conceive the plan plus the organization ability to carry it through. While I know what you are letting yourself in for, I hope you will go ahead with it and do as much digging as you can before you leave; keep encouraging the others (nag if necessary). Then if I believe we should have another general meeting of the same people we had before, plus as many others as we can inveigle or intrigue, with a mention of this big action program in the invitations. As you say, once the ball gets rolling, it shouldn't be hard to inveigle others; it has captured my imagination no end.

And now the editing of the const. affair! I read your letter three times before it penetrated; first disbelieving, then with growing amazement, and finally with an <sup>almost</sup> uncontrollable urge to call the Governor or the Pres. of the U.S. I should think both the League and the committee should do something about it, after first checking thoroughly of course. You no doubt have specific instances you can point to. Can we get certified copies of the original document(s). I would say that we should approach the Governor first, before going to the press. I'm glad you took the initiative. Now they know the "ladies" know the difference between the statutes and constitutional provisions.

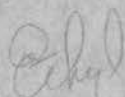
I am writing Jean Chesley to get her reaction to both these matters.

I shudder when I think how all our plans will have to be stepped up if the Governor does call a special session on reorganization, const. rev. party desig. and reapp.!

Goodpaster (sp.?) of the Tribune called me the day the Sup. Court's decision was announced and wanted a comment from the League. I could give him none of course, but have wished later I had said that if the Legislature had longer than 90 days to consider legislation, clerical errors like that might be avoided. But then, maybe it's better I didn't; might have been misunderstood as support of the whole plan.

Can't tell you how much I appreciate the good work you have done, are doing, and will continue to do. I know as I have told you before how grateful I am that you accepted this responsibility - which will have more official status I know when it gets more organized - on the MCCC as well as on the League committee. It's a comforting and reassuring feeling to know you are always in there pitching.

Sincerely,





c o p y

Mrs. Basil Young, President  
League of Women Voters of Minnesota  
15th and Washington Ave., S.E., TSMc, Minneapolis 14, Minnesota  
January 18, 1956

You may remember that for some time I have been interested in a question: "By what authority were there sections deleted from Minnesota's Constitution, other than those properly deleted through legislative actions?" As I study old copies of the constitution, back, say, around 1917, I have been struck by the fact that recent editions, as in the current Legislative Manuals, bear no recognizable resemblance whatever throughout whole Articles, to the old ones. Who deleted the so-called dead-wood? The legislature has never passed a bill so deleting them. Who changed punctuation and wordings? The new legislators, reading the 1953 publications of the Constitution, don't know what the League is talking about when we speak of "dead-wood" because it isn't in the copies of the constitution given to them.

I have been fascinated by this Minnesota version of the "who-dunit." I talked last winter with the Secretary of State's office. They declared they hadn't done it. No legislator knew anything about it. Mike Galvin knew the deletions had been made. He discussed them with me and declared the deleting was "quite legal", but didn't know the law that said so.

I managed to interest a member of the Attorney General's staff. Today I had a call from a state lawyer saying "Call Mr. Henderson, the Reviser of Statutes. It's my unofficial opinion that little gentleman has been quietly "revising" Minnesota's constitution all by himself, with a little help from a stenographer, for many years."

Perhaps I should then have let the League office do the calling, but I was too intrigued. I called Mr. Henderson. I was warned not to talk to Mr. Kennedy, the Assistant (Acting Reviser of Statute), but I had to, since Mr. Henderson is in the hospital. Mr. Kennedy was not surprised at my inquiry; he had already heard of the "sniffing around." He said the Reviser of Statutes had always "edited" the constitution whenever it needed editing. I asked for the legal authority. He cited Minnesota Statutes 648.11. But I had a copy of the statutes and read the citation to him. It referred only to state statutes and nowhere said a word about the constitution. Then he made a delightful statement!

"This office has always edited the Constitution. As a matter of policy we leave out obsolete parts. We figure we have the authority to do that. No, no law governs it, I guess. We just do it under our interpretation of our authority. We didn't submit our changes to anyone. It wasn't necessary to submit our changes to the legislature. We have always used our best judgment for the benefit of the state, as we honestly believed. And that's all we can say. We made the changes because we thought they should be made."

So there you have it. The end of the search. This holy document, likened by some to the Sermon on the Mount, is largely the product of two elderly gentlemen and a stenographer who for years have been editing out any sections, words, phrases, clauses, or punctuation marks that "in their best judgment to the end for the benefit of the state," they "honestly believed" should be made.

Between legislators who "do what's best for the people" and Revisers of Statutes who keep rewriting the constitution according to their "best judgment" the people of Minnesota don't have a heck of a lot to say about their state government, do they?

It occurs to me we have a heaven-sent opportunity here for helping the governor and helping ourselves. Could the League put the whole matter before the governor in a formal communication, citing verbatim the statement of the Acting Reviser of Statutes, and giving a statement of the issue involved: that the present editions of Minnesota's Constitution are illegal, have been changed in major portions without legislative consent or the knowledge of the people, and that the whole matter should be clarified together with a study by the Attorney General's office of exactly what changes have been made, when, and to what intent. Also a bill should be introduced at the next session of the legislature either making all past changes legal - or future copies of the constitution should follow the legal wording and punctuation.

I am sending a copy of this to Mr. Donald Holmes, with the thought that the news release of this might carry more weight from his organization than from the League. What do you think?

Sincerely,

Margaret (Norgaard)



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Margaret (Norgaard)



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STATE GOVERNMENT

CURRENT AGENDA ITEM: CONSTITUTIONAL REVISION

For over a decade the Minneapolis League of Women Voters has been deeply concerned with the task of revision of our state constitution. When Amendment #3, which provided that a revised constitution must be approved by the electorate at a regular election, received such a clear vote of approval in 1954, it seemed that at long last, machinery for constitutional revision had been set in motion.

What is the fundamental principle involved in any revision of our state constitution? For an answer we need to turn only to Article 1, Section 1, the Bill of Rights of Minnesota's constitution, which clearly states that the right to alter, modify or reform our basic law resides in the people. Thus the mandate to change the state constitution when so desired is clearly written into the basic law of our state.

HISTORICAL BACKGROUND

We as League members must be in a position to answer the many questions that are ever projected into a discussion of revision. The one you may most frequently encounter is "what's wrong with the old constitution?" We can not brush this off with just the rejoinder "almost everything," because in fact there are sections that do not require any modification. But before we take up the many weak spots, including faulty English and grammatical errors, let us review the circumstances surrounding the adoption of the state constitution in 1857. It was so hastily drawn, since only seven days were actually spent on it, that one marvels that it is as clear a document as it is. It was so angrily drawn, since the issues of prohibition and slavery kept our territorial leaders widely separated in their thinking. And then these leaders were so uncompromising that Republicans and Democrats refused to sign the same document. Two copies had to be made. This resulted in the fairly well known fact that we are not absolutely sure that we now have the correct text of the constitution. But approval of a constitution, however carelessly drawn, meant statehood for Minnesota, and that was the immediate objective in drafting our constitution. The people then started that amending process by which they sought to write in changes obviously needed. Most of the amendments were adopted prior to 1898; then the amending process was made so difficult that present advocates of revision by separate amendments should glance at the scores of amendments proposed compared to the number actually adopted. I think they would be convinced that this patchwork amending system has met neither the wishes nor the needs of our people. At first we had the easiest amending process of any state in the union. In 1898 this process was changed by amendment to make it almost the most difficult process. From this point on we have a history of amending the constitution to bring it more nearly into conformity with the demands of a modern state. We have now 80 amendments while our Federal Constitution, more carefully drawn has less than one third of that number. Many changes have been recommended by non partisan commissions appointed to consider revision. The Commission on Constitutional Revision of 1947 recommended over 100 changes and the addition of six new sections. It is not enough to say the constitution is too long, is outdated, is ungrammatical and loaded with obsolete and ambiguous sections superseded by Federal Acts. All this and more may be true but there are more convincing arguments for revision.

cartoon

cartoon

cartoon

Broadsheet Idea

### WHAT'S WRONG WITH OUR CONSTITUTION?

Our century old constitution in many ways ties our hands. The increasing complexity of government, the enormity of government services with State and Federal interrelationships, makes revision imperative if our needs in the areas of education, welfare and expanding local activities are to be met. The constitutions of many states call for definite periodic reviews of their charter of government. Some are mandatory every seven years, others every 20 years. Minnesota has no such provision in its constitution.

### HOW WORKABLE IS OUR AMENDING PROCESS?

As stated before Minnesota has a very difficult amending process since it requires a majority of those voting at an election to secure passage of an amendment. Frequently at an election those voting on an amendment has run under 75%. Consequently we in Minnesota find it difficult to add even worthwhile patches to our constitution when we are required to take into consideration all those who fail to mark their ballots calling for amendments. (A blank ballot has the effect of a "No" vote.) This difficult amending process has continued since 1898. As a result even for a popular change it is indeed difficult to secure approval.

### THE PROBLEM OF REAPPORTIONMENT

The question of reapportionment has received many a critical glance. Our present legislative districts were created in 1913. Since then there have been wide-spread shifts in population resulting in districts not being apportioned equally on a population basis as required under our state constitution. Possibly the population requirement should be reappraised as has been done in many states. Should it continue to represent the sole method or basis of legislative apportionment? It may be too rigid a method. We recognize that we have currently a flaunting of our constitutional population provision and notwithstanding the fact that our Minnesota constitution calls for revising legislative districts every 10 years, we note that our Legislature has ignored this provision for 30 years.

### OUR ELECTED OFFICIALS

Minnesota has more elected constitutional officers than most states. There is also a current trend toward longer terms for the governor who as chief executive is accountable for administration to the Legislature. This is also in line with recommendations of the Little Hoover Commission. The longer term prevails in 28 states. This four-year term might give to the chief executive two legislative sessions or adequate time to get his program adopted. The question of a governor choosing his own official family has been raised and it has been suggested that better team work might result if he were given the responsibility of selecting more of the constitutional officers, for example the secretary of state and the treasurer. The recommendation has been made that the auditor be selected by the Legislature.

### TIME LIMITATION OF LEGISLATIVE SESSIONS

Did you know that our present limitation to 90 days of lawmaking was not adopted until 1888? Our constitution originally allowed the Legislature to determine how long and how frequently it would meet. Legislative business has so increased and our financial problems have become so complex that this limitation of time is not geared to the needs of our state. Isn't it time now to eliminate that deplorable end of the session rush? Also the concentration on local matters has left our law-makers with only a small balance of their time for matters of state-wide significance. This concentration on matters wholly local is inevitable until constitutional provisions for home-rule charters are strengthened and made more

workable. Our constitution does not make broad enough provisions for home-rule for local units of government. Legislators can not be informed on the local problems of every village and city. Yet I assume that legislators act as wisely as could be expected on subjects very remote from their state-wide duties as lawmakers.

#### OUR TAX STRUCTURE

A constitution is an instrument of government and thus it should be only a framework, a plan for the organization of the various branches of government. It should be simple and adapted to a changing social, industrial and economic order. How does ours fit into that picture? Is our tax situation becoming a problem because of the inflexibility imposed by our constitution on the allocation of tax moneys? Do we use our tax revenue wisely with this imposed limitation on the uses of tax money? Since revenues from taxes are earmarked and since our financial needs are changing constantly the rigidity of the state constitution, for example, in regard to changing tax rates on railroads means that we are trying to meet twentieth century needs with an outdated method of financing. The fact that so many of the amendments proposed have dealt with our financial plight indicates that many citizens of Minnesota have been alerted to our basic problem of modernizing our financial structure.

Much research work has been done in the field of constitutional revision. The League has given first place to this item on its state agenda. We as League members have studied this subject and know that in many ways the Minnesota Constitution presents a real barrier to efficient state government.

#### Supplementary suggestions.

For further information on the historical background of the Minnesota Constitution, covering in detail the calling of the first constitutional convention, it is suggested that you refer to The Minnesota Voter, July-August 1955. Specific areas of constitutional revision which the League of Women Voters has studied are covered briefly in the May-June number.

If only two unit meetings are devoted to short five minute talks, one might cover the historical background and the amending problems arising from our present constitution. A second meeting might review the following: Fair apportionment, executive responsibility, tax problems, and legislative burdens due to inadequate home rule provisions in our constitution.

Florence Burton  
Municipal Fur



CASE FOR THE CONSTITUTIONAL CONVENTION

(Suggested Speech Time: 5 Minutes)

Our state constitution is 100 years old. This does not make it automatically "bad" but only suggests that a systematic review of its contents might be in order. Why? This is a part of "keeping up-to-date." We do not expect the farmer to produce, using a hand-made plow; we do not expect the manufacturer to produce, using outmoded machinery - yet, we seem to expect state government to produce, using a hundred-year old basic charter.

Two sections of the state constitution give us the responsibility and opportunity for this review, to see if our mid-19th century document meets the requirements of mid-20th century government. The first article in the Bill of Rights declares our right to change, alter, modify or reform our government. In another section, the machinery is spelled out for the holding of a constitutional convention. A constitutional convention assembled for the specific purpose of examining our constitution and changing it, where changes are necessary, gives us the systematic, orderly review we seek. The constitutional convention is not a new-fangled idea; it can first be found in American history in the Massachusetts constitutional convention of 1779. Since that time, some 200 constitutional conventions have been held in the 48 states. The idea of the citizen as constitution-maker is one of the most significant contributions of the American people to the democratic form of government. We must not let this idea lag as we have in Minnesota for nearly 100 years.

Many persons think of Minnesota's constitution as comparable to our federal constitution which has been changed only 22 times. History quickly tells us how far-fetched this comparison is. The Minnesota constitution was not written in an atmosphere of thoughtful deliberation. Instead, it was written in haste (in order to achieve statehood) by a convention, split in two by bitter partisan strife. A conference committee



of 10 men wrote our state constitution in 10 days. And then, two copies had to be made because the Republicans and Democrats would not sign the same document. There are over 300 differences in the two versions, and no one, even today, knows which is the correct one!

But that is past, and we are concerned with the present and the future. Why change Minnesota's constitution - why review it? It is hard to find anyone who has studied or worked closely with the constitution who does not agree that change is necessary. Not everyone agrees on all the same changes - but changes, lots of them, have been suggested. Our legislature can meet just 90 days every two years. Yet we expect it to raise and spend over 300 million dollars and give consideration to hundreds of bills which affect Minnesota citizens. We hold our chief executive, the governor, responsible for what is done during his term. Yet our state government, in reality, has six heads, all elected by the people -- Governor, Lieutenant Governor, Attorney General, Treasurer, Secretary of State and Auditor. Since they are all elected, they may have opposing beliefs, thus working at odds with each other. Our legislature should cut down on special legislation for local communities, and our local governments need broader provisions for adoption and amendment of their own charters. Minnesota needs a fair and enforceable apportionment of the legislature; a more workable method of amending our state constitution; an improved financial structure; and judicial reform. This is not the time to examine all the improvements which would occur to you and me but to suggest, "let's do it before it's too late!"

Perhaps the most compelling reason for constitutional review here and now is the one described in the report of President Eisenhower's Commission on Intergovernmental Relations:

"Early in its study, the Commission was confronted with the fact that many state constitutions restrict the scope, effectiveness, and adaptability of State and local action. These self-imposed

constitutional limitations make it difficult for many States to perform all the services their citizens require, and consequently have been the underlying cause of State and Municipal pleas for Federal assistance."

The report went on to say, "The Commission finds a very real and pressing need for States to improve their constitutions,"

The case for constitutional reform has solid support. The question remains one of method. Shall we do it by amendment or by convention? Amendments we have tried - we have patched and patched - some 80 times, but our difficult amending process defeats most amendments. Only a third of all amendments submitted to the voters in the last 58 years have been adopted. The L.W.V. believes a constitutional convention is the best method. It would consist of the same number of delegates as there are members of our House of Representatives. It would have the time required to consider thoughtfully all aspects of the constitution, as a whole. The document which it would write would be submitted to the people for their approval. It is the safe and sane method of revising the constitution. All we ask is - let the people say if they think it is the best way of doing the job.

The first step in the calling of a constitutional convention is for the legislature to pass a bill submitting the question of calling a constitutional convention to the people. Since 1949, the Minnesota Legislature has refused to pass this bill which would give us the right to answer this question. This is our right (as stated in Art. 1, Sec. 1 of our Constitution) - to determine the need for review of Minnesota's constitution. This decision will have a very direct effect on the future of our state.

If you think you and your friends and neighbors should have the right to vote on whether or not you want a constitutional convention called, tell your legislator. Minnesota's future is in your hands!

File  
cc

LEAGUE OF WOMEN VOTERS OF MINNESOTA

84 SOUTH TENTH STREET, ROOM 406  
MINNEAPOLIS 3, MINNESOTA  
Atlantic 0941

NEW ADDRESS: University of Minnesota, Room 115 TSMc, 15 Washington Ave. S.E., Mpls., 14.

February, 1956

To: Local League Presidents  
From: Mrs. Basil Young, President

CONSTITUTIONAL  
BOOKLETS

We are indeed sorry to report that these booklets are still not available, due to "circumstances beyond our control," -- a worn-out cliché I know, but I can think of no better way of expressing it, since it was never more true. You are entitled to hear the history of our dilemma:

Approximately eight months ago, shortly after the convention, the State Board discussed the type of further material on our state agenda, concluded there was a very definite need for a comprehensive book on constitutional revision, tying together all the history and facts we have been gathering together for the past eight years, for use as resource material in the League and out. We were aware that this was far too ambitious a program for our budget to handle and set about to find ways and means of financing it (within League prescribed underwriting limits of course). We approached several individuals and groups interested in publishing educational public-service material, and were assured by one of them that they would provide financing, as well as professional help on editing and format. However, we have just learned that, unfortunately, this assistance will not be forthcoming, as we had been led to believe, and we will need to start all over.

The material is completed; it is excellent; it is history; it is fact; it is a complete compilation of all we have learned, presented in a readable style. "It reads like a novel;" "Minnesota has long needed a book of this kind" are typical comments. It was written entirely by League members, who have worked hard and long on it. It consists of 173 double spaced 8 $\frac{1}{2}$  by 11 typewritten pages in six chapters.

We will continue our efforts to seek methods of publishing this material, both in its present form, and condensed into a popular tool for wide distribution, and would also welcome any suggestions you may have.

In view of the short time remaining in this season, the Board did not feel it advisable to spend the money on mimeographing it at this time, and would prefer to wait until all possibilities of printing had been explored.

In the meantime, we believe there is plenty of material on hand for use in unit discussions; if you wish to replenish your stock, kits are being made up in the office and can be purchased for 25¢.

NATIONAL  
CONVENTION

I cannot emphasize too strongly the advisability of sending delegates to national convention, particularly this year since it is so close. It is an experience that is well worth the time and expense involved, and I hope Minnesota's delegation is a large one. Enclosed you will find information on railroad accommodations from the Great Northern, Chicago & Northwestern, and Milwaukee Railroads. If you wish, the State Office will try to serve as a clearing house on delegates' travel plans, be it train, bus, or car.



The National Board is planning to base the exhibits this year on an All-States Fair idea, and the State Board has decided to purchase a booth for the purpose of depicting what Minnesota has done on promotion of its state program. Mrs. Grossman, our Public Relations Chairman, would like to have all Leagues let her know very soon what exhibits they can offer to the Minnesota display.

#### CHOOSING THE PRESIDENT, USA

Enclosed is material from Mrs. Roger Klein, Voters Service Chairman, on Minnesota's Role in Choosing the President of the U.S.

#### COUNCIL MEETING

The Second Biennial Council Meeting will be held at the Leamington Hotel, May 17 and 18th. The Edina League will serve as hostess. You will receive complete details in March.

The Board recommends no change or modification in the state agenda. If any League feels that modification is in order, please advise the Board before March 7th.

See By-Laws covering Council, Art. XI, Sec. 3 — "The Council is authorized to change the Current Agenda only in the event of an emergency; provided that notice of proposed modification of the program shall have been sent to the presidents of the local Leagues at least two months in advance of the meeting of the council..."

#### BILLBOARDS

The State Public Relations Committee has contacted the Northern State Outdoor Advertising Association which will publish an article in their Journal on the League's campaign to build public opinion for a Constitutional Convention. The purpose of the article is to pave the way for representatives of local Leagues to call on their local Outdoor Advertising Agency for free billboard space. We will let you know as soon as the article is published so you will know when it is time to go ahead with your plans.

#### ANNUAL REPORT

Enclosed are 2 copies of the Annual Report Form for your summary of your League work from April 1, 1955 to March 31, 1956. In order to compile all reports into a statewide report, we will need your reply by March 6th. This means that you will have to report your March work on the basis of plans, rather than accomplishments; but please be sure to have your reports cover the full twelve months. Will you send both reports (one can be a carbon) to state office?

Mrs. Schroeder, State Finance Chairman, says that she has received Final Fund Raising Reports from: Afton-Lakeland, Brainerd, Cass Lake, Deephaven, Falcon Heights, Golden Valley, Hibbing, Jackson, Mahtomedi, Minneapolis, Red Wing, Richfield, Rochester, St. Cloud, St. Paul, St. Louis Park, Waseca, Wayzata, White Bear Township. She would like all Leagues to send in this report, and to attach to it the results of supplementary fund raising projects (if any).

#### TALENT FILE

Enclosed, and self explanatory. (1 for every unit).

#### KNOW YOUR TOWN SURVEYS

Mrs. Humphries, Local Agenda Chairman on State Board, and Mrs. Hill, Publication Chairman, would appreciate it if local Leagues who have published surveys would inform the state office of the cold facts involved in the printing and distributing: type of job (printed or mimeographed, or what?), number of copies, how many ordered, how many distributed, for what price, (given away?), etc. And if you haven't done so, will you send a copy (or two or three) of your survey to the state office for our files and to help other Leagues. Perhaps by Council Meeting time we can get out a sheet of statistics to help local Publication Chairmen.

#### CIVIL SERVICE MATERIAL

Enclosed is the material on this Continuing Responsibility. The Report of the INTERIM COMMITTEE referred to in your material should be in your LL files (sent you Jan. '55). Also there are a dozen copies in the state office which may be borrowed on request.



CONTEST TIME

Enclosed is a sheet to be added to your DO IT YOURSELF KIT on Constitutional Convention, prepared by Mrs. Grossman and her tireless Public Relations Committee. I hope you will take her suggestions to your heart, and act upon them.

NATIONAL ITEM I

Please see National Board Report for January 1956 and note its emphasis on the new pamphlet "Cooperation or Confusion in World Trade." In addition you will find the following pamphlets helpful for a study of O.T.C. — "Trade Cooperation or Trade Warfare, the Choice Before Us", available from Committee for a National Trade Policy, 1025 Connecticut Ave. N.W., Washington 6, D.C. Single copies free. Additional copies 10¢ each; and "Organization for Trade Cooperation", Department of State Publication 6268. Available from Superintendent of Documents, U.S. Government Printing Office, Washington 25 D.C., 15¢ each.

ORGANIZATION PLANS  
FOR MRS. HORNER

Attached to the minutes are the tentative plans for Mrs. Horner's time with us in Minnesota. Will all Leagues in southern Minnesota save March 26, Monday, for a day long conference, probably in Owatonna? Will all Leagues in northern Minnesota save April 2, Monday, for a day long conference, probably in Brainerd? Will all Leagues in the metropolitan area of twin cities save April 9, Monday, for an all day conference in the twin cities? The emphasis in all conferences will be on membership, budget building, finance, local agenda, with attention in the metropolitan area conference on overlapping area problems.

The visits to individual Leagues are tentative suggestions and final arrangements will be made by letter with the local League president. We wish we could get Mrs. Horner to each and everyone of you, and hope that this schedule combined with her visits last fall will about accomplish that. If you presidents, upon reading this itinerary have some special wish for her in addition to our plans, will you let state office know right away, and we will see (not guarantee) what we can do about it.

ENCLOSURES

State Board Minutes  
Transportation Information  
Minnesota Chooses a President of USA  
Annual Report, 2 copies  
Talent File Sheet, 1 per unit  
Civil Service System, 1956  
Contest Time  
"Our Minnesota Constitution" - essay contest

# TRAIN SCHEDULES from MINNEAPOLIS to CHICAGO

Great Northern Railway - Leaves Great Northern Station, Minneapolis.  
Arrives Union Station, Chicago.  
All have Vista Domes, except The Black Hawk

	North Coast Ltd.	Empire Builder	Morning Zephyr	Afternoon Zephyr	Black Hawk
Lv. Mpls.	6:15 A.M.	6:30 A.M.	8:00 A.M.	4:00 P.M.	10:50 P.M.
Lv. St. Paul	7:00 A.M.	7:15 A.M.	8:25 A.M.	4:30 P.M.	11:45 P.M.
Arr. Chicago	1:45 P.M.	2:00 P.M.	2:40 P.M.	10:45 P.M.	7:55 A.M.
Lv. Chicago	11:30 A.M.	2:00 P.M.	8:45 A.M.	4:15 P.M.	11:10 P.M.
Arr. St. Paul	6:15 P.M.	8:40 P.M.	3:00 P.M.	10:30 P.M.	7:30 A.M.
Arr. Mpls.	7:05 P.M.	9:35 P.M.	3:30 P.M.	10:55 P.M.	8:20 A.M.

Chicago & Northwestern - Leaves Great Northern Station, Minneapolis.  
Arrives Chicago Northwestern Station, Chicago.

	The "400"	Northwest Limited
Lv. Mpls.	12:01 noon	11:00 P.M.
Lv. St. Paul	12:30 noon	11:40 P.M.
Arr. Chicago	7:00 P.M.	8:00 A.M.
Lv. Chicago	3:00 P.M.	11:00 P.M.
Arr. St. Paul	9:30 P.M.	7:40 A.M.
Arr. Mpls.	10:00 P.M.	8:15 A.M.

The Milwaukee Road - - - Leaves Milwaukee Station, Minneapolis.  
Arrives Union Station, Chicago.  
Has Super-Dome on all Trains.

	Morning Hiawatha	Afternoon Hiawatha	Olympian Train
Lv. Mpls.	7:50 A.M.	12:30 noon	6:20 A.M.
Lv. St. Paul	8:25 A.M.	1:00 P.M.	7:10 A.M.
Arr. Chicago	2:40 P.M.	7:15 P.M.	1:45 P.M.
Lv. Chicago	10:30 A.M.	1:00 P.M.	3:00 P.M.
Arr. St. Paul	6:05 P.M.	7:15 P.M.	9:15 P.M.
Arr. Mpls.	7:45 P.M.	7:45 P.M.	9:45 P.M.

TRAIN PRICES ON ALL TRAINS - all prices plus 10% tax  
(all accommodations not available on all trains, so check!)

Round Trip, first class . . . . .	\$23.75
Parlor car. . . . .	2.20
Lower berth . . . . .	5.00
Upper berth . . . . .	3.80
Duplex (1 person) . . . . .	5.55
Roomette (1 person) . . . . .	7.00
Duplex (1 person) . . . . .	8.00
Bedroom (1 person) . . . . .	9.50
Bedroom (2 persons) . . . . .	11.05

Concerning obsolete sections of the Constitution of Minnesota:

As one looks over the constitution of the state today, he is impressed by the fact that there are many provisions still printed in it which either are not being enforced, many of which in the nature of things simply cannot be enforced, or else are obsolete.....

(The Minnesota Constitution has been) frequently changed by amendment, but the fundamental provisions relating to organization of government and the rights of individuals have not been changed. Many provisions of this fundamental law are now obsolete or have ceased to have any real effect.....

William Anderson, Minnesota Law Review May 1921  
"The Constitution of Minnesota" (article)

Examples:

Article IV, Sec.26 "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 times, in such manner as may be provided by law."

This section has been of no effect since adoption of the 17th amendment to the federal constitution on May 31, 1913.

Article IV, Sec.20 ".....No bill shall be passed by either house until it shall have been previously read twice at length".

All important bills are now printed - reading is usually quite unnecessary, and indeed, considering the number of bills introduced and passed, it is quite impossible. (3,500 were introduced in the 1955 session). The system of reading the title and a bit of the first or last section is certainly an adequate compliance with the needs of the legislators, but it is not what the constitution requires.

Article VII, Sec.1 "Every male person of the age of 21 years or upwards .....shall be entitled to vote

Sec.3 "Women may vote for school officers, and members of library boards, and shall be eligible to hold any office pertaining to the management of schools or libraries....."

The word "male", in Sec.1, and all of Sec.3 became obsolete with adoption of the amendment to the federal constitution which granted woman suffrage in 1920 (Aug.27). In the 1955 Legislative Manual, these passages have been deleted. However, no amendment to the constitution or legislative decision has authorized these deletions. They have been made, as far as we can determine, by the Revisor of Statutes, acting on his own.

Article IX, Sec.5 "For the purpose of defraying extraordinary expenditures, the state may contract public debts, but such debts shall never in the aggregate exceed \$250,000....."

In 1955 our state debt amounted to about \$34 million. The constitutional debt limitation is unrealistic and obviously cannot be adhered to in modern times. William Anderson said in 1921 that it was unrealistic, especially since the decisions of the supreme court in cases involving the issue of certificates of indebtedness for the building of the capitol and prison, for



paying the 1919 soldier's bonus, etc. (Since that time many equally essential needs have had to be met by incurring additional debt).

Other pertinent facts:

There are two original copies of the constitution of Minnesota because the two bodies, Republican and Democratic, refused to sign the same document. In these two copies, there are approximately 300 differences in punctuation, 15 other discrepancies. One example:

Article IV, Sec.3 of the Republican version:

"Each house shall be the judge of the election returns and eligibility of its own members."

Democratic version:

"Each house shall be the judge of the elections, returns, and eligibility of its own members."

Total number of amendments to the Minnesota Constitution - 82

Article	Subject	No. of Amendments
I	Bill of Rights	5
IV	Legislative Dept.	14
V	Executive Dept.	5
VI	Judicial Dept.	8
VII	Elective Franchise	5
VIII	School Funds, Education and Science	11
IX	Finances of the State, Banks, Banking	21
X	Of Corporations Having no Banking Privileges	3
XIV	Amendments to the Constitution	2
XVI	Trunk Highway System	2 (involves 6 sec
XVII	Forest Fire Prevention	1 ( " 2 "
XVIII	Promoting Forestation and Reforestation	1 ( " 2 "
XIX	Air Navigation Facilities and Taxation	1 ( " 5 "
XX	Bonus for World War II Service	1 ( " 2 "
	One unnumbered section	1
Total		82



*File*

LEAGUE OF WOMEN VOTERS OF MINNESOTA  
University of Minnesota TSMc, 15th & Washington Ave. S.E., Minneapolis 14, Minnesota  
Price 3¢ Federal 8-8791 February, 1956

# CASE FOR THE CONSTITUTIONAL CONVENTION

(Suggested Speech Time: 5 Minutes)

Our state constitution is 100 years old. This does not make it automatically "bad" but only suggests that a systematic review of its contents might be in order. Why? This is a part of "keeping up-to-date." We do not expect the farmer to produce, using a hand-made plow; we do not expect the manufacturer to produce, using outmoded machinery - yet, we seem to expect state government to produce, using a hundred-year old basic charter.

Two sections of the state constitution give us the responsibility and opportunity for this review, to see if our mid-19th century document meets the requirements of mid-20th century government. The first article in the Bill of Rights declares our right to change, alter, modify or reform our government. In another section, the machinery is spelled out for the holding of a constitutional convention. A constitutional convention assembled for the specific purpose of examining our constitution and changing it, where changes are necessary, gives us the systematic, orderly review we seek. The constitutional convention is not a new-fangled idea; it can first be found in American history in the Massachusetts constitutional convention of 1779. Since that time, some 200 constitutional conventions have been held in the 48 states. The idea of the citizen as constitution-maker is one of the most significant contributions of the American people to the democratic form of government. We must not let this idea lag as we have in Minnesota for nearly 100 years.

Many persons think of Minnesota's constitution as comparable to our federal constitution which has been changed only 22 times. History quickly tells us how far-fetched this comparison is. The Minnesota constitution was not written in an atmosphere of thoughtful deliberation. Instead, it was written in haste (in order to achieve statehood) by a convention, split in two by bitter partisan strife. A conference committee

of 10 men wrote our state constitution in 10 days. And then, two copies had to be made because the Republicans and Democrats would not sign the same document. There are over 300 differences in the two versions, and no one, even today, knows which is the correct one!

But that is past, and we are concerned with the present and the future. Why change Minnesota's constitution - why review it? It is hard to find anyone who has studied or worked closely with the constitution who does not agree that change is necessary. Not everyone agrees on all the same changes - but changes, lots of them, have been suggested. Our legislature can meet just 90 days every two years. Yet we expect it to raise and spend over 300 million dollars and give consideration to hundreds of bills which affect Minnesota citizens. We hold our chief executive, the governor, responsible for what is done during his term. Yet our state government, in reality, has six heads, all elected by the people -- Governor, Lieutenant Governor, Attorney General, Treasurer, Secretary of State and Auditor. Since they are all elected, they may have opposing beliefs, thus working at odds with each other. Our legislature should cut down on special legislation for local communities, and our local governments need broader provisions for adoption and amendment of their own charters. Minnesota needs a fair and enforceable apportionment of the legislature; a more workable method of amending our state constitution; an improved financial structure; and judicial reform. This is not the time to examine all the improvements which would occur to you and me but to suggest, "let's do it before it's too late!"

Perhaps the most compelling reason for constitutional review here and now is the one described in the report of President Eisenhower's Commission on Intergovernmental Relations:

"Early in its study, the Commission was confronted with the fact that many state constitutions restrict the scope, effectiveness, and adaptability of State and local action. These self-imposed

constitutional limitations make it difficult for many States to perform all the services their citizens require, and consequently have been the underlying cause of State and Municipal pleas for Federal assistance."

The report went on to say, "The Commission finds a very real and pressing need for States to improve their constitutions."

The case for constitutional reform has solid support. The question remains one of method. Shall we do it by amendment or by convention? Amendments we have tried - we have patched and patched - some 80 times, but our difficult amending process defeats most amendments. Only a third of all amendments submitted to the voters in the last 58 years have been adopted. The L.W.V. believes a constitutional convention is the best method. It would consist of the same number of delegates as there are members of our House of Representatives. It would have the time required to consider thoughtfully all aspects of the constitution, as a whole. The document which it would write would be submitted to the people for their approval. It is the safe and sane method of revising the constitution. All we ask is - let the people say if they think it is the best way of doing the job.

The first step in the calling of a constitutional convention is for the legislature to pass a bill submitting the question of calling a constitutional convention to the people. Since 1949, the Minnesota Legislature has refused to pass this bill which would give us the right to answer this question. This is our right (as stated in Art. 1, Sec. 1 of our Constitution) - to determine the need for review of Minnesota's constitution. This decision will have a very direct effect on the future of our state.

If you think you and your friends and neighbors should have the right to vote on whether or not you want a constitutional convention called, tell your legislator. Minnesota's future is in your hands!



cc

LEAGUE OF WOMEN VOTERS OF MINNESOTA

University of Minnesota TSMc, 15th and Washington Ave. S.E., Minneapolis 14, Minnesota  
Federal 8-8791 February, 1956

# "OUR MINNESOTA CONSTITUTION"

The League of Women Voters of Minnesota is sponsoring an ESSAY CONTEST in order to encourage students at the high school level to acquaint themselves with the MINNESOTA CONSTITUTION.

1ST PRIZE	- 30 VOLUME SET of ENCYCLOPEDIA AMERICANA, new 1955 edition. Approved by: Subscription Books Committee, American Library Association. Used by: United States Government Agencies, Leading Universities, Schools Libraries, and Industrialists throughout America.
2ND PRIZE	AND.....A DAY AT THE LEGISLATURE - A \$25 OXFORD DICTIONARY
3RD and 4TH PRIZES	AND.....A DAY AT THE LEGISLATURE - A DAY AT THE LEGISLATURE This all-expense paid, personally conducted visit to the 1957 Minnesota legislature is offered to ALL WINNERS!

## SUGGESTED TOPICS

1. Should There Be a Convention to Revise Minnesota's Constitution?

Reasons for or against revision. Suggested methods of revision. Advantages of the amendment process and of the convention process. Experience in other states. The right of the people to decide the method.

2. Minnesota's Only Constitutional Convention.

Its historical background. What were the peculiar circumstances of the convention? Do any present-day problems stem from this haste and confusion?

3. How Minnesota's Constitution Compares with the Federal Constitution.

Compare the two constitutions as to length of time in writing, ratifying and discussing the provisions. How do the documents compare in length, clarity, frequency of amendments and practical enforcement?

4. Amending the Minnesota Constitution.

History of and changes in amending process. Number and subjects of amendments. What does an amendment cost? Is extensive revision by amendment practical?

5. The Changes I would make in the State Constitution.

If a constitutional convention were called and you were a delegate, what revisions would you suggest? Why?

Suggested Bibliography: Report of Constitutional Commission of Minnesota, 1947; Constitution of Minnesota, Legislative Manual (available from your legislator); A History of the Constitution of Minnesota, Anderson and Lobb, University of Minnesota Press, 1921 -- ask at your library for these. A 25¢ Packet of League Material - available from your local League, or LWV of Minnesota, address above.

## CONTEST RULES

1. The contest opens March 19 and will close at 12 noon April 30. All papers must be in the office of the League of Women Voters of Minnesota (address above) by the closing date in order to be considered or judged for the awards.
2. Only Minnesota high school students (grade 9 to 12 inclusive) will be eligible to enter the contest.
3. The completed essay is not to exceed 1,500 words. Use one side of the paper, write legibly, or if possible, typewrite with double spacing.
4. The full name of the contestant, grade, age, address, telephone number, name of high school, county, city or town must be written on upper left hand corner of each page.
5. No papers will be returned and the decision of the judges will be final.

# MINNESOTA'S FUTURE IS IN YOUR HANDS

CC

LEAGUE OF WOMEN VOTERS OF MINNESOTA

84 SOUTH TENTH STREET, ROOM 406

MINNEAPOLIS 3, MINNESOTA

Atlantic 0941

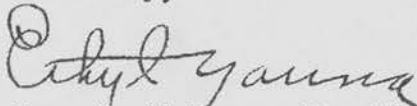
February 14, 1956

Dear Superintendent:

The League of Women Voters of Minnesota is sponsoring an essay contest to encourage students at the high school level (grades 9 through 12) to acquaint themselves with the Constitution of Minnesota. The contest opens March 19 and will close April 30. Since the school curriculum suggested by the State Department of Education contains a study of the state constitution in the section entitled "Participation in State Government," we hope you will use this contest to stimulate student interest in this subject.

Please forward the enclosed contest information to your teachers and students. Additional copies of Contest rules are available on request. Will you let us know the approximate number of contest entrants?

Sincerely,



Mrs. Basil Young, President

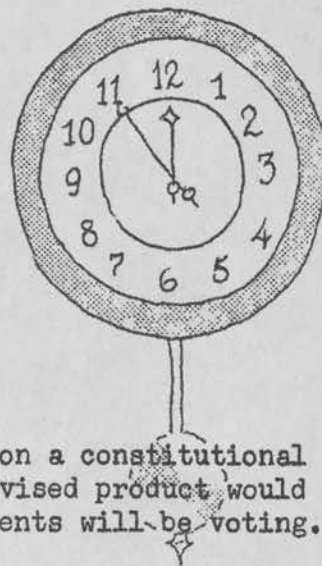
C. C. C.

LEAGUE OF WOMEN VOTERS OF MINNESOTA

University of Minnesota, 15th and Washington Ave. S.E., 115 TSMc, Minneapolis 14, Minn.  
Price 2¢ Federal 8-8791 February, 1956

# CONTEST TIME —

(You may insert this sheet in your Do It Yourself Kit for Constitutional Convention with other Contest Information)



## HIGH SCHOOL ESSAY CONTEST

It's Later Than You Think --

If the 1957 legislature passes a bill permitting a vote on a constitutional convention, and all proceeds smoothly thereafter, the revised product would be done in 1962. By then, most present high school students will be voting.

Our Time Is Your Time --

The state Public Relations Committee has been working Overtime.

We have discussed the contest with the Assistant Commissioner of Education, and have sent an announcement of the contest to Dean Schweickhard for publication in his newsletter.

We have notified all school superintendents in the state and have sent them a copy of the contest rules.

We have also notified the heads of all private and parochial high schools.

We will, in March, send a news release to all papers in the state through our regular Minnesota Editorial Association (MEA) mailing.

We will notify the Minnesota Journal of Education and the Minnesota Council of Social Studies.

No Time Like The Present --

You can check with your local board of education to see whether further clearing is necessary in your community.

You can follow the necessary steps to publicize the contest in the schools, such as sending an item to the official school bulletin and school newspaper.

You can notify principals and social studies teachers, in person, if possible. You will be interested, as we were, to note that study of our State Constitution is recommended for all ninth graders in the state this spring by the Guide for Instruction in the Social Studies, published by the State of Minnesota Department of Education.

You can work through your PTA's.

You can see that copies of the rules and prizes are posted in the Young People's Reading Room of your public library, or that copies are left at the



circulation desk for interested people. Additional copies of the rules and prizes offered are available on request from the LWV of Minnesota.

You can persuade your local League members to talk up the contest in their neighborhoods.

You can see that notices are posted on church school bulletin boards. They should be sent to the YMCA's and YWCA's and to all organizations in your community that might publicize the contest in any way.

You can see your local newspaper editor. Ask him to print the MEA release in his paper. Perhaps he will include the copy of the contest rules and prizes which you will give to him (attached). If you have laid the ground work before the contest, you may have a story to give him on some student who is entering the contest. Before Easter, the newspapers are usually more bulky, and therefore may have room for a picture of a student, surrounded by materials he uses for his essay.

#### The Eleventh Hour --

A week or so before the contest closing date (April 30) ask newspaper to print a few lines notifying contestants of deadline and adding any news on contest in your community.

#### Time On Your Hands ??????

If you are near a community where there is no League, follow above suggestions for that community, too.

#### Telling Time --

Please inform the state Public Relations Chairman about progress you are making, and ask for any help you need.

## INTER-LEAGUE CONTEST

#### Three Quarter Time --

We hope you have put in Time and a Half in building public opinion in your community for the calling of a Constitutional Convention. Perhaps you will be the League that Waltzes away with the wonderful prize to be awarded at Council Meeting.

To the winner -- the League with the most ideas, the most successful community project, and the best performance record -- will go a beautiful metal PORTABLE FILE.

#### It's Tee-off Time!

F3 D 2 A 1

# LEAGUE OF WOMEN VOTERS OF MINNEAPOLIS

84 South Tenth Street, Room 407, Minneapolis 3, Minnesota

Telephone: Atlantic 6319

April 25, 1956

Mrs. Basil Young, President  
League of Women Voters of Minnesota  
117 West Howard St.  
Hibbing, Minn.

Dear Mrs. Young:

Mrs. Jensen, Mrs. Duncan, and Miss Salisbury had a conversation last week at the state office during which a number of things were discussed, among them what seems to the State Board as our lack of attention to state program. For clarification on several points, I would like to pursue some of them a bit further.

As Mrs. Grossman no doubt has reported to you, at the last two Unit Chairmen's meetings she gave suggestions from the state public relations and legislation committees in regard to promoting constitutional revision. At her first visit, because we were also covering state continuing responsibilities, there was no time for questions from the chairmen. The suggestions which came out of the second meeting were typed and sent to Miss Burton, Miss Turnham, and Mrs. Bruce (our state legislative, voters service, and public relations chairmen).

We are glad to have the "tag" idea and feel that it is a new approach to promote constitutional revision. New material is what we have wanted and needed. Miss Burton is now busy contacting the units which indicated interest in working on this idea. We consider the response very good. In talking with Miss Burton, she says she is planning at this time to use 10,000 tags.

There were those in the units, however, who did not believe that "gimmicks" were the complete answer to educating the voters to constitutional revision. Mrs. Grossman seemed to stress the idea that we promote a new constitution by comparing "the old" and "the new" .... style shows depicting the costumes of earlier days along with the simplicity of the new .... the old car as compared with the efficiency of the new, etc. Mrs. Richter, a unit chairman, noted that this was actually our weakest sales talk. She pointed out that compared to our federal constitution our state one isn't old. "Are we in favor of changing the federal constitution simply because it, too, is old?"

Mrs. Miller, also a unit chairman, said that she was of the opinion that business men were not impressed with gimmicks and ballyhoo but would prefer a serious piece of literature with reasons why we feel Minnesota needs a new constitution.

Maybe the ideas of Mrs. Evenson, Mrs. Indcke, et al, including new babies (I'm not clear on this one), calypso music, fashion shows, parades, etc., might possibly be of some worth in certain areas, but it is likely that in Minneapolis we should concentrate our woman power and time on such ideas as tags, radio, and distribution of new material as the state prepares it.

Mrs. Young - 2

All in all, the purpose of the meeting with the unit chairman was to get their ideas, stimulate interest, and quite generally get it all talked over. Miss Burton was ill and was sorry that she could not attend, but I have talked to her at length about the suggestions made and she is considering them all and will present further plans at the May board meeting.

You probably already know from minutes of our board meetings and from the League-O-Gram that seven of our KUOM radio programs for this year are on state program, five of these on constitutional revision. Mrs. Balcom, our television chairman, has told me and the board that on September 27 she offered to meet with people in this area to discuss possible television programs on constitutional revision. We understood that Mrs. Grossman was to set up this meeting, but nothing developed on it. Mrs. Balcom was of the opinion, and said so at that time, that there is only so much available TV time and it should have been asked for during the fall or early winter months so as not to jeopardize our chances for time for candidates' interviews prior to elections.

During the year Miss Burton and her committee have made a number of speeches on the subject of constitutional revision and have encouraged it as a topic whenever the League was asked for a speaker. Right now she is trying to line up League members to talk to their legislators about wearing tags May 25.

For the benefit of the units and to create conversation and interest, we sent each unit a "Do It Yourself" kit.

I knew you would be interested in being brought up to date with what the Minneapolis League is doing and planning on the state item. We will be eager to hear about the booklet which has been mentioned to us. And speaking of booklets, I am sure you are rejoicing with us in the tremendous response we have had in the sale of "Minneapolis Is Your Business" .... it has been a big job .... and kept many League women busy.

I look forward to seeing you at the convention and the state council meeting. Mrs. Edgar Kuderling is to be our state resource person next year and will be one of our council delegates.

Cordially,

*Marguerite King*  
Mrs. Frederick E. King  
President

MK:j

cc:  
Mrs. Duncan  
Mrs. Chesley  
Mrs. Grossman  
Miss Salisbury  
Mrs. Guthrie  
State office



Memo: to Ethyl Young, Alene Grossman, Doris Guthrie, and Office  
From: Jean Chesley, State Constitutional Revision Chairman

Interpretation of Article IV, Sec.3 of the Minnesota Constitution as it relates to the LWV study of the constitution and legislative support of constitutional revision:

Excerpts from the "Report of the Minnesota Tax Study Commission", pp. 49 and 50, Dec. 1954

The Minnesota Statutes provide for the imposition of special taxes on certain types of business. Most of these taxes are in lieu of other forms of taxation.....

Probably the most generally known special tax is the 5% levy on the gross earnings of the railroads. This tax relieves the railroads of all other Minnesota taxes except special assessments, and ad valorem taxes on property not used for railroad purposes, and income tax on income derived from non-railroad property.

Many citizens are of the opinion that there is a provision in the Minnesota constitution for the imposition of this form of gross earnings tax on the railroads, but such is not the case. The early legislatures, including the territorial legislatures, in granting the charters for all railroads organized in Minnesota, required provision for this form of taxation and, by legislative act, it was later extended to all railroads operating in this state. The rate of the tax is fixed by the legislature, but, under a constitutional provision, before any change in the rate can become effective it must be approved by a majority of the voters at the next state election.....

Very few states employ the gross earnings method in taxing any of the railroads and Minnesota is the only state that provides for the exclusive use of this tax in lieu of all other taxes on the railroads (except the income tax and special assessments, as noted earlier). All state and local taxes paid by the class one railroads in the U.S. last year were equal to 3.36% of their gross earnings, as compared with 5% in Minnesota. However, in fairness, it should be pointed out that in periods of economic depression, such as 1932, the decline in gross earnings lowers the total tax to be paid to a greater extent than would be true if the railroads were taxed on an ad valorem basis.

The economics of the transportation industry must be considered in judging the desirability of increasing the rate of the gross earnings tax on the railroads. Except possibly during World War II, the railroads for a long period of years have not earned what could truly be called a fair return on their invested capital. The Interstate Commerce Commission fixes the rates charged for transportation services on a regional basis so that higher taxes imposed by any one state cannot be passed on in higher rates to the users of the services rendered in that state. The application of a tax on gross earnings of the railroads tends to increase the revenue from that tax as the cost of performing the service, and consequently the rates charged, automatically rise. This factor, together with increased use of railroad services, has increased the revenue produced by the gross earnings tax on the railroads in Minnesota from \$5,578,474 in fiscal 1940 to an all-time record of \$14,080,047 in fiscal 1954. The decline in iron ore shipments during the calendar year 1954 will reduce the yield of this tax in the current fiscal year.

cont. "Report of the Minnesota Tax Study Commission":

If a tax structure is to be fair and equitable, it should impose comparable taxes on competing forms of business. The railroads are now subject to rather intense competition from trucks, buses, barges, and airplanes. This Commission has not been supplied with any data which satisfactorily demonstrate that these competing forms of transportation are paying for all costs of the services they render, including the provision of public facilities, and, in addition, paying for the support of general government in Minnesota to an extent comparable to the proceeds of the gross earnings tax on the railroads."

Commenting on the above findings, supplemented by additional research and experience gained while lobbying for the LWV, Mrs. Ralph Norgaard, 1954-55 Constitutional Revision chairman of LWV, has observed:

"The railroads are so traditional in policy that they defeat their own ends. They do not re-examine their policies periodically, as great and growing corporations do. They are entrenched and fear any change in the status quo. Their agents fight everything automatically, and often senselessly. I don't believe that the majority of members of the various Boards of Directors of the railroads have any faintest knowledge of why their roads contribute at every legislative session to the fund that Mr. Mike Galvin spends so generously to prevent a constitutional convention. Mr. Galvin has collected the kitty and spent it for around 30 years, because he was active in the anti-convention movement while he was still in the legislature and before he became counsel for the Great Northern. It has been Mr. Galvin's bread and butter and now it's going to be Gordon Forbes'. All they really know is that if there were a convention, Sec.3 of Art.IV would surely go and one of their main activities would go with it. That Sec.3 of Art.IV prevents the legislature from truly equalizing railroad taxes with other taxes and thereby costs the railroads money, doesn't mean a thing to them."

*Apr 1956 - Jean Chesley*



League of Women Voters of Minnesota, Washington and 15th Ave. S.E., Minneapolis 14, Minn  
FEderal 8-8791  
Minn #7-5/56 3¢

Press Release from Governor Orville L. Freeman re his Speech  
At the Biennial Council Meeting  
LEAGUE OF WOMEN VOTERS OF MINNESOTA  
Leamington Hotel, Minneapolis  
May 17, 1956

"How the State Constitution Hampers State Government"

Governor Orville L. Freeman, Thursday, gave full support to the Minnesota League of Women Voters to unite the people of Minnesota behind efforts to secure the revision of our state constitution. Freeman spoke in Minneapolis to delegates from the 53 Minnesota League Chapters to the State League's Biennial Council.

"The League of Women Voters is performing another valuable service in the interest of good government in Minnesota by taking the lead in the campaign for constitutional revision," the Governor said.

"Certainly the time for a convention to revise our constitution is at hand. Both political parties are on record favoring such a convention. Citizens organized to promote good government support it. Both major labor organizations favor it. And in November, 1954 the people of Minnesota asserted their support when they passed the amendment designed to facilitate holding such a convention."

"With such substantial support, the defeat in 1955 in the State Senate of a bill to provide for a convention was a serious failure to recognize the will of the voters, and a set-back to our efforts to achieve better government," the Governor charged. "I have heard no argument against constitutional revision that seems to me to have any validity. The opposition's claim that the people could not be trusted to have a part in framing their basic law is a denial of the principle of democracy that is unworthy of men elected to represent a free people."

Freeman attributed difficulties in the way of constitutional revision to two major factors: - (1) opposition by small minority forces that have vested interests in certain existing provisions of the constitution that they fear might be changed; and (2) public apathy and lack of understanding of the inadequacies of our century-old constitution and of the gains that could be made through revision.

Governor Freeman summarized the ways in which the Minnesota Constitution falls short of our standards under 2 classifications:

- 1- "It fails in many respects to provide the framework and the rules under which government can do its best, - in economy, efficiency, and effective service of the people."
2. "It fails to do as much as it could to insure the maintenance and extension of the principles and ideals of American democracy."

Among the many defects which hamper good state government, Freeman referred to:

-the timing which requires the Governor to submit a legislative program only a few days after he takes office, - and to submit a budget within a few weeks.

"I learned by experience that for a newly-elected Governor to do the work required, and give serious consideration to the issues involved, in



the preparation and presentation of a budget, - and to do this in the limited time provided - is a tremendous task. No person can fulfill this responsibility as well in a few weeks as he could if he had more time."

- the 90 day limitation on legislative sessions.

"Government was much simpler a century ago when this limitation was fixed. Much is lost in good legislation, many errors due to haste and confusion, result."

- the 2-year terms of office for Governor is too short.

"I have sought to enlist the help of qualified persons on committees studying basic problems before the people and our government. I hope to base constructive recommendations on the results of their study. This is only one example of how the brevity of a 2-year term handicaps careful study and planning."

- provisions which restrict lawmakers in framing the best possible fiscal policy.

"The constitutional protection of the railroads gross-earnings tax (requiring a vote of the people for any change) does not exist in any other state, and is entirely out of place today."

- rigidity and inflexibility resulting from the difficulty of amendment and from the great number of detailed non-constitutional matters that are specified in our constitution.

"Amendments that receive the overwhelming support of those who care enough to vote for them can fail simply because of the numbers of people who voted in the election who failed to vote on the amendment.

"Such items as the exact routing of a trunk highway system should be up to the legislature and not a part of the constitution."

"Perhaps of greater long-run importance to a free people is the extent to which their constitution lays the basis for the preservation and extension of democratic principles and ideals. In this standard our state constitution falls short in several respects:

1. Respect for law and its enforcement constitute a basic American principle. Yet in our basic law - the constitution - many provisions are ignored or circumvented. Some, such as the provision that women can vote only in school elections, and that the legislature should elect the Senators, have been superseded by amendments to the Federal constitution. Some, such as the debt limit of \$250,000, are totally obsolete and are circumvented by interpretation that under certain circumstances a debt is not a debt. Some, such as the provision that half the senators should be elected at each biennial election, and the requirement for reapportionment every 10 years, are simply ignored. Certainly when officials themselves either cannot or will not observe provisions of our basic law, we are to that extent failing to carry out this principle.

2. Local self-government is another basic American principle seriously hampered by our constitution. Our municipalities should have more responsibility and authority; both in the interest of the principle of home rule, and in the interest of greater citizen participation; - as well as to eliminate the evils of special legislation on a state level.

Centralization of governmental power is feared by many. Yet generally the only time a larger governmental unit takes over a function of a smaller unit is when the

latter fails to carry out its responsibility. If we want to keep government close to the people, we must make sure that local governments have more responsibility and authority.

3. The basic principle of democracy - equality of representation - is not insured by our constitution. A sound reapportionment provision should be made automatic and mandatory. When we fail to give each citizen an equal voice in his government we are denying the equality on which our government is based.

"The League of Women Voters has done more for constitutional revision than any other group," Governor Freeman stated, "and I wish you every success. Political leaders should exert greater effort to secure revision. It is not enough for such leaders to say that 'when the people want change enough, they will get it.' It is rather the responsibility of leadership to take to the people the facts, and to help bring about the understanding, to which the people are entitled."

"Let only those who are willing to drive in a horse and buggy say of our constitution that what was good enough for my ancestors is good enough for me," Freeman declared. "Let only those who are willing to be counted as denying democracy say that the people cannot be trusted to consider the basic law under which they shall live. Let us face the great changes of the present and the great promise of the future with a constitution geared to the needs of modern government, designed to meet effectively the needs of the people of Minnesota."

Minnesota Citizens Constitutional Committee  
Issued by League of Women Voters of Minnesota  
15th and Washington Aves. S.E., Mpls. 14  
at the request of the Committee

1956? 722  
MCC  
Release:  
Tuesday, May 22, and  
thereafter

Committee Organized Statewide, Plans Action

The Minnesota Citizens Constitutional Committee set up last October has now been organized statewide with a board of directors composed of two members from each Congressional district in Minnesota and several directors at-large, besides the officers. The Committee already had included representatives of both political parties and of widely diversified citizen interests.

Action announced by the new board will be "to disseminate information about the Minnesota Constitution and the need for constitutional revision, and to support legislation submitting to the people of Minnesota the question of calling a constitutional convention to revise the constitution." The board emphasized the belief of the Committee that "the Minnesota Constitution can and must now be improved to achieve economical, efficient and responsible representative state government."

Directors, by Congressional districts, are:

District 1 - Mrs. Malcolm Hargraves, Rochester;; Albert Marshall, Red Wing.  
District 2 - Mrs. Robert B. Ridder, 1744 Dodd road, St. Paul; one vacancy to be filled. District 3 - Kingsley Holman, 9622 Lyndale Avenue S., Bloomington, and John Mooty, 6013 Ewing Avenue S., Edina. District 4 - Mrs. Roger B. Shepard, Jr., 952 Summit Avenue, St. Paul; Roger B. Page, 1535 Branston Street, St. Paul.  
District 5 - Miss Celia Logan, 611 E. Sixteenth Street, Minneapolis; P. Kenneth Peterson, 2617 W. Twenty-eighth Street, Minneapolis. District 6 - O. J. Jerde, St. Cloud; William B. Pearson, Ogilvie. District 7 - John A. Lundquist, Willmar; Mrs. Reuben Brustuen, Appleton. District 8 - Emil Erickson, Virginia; Mrs. C.L. Edson, 2121 Vermillion Road, Duluth. District 9 - Mrs. Floyd McDunn, Pelican Rapids; Joseph Kise, Moorhead.

At Large - Miss Florine LeClair, 1005 Portland Avenue, Minneapolis; Mrs. Ellis Peilen, 2901 Ewing Avenue S., Minneapolis; James Olson, 5641 First Avenue S., Minneapolis; Miss Joyce Voeks, 2014 Second Avenue S., Minneapolis; Mrs. Ralph Norgaard, 3049 E. Calhoun Boulevard, Minneapolis; Miss Barbara Stuhler, 134 Warwick Street, S.E., Minneapolis; two vacancies to be filled.

An additional vice chairmanship and the post of assistant treasurer have been created. Two resignations have been received. Named to these four vacant offices are Mr. Page and Mr. Jerde, vice chairmen; Miss Logan, treasurer; Mr. Olson, assistant treasurer.



Presented by Senator Elmer L. Andersen at the  
BIENNIAL COUNCIL MEETING  
LEAGUE OF WOMEN VOTERS OF MINNESOTA  
Leamington Hotel, Minneapolis  
May 18, 1956

"How The State Constitution Hampers the Legislature"

When a constitutional convention is held in Minnesota, to revise our Constitution, a great deal of credit for that development will be due the League of Women Voters of Minnesota. No other organization in the state has considered the issues so carefully, carried on public education so consistently, and worked so effectively toward public consciousness of improvements in our government that can come from constitutional revision. Fundamental governmental changes do not come easily nor frequently, and I believe we would agree that it is best that they don't. In this case it seems there is an undue delay in achieving the advantages that would come from constitutional revision by convention and some may get discouraged at the relatively slow progress. My appeal to the League of Women Voters would be that you keep this important item on your agenda, that you recognize that any failure, any set-back is simply a part of the educational process and that only by consistent effort over a long time can accomplishment be achieved.

As a background for remarks on how the state constitution hampers the legislature, I would first like to refer to a comment of W. Brook Graves, Senior Specialist in American Government in the Legislative Reference Service of the Library of Congress. He said: "One's estimate of the urgency of the need for constitutional revision depends, it may be supposed, upon one's view of the importance of the states in the American system of government. If he believes that the states are of small concern and that the federal government ought to do everything, then of course, revision of the state constitutions is unnecessary. The longer some of them remain in their present form, the easier it will be to further undermine the powers of the states in question, and the more difficult it will be for them to function effectively in a modern world. If, on the other hand, one believes that the states have a job to do and that they ought to do it, then revision of the constitutions of many states becomes not only highly desirable but urgently necessary."

It is my conviction that Minnesota government would be improved if a constitutional convention were to be called, obsolete material removed from the constitution, the document shortened and simplified to a statement of principles, a framework of government, a delegation of power. My observation would indicate that substantial improvements could be made in the executive branch of the government, in the legislative and in the judicial. This would lead to the state more easily meeting its responsibilities and retarding the demands for centralization of government, authority and responsibility at the federal level. I am more interested in state responsibility than I am in state's rights. For too long state's rights seemed to mean the right of a state to keep a problem at home and do nothing about it. To perform the functions of state government we need effective governmental procedures. These we lack at the present time.

As further background, we should understand, of course, that the problem is not peculiar to Minnesota. In a recent analysis by the National Municipal League, some observations were made on state constitutions in general. It is interesting to note how applicable they are to our own situation. The National Municipal League listed several fatal weaknesses common to most state constitutions today:

1. A disintegrated executive branch unable to provide responsible administration.
2. Complicated court systems manned by judges elected or appointed on terms which militate against the independence of traditional Anglo Saxon justice and against the efficiency and administration required for the satisfactory performance of modern judicial business.
3. Bicameral legislatures almost impervious to reapportionment to meet shifts in population.
4. Limitations on legislative power which have so hog tied state governments that the people are forced to turn to Washington for prompt and effective action on matters which should be handled locally.
5. Detailed provisions concerning county and other local governments which have seriously impeded the modern movement for home rule.
6. Inclusion in state constitutions of a mass of statutory detail which results in the entrenchment of more and more vested interests and a blurring of the distinction between constitutional and statute law which has confused the public and stymied healthy progress in law and government.
7. A long and indigestible ballot for the election of numerous state, county and local officers including judges which gives the voter an impossible and therefore disheartening task. This is a principal cause of public apathy.
8. Fantastic provisions for amendment and revision which in some cases have practically deprived the people of access to their basic law.

The National Municipal League goes on: "This is an appalling indictment." One might reasonably ask, "How has our system survived?" The answer, already given, is that it could not have survived except by virtue of the federal government and at the expense of an unhealthy tendency to rely more and more upon Washington to compensate for failures at the State Capitol and City Hall.

Every one of the generalized indictments of state constitutions over the nation have application to the state of Minnesota and its constitution. Now we will turn to some of the specific provisions in our present constitution which hamper our state legislature.

The legislative department of our state government is provided for in Article IV of our constitution. Section 1, of 36 sections, provides for the length of the session and for the time of meeting. We have a constitutional limitation of 90 days on our legislative session. There is simply no way to extend the length of the session without constitutional revision. Thus we have become calloused to the disappointing procedure of stopping the clock, or covering the clock to use up the time provided for the Governor to sign bills which leads to rushing measures to him at the very last moment. If 90 days is an adequate length of session now, it certainly was excessive 100 years ago. What is nearer to the truth, is that a 90 day session is simply too short a time to accomplish the immense burden of work that faces each legislative session. One solution would be to provide the legislature with authority to extend its own session by joint resolution, another would be to simply provide for a longer session, another would be to remove the limitation on the session. In proposing constitutional revision by convention it is not necessary to suggest nor



argue for a particular solution. The issue is simply, are the needs for revision so general and fundamental that a convention should be called to work out the solution.

In fact the issue is much simpler than that. Right now, it is simply the issue of whether or not the people should have an opportunity to vote on the question of whether or not they want a convention called.

As you have in mind, the procedure is that the legislature passes a resolution by a two-thirds vote submitting the question to the people. If a majority of the people indicate that they wish a constitutional convention to be called then it becomes the duty of the legislature to set up the mechanics. Delegates to the constitutional convention would be elected from each of the present House legislative districts. In other words there would be 131 delegates to the constitutional convention - they would meet, organize, deliberate, draft a revised constitution and submit it back to the people for their approval at a regular election. Under the amendment adopted in 1954 it would require a 60% vote of those voting on the question to approve the new constitution.

So we come back to the consideration, that a provision of the constitution that is a fundamental handicap to the legislature is the rigid and arbitrary time limit on the duration of the session.

Another serious restriction on the legislature is the provision for biennial sessions only. It is becoming increasingly clear that particularly on matters relating to taxes and appropriations that meeting but once every two years is not often enough. Next winter we will be meeting in session to appropriate money for the period July 1, 1957 to June 30, 1959. It is simply impossible to know what cost levels are going to be during that entire time, and to appropriate money judiciously. The state of Minnesota buys huge amounts of many kinds of materials and services. Either we will appropriate too much or too little. If there could be an annual session, with the additional session possibly being limited to fiscal matters, we could do a more effective job. Furthermore the financial task of scrutinizing all the budgets and making appropriations, considering all the possible revenue sources and adjusting them equitably, would be divided between two years rather than piled up at one session every other year. At least, it seems a constitutional convention could well give serious consideration to changes from the present situation which is a serious restriction on effective work of the legislature.

Section 2 and 23 of Article IV provide for the apportionment of the first legislature and the reapportionment thereafter. Almost everyone in the state knows that our state legislature has not been reapportioned for over 40 years. We believe in representative government and it is of course basic to representative government that there be equitable representation. Constitutional revision by the convention method has been impeded by concern in some parts of the state that reapportionment on a strict population basis would result in concentration of control of the legislature by representatives from the three heavily populated counties of Ramsey, Hennepin and St. Louis. There can well be valid questions and objections to reapportionment of both houses on a strict population basis. The founders of our federal framework of government recognize the possible inequities in a strict population representation in both houses of the Congress and provided for one, as we well know, to be on population and the other on a state basis, two Senators from each state. It is very possible that a constitutional convention could work out some such method of representation in our state legislature.



Here again, it is not necessary to further a particular plan of reapportionment, it is simply sufficient to point out the absolute necessity that some consideration be given to reapportionment.

Not only is our present procedure unrepresentative, but it is immoral in that we are flagrantly and deliberately disobeying the state constitution. It provides for reapportionment after each decennial census. At a time when we, as a nation, have world leadership thrust upon us, at a time when it is so necessary to inculcate respect for our way of life in our young people, it seems to me most unfortunate that we should be in the position of having a state constitution that we either cannot obey or will not obey. There is a moral issue involved in the matter of reapportionment that to me is of primary importance.

It should be pointed out to those who fear what a constitutional convention would do about reapportionment, that the delegates to that constitutional convention would come from the 131 present house districts. Thus there could be adequate consideration for the interest of all groups in the state with no possibility of the heavily populated counties insisting upon what, to others, might seem an inequitable reapportionment.

Section 9 of Article IV contains restrictions that are not generally known and that I believe are obsolete and unnecessary. They are restrictions on members of the legislature holding other office. One restriction prohibits any member of the legislature serving in an office, the emoluments of which have been changed by the legislature, for one year after the end of his legislative term. As an example of the workings of this restriction last session the legislature adjusted its own compensation which automatically changed the compensation of the Lieutenant Governor. As a result no member of the House can run for Lieutenant Governor at this year's election. The effect on the Senate is more extended, our terms do not expire until the end of 1958 so no member of the Senate can run for Lieutenant Governor until 1960. This would seem to be an unwarranted restriction on using members of the legislature for other positions in state government, and the people of the state benefiting by their experience as state legislators.

The second restriction, prohibits any member of the legislature serving in any other office during the term for which he is elected. In other words, even if he were to resign from the legislature he would still not be eligible for any other office. Thus, state senators elected for a four year term are not available to seek any other elective position during the middle of their four year term, even if they are prepared to resign. This also seems to be an unwarranted and harsh restriction.

It might be recalled, that originally the legislature was small and it might be possible for a member to maneuver the salary of some position to a point that would set it up for him, so to speak. Also, in the early days our state legislature selected United States Senators and it might have been possible for a legislator to seek to be chosen United States Senator and the restrictions were put in to obviate that possibility. They do not seem to serve a useful purpose any longer but are restrictions on recruiting experienced and competent public servants to other positions.

One of the most serious defects in our state constitution as affecting the legislature, relates to home rule of cities, other municipalities and counties. The constitution clearly provides that there shall be no special legislation. Yet the constitution is weak in setting up sufficient authority for home rule. Thus we have developed the situation of have innumerable bills every session, skillfully

drafted to pretend to be general bills, but so worded that they apply to only one county, only one school district, or whatever the sub-division of government the bill seeks to reach. These bills get very little scrutiny by all the members of the legislature, they are passed by common consent as a courtesy to the representative of the particular district involved. This is not always good legislation, it is in direct violation of the intent of the constitution, and hampers the work of the legislature by clogging the agenda with many such measures.

This is a complicated and difficult situation to meet and one that could best be considered by a constitutional convention deliberately analyzing the present provisions of the constitution, why they have failed, considering what other states have done to develop more effective home rule provisions, and carefully draft a revised provision in this field.

Section 10 of Article IV relating to the legislature provides that revenue bills shall originate in the lower house of the legislature. This of course is a direct descendant of provisions in the English Parliament. Probably it is necessary there because the lower house is elected by the people and the upper house, of course, can not be reached by the voting citizens. No such situation prevails in Minnesota yet we have this archaic restriction that revenue bills must originate in the House of Representatives. This puts the Senate in a position of only being able to consider the proposals that come over from the House. The result of this situation is that the House bills go into conference and instead of revenue bills having the consideration and deliberation of the entire Senate they are placed in the hands of five Senate conferees who represent or have the power of representing the entire Senate in conference where the final bill is put together. It is true that the results of the conference come before the Senate for their approval but by the time they do it is so late in the session that members of the Senate frequently have no opportunity to see a copy of the revenue measure, have no time at all to study it, and simply vote blindly to approve the conference report as by that time the only solution of the revenue problem. This is clearly an intolerable situation.

Another restriction on the legislature by the constitution, in the area of fiscal affairs, relates to the dedication of funds. First of all, differentiation should be made between trust funds and dedicated revenue funds. The trust funds were set up and implemented over the years to protect for future generations some benefit from revenues derived from the depletion of natural resources or the sale of public lands. I believe that was a sound principle when originated and I believe it is still a sound principle and should not be changed.

However, because of dedicated revenue funds the legislature finds itself in control of only about 28% of the state's revenues the balance being dedicated to specific purposes. This of course is restrictive and hampering. I believe that a constitutional convention could give consideration to this whole question to review the advantages of dedication, and there are some, but also to review the disadvantages. I have not been willing to go along with the undedication of school funds while permitting the dedication of funds for the benefit of highways, and game and fish. I would surely be willing to review the whole subject of dedicated funds if they could all be considered at one time. The only way that that can be done in a realistic, practical and deliberative way would be in a constitutional convention. There is no question, by any student of the situation, that the present fiscal restrictions in our constitution hamper the work of the legislature. Therefore, there should be no question but that those provisions in the constitution should be reviewed for possible change.



Section 32 of Article IV relates to railroad taxation and provides a constitutional protection for taxation of railroad property that is unique to our state, and unique in our own state to this industry. It would take a constitutional amendment to change our method of taxing railroad property and furthermore it would take a referendum of the change to the people. This seems unjustified at the present time and an unwarranted restriction upon the legislature in considering equitable taxation for the railroad industry.

There are a number of other provisions in the article relating to the legislature that actually do not hamper the work of the legislature but are obsolete provisions that tend to clutter up the constitution and confuse the people. For example, Section 28 of Article IV provides that the legislature shall not grant divorces. What a weird provision to have in the constitution considering present day practice. The fact is, however, that in the earliest days of our government, during territorial days, only the territorial assembly could grant a divorce. So, in drafting the constitution it was considered necessary to put this section in to indicate the change in policy. It serves no further purpose. Section 26 provides for the legislature's selection of United States Senators, which of course has long since been changed by federal enactment. Section 24 provides for staggered terms by state Senators, which might be a good idea, but it isn't being followed at the present time and is confusing to any student of our state constitution. One could go on with many more of the 36 sections that serve no further purpose.

You will recall, of course, the origin of our constitution in the original convention that was split and held two separate conventions and how finally a conference committee of five from each of the conventions had to put a constitution together so that Minnesota could become a state. Recognizing that some hasty work was done in the convention clear provision was made in it for calling a constitutional convention for its reconsideration. As is fundamental in our national government so in our state government the power rests in the people. At least, that was the intention. The constitution provides that the legislature, when it felt it necessary, could submit the question of calling a constitutional convention to the people. If the people vote their approval then the convention would be held. I have come to feel, in the face of the obvious need for revision, that it is absolutely untenable for the legislature to refuse to let the people have an opportunity to vote on whether or not they want a constitutional convention. We have just reviewed some of the restrictions in the constitution as relating to the proper functioning of the legislature. Even in this branch of the government it would seem to me that the evidence is overwhelming as favoring the need for revision. You have heard the Governor discuss the difficulties the executive branch has because of the obsolescence and strange provisions in our state constitution.

Surely the time has come when the people should be given an opportunity to vote on it. It seemed to me that their adoption of the amendment in 1954 was something of a mandate to the legislature that the revision procedure should be continued. To me it is incumbent upon the 1957 session of the legislature to pass the resolution that will present the question to the people. There is no justification for further delay. The procedure will be very deliberate in organizing and carrying on the work of the constitutional convention and the people will have an opportunity to approve or reject the work of that constitutional convention.

Again may I say that I congratulate the Minnesota League of Women Voters on the fine work you are doing. I recognize that most of what I have said today is simply a review of facts that are well known to you. I hope it serves some purpose in reaching a larger audience to awaken the general public to the opportunities that are ours if we will but use them. The next legislature will vote to submit the question to the people if enough people indicate their interest at election time and during the session of the legislature.



LEAGUE OF WOMEN VOTERS OF MINNESOTA

84 SOUTH TENTH STREET, ROOM 406

MINNEAPOLIS 3, MINNESOTA

Atlantic 0941

NEW ADDRESS: Washington and 15th Ave., S.E.  
Minneapolis 14, Minnesota

May 23, 1956

Dear Legislator:

Governor Freeman has declared May 25 Minnesota Constitution Day.

Just 100 years ago Territorial Governor Gorman signed into law a bill to call a Constitutional Convention. This is the only Convention we have ever had in Minnesota.

These first framers of our government provided that the people of Minnesota should have the power through their legislature to call a Constitutional Convention whenever they felt the need. One hundred years later, there is that need.

The tremendous growth in government services and in population has resulted in the state government becoming one of the largest spending operations in the state. We feel it is time for us to examine our fundamental instrument of government with the idea that a simple, flexible and timeless constitution might be the answer to meeting more adequately the present needs of the people.

The League of Women Voters of Minnesota is therefore working for revision of our state constitution through the convention method.

In recognition of Minnesota Constitution Day, we are sending you a small "Price Tag" which we are distributing all over the state to sell the people on the idea that they deserve a better constitution. These tags also have state-wide coverage through the media of radio, television programs and newspaper releases.

From time to time we will send you further material that you might find useful in promoting the convention method of constitutional revision in your district.

We hope you will wear your "Price Tag" on Constitution Day, and help publicize the need for community understanding of our basic law.

Sincerely,

*Basil Young*

Mrs. Basil Young  
President

*D. Guthrie*

Mrs. Donald Guthrie  
Legislative Chairman

## GOOD BUY!

**Item:** A NEW STATE CONSTITUTION

**Style:** contemporary — tailored to a growing Minnesota by a convention of the people

**Price:** less than the cost of ONE regular legislative session

**Size:** adjustable and flexible for years of use

### Improved features should:

- give Minnesota citizens more for their taxes
- give both executive and legislative branches power equal to their responsibility
- organize judicial branch more efficiently
- give counties, towns, and cities more self-government
- enforce reapportionment

(OVER)



## TRADE IN

Minnesota's outmoded 1857 Constitution

- hastily written by 10 men in 10 days
- patched by amendment 80 times
- wasteful and inefficient

for a new and improved model, revised  
by convention

For more information, call your local

League of Women Voters

or

League of Women Voters  
of Minnesota

University of Minnesota

15th and Washington Avenue S. E.

Minneapolis 14, + Minnesota

FE. 8-8791

(OVER)





STATE OF MINNESOTA

EXECUTIVE OFFICE

SAINT PAUL

ORVILLE L. FREEMAN  
GOVERNOR

May 25, 1956

Mrs. Harold Wilson  
Executive Secretary  
League of Women Voters of Minnesota  
University of Minnesota  
Minneapolis 14, Minnesota

Dear Grace:

I am enclosing copies of the two columns  
of Governor Freeman's report to the  
people dealing with constitutional revision.  
One is for this week, the other (the rough  
copy) is for next.

Good luck in the campaign for a convention.

Sincerely,

Dorothy H. Jacobson  
Administrative Assistant

DHJ:mh  
Enc.

REPORT TO THE PEOPLE  
by  
GOVERNOR ORVILLE L. FREEMAN

May 25th has been designated Minnesota Constitution Day. The Minnesota League of Women Voters and other groups interested in good government are making an especial effort to bring to the attention of the people of our state certain basic facts about our state constitution.

### Nearly a Century

Our Minnesota state constitution is nearly a hundred years old. It was framed during the heated days that just preceded the civil war. Two conventions went to work to draft a constitution, each claiming to be the proper, official body. But when they learned that their disagreement might result in a failure in the attempt to secure Minnesota's admission as a state, - something they both wanted, - they decided to compromise.

Each convention selected a committee of five. The ten men worked together, for about ten days, and composed the draft that became our constitution. Each convention, then, separately adopted a copy of that draft, -- so that regardless of which one might be the officially proper body, the constitution and statehood would be secure.

### Changes Since 1857

Many state constitutions provide for an automatic consideration, every 10 or 20 years, of whether the constitution should be revised. Ours contain no such provision. It has been amended 79 times, but even with these amendments it has failed to keep up with the rapidly changing needs of modern society.

Now so many parts of it have become obsolete, contradictory, and inadequate to meet government needs, that most of those who have studied it believe it needs a complete revision that can be secured best by a constitutional convention. Both political parties are agreed on this need.

Such a revision would, of course, keep our great bill of rights, and the basic provisions for sound, democratic government. But it could eliminate those defects which seriously hamper our government today.

### Constitutional Commission

In 1947 the legislature provided for a Constitutional Commission to study and make recommendations. After comprehensive and serious study, this Commission recommended a revised constitution which was incorporated in its report. Its recommendations included many necessary and important changes. But the report was pigeonholed.

### The People Vote in 1954

In the 1954 election the voters were given an opportunity to express their opinion by voting on an amendment which makes it easier to have a constitutional convention, and which provides that a constitution so drafted should later be submitted to the people. When the people accepted this amendment in 1954 it indicated that they believed a constitutional convention would be a good thing.

### Defeat by State Senate

But the state senate, in 1955, defeated a bill which would have allowed the people to vote directly on whether to have such a constitutional convention. This was a serious set-back to progress toward better government. The defeat was apparently brought about by pressure from a few small minorities who have vested interests under the present constitution which they fear they might lose, and by a conviction expressed by some members that the people cannot be trusted to consider the basic law under which they shall live.

### Public Understanding

Public opinion was apparently not sufficiently aroused on this issue to overcome the pressure of such minority interests, and such undemocratic opinions. The need for better public understanding is the reason why the League of Women Voters is leading its campaign for constitutional revision. In this the League is adding another valuable public service to the many it has already performed.

I believe that it is a part of my responsibility as governor to do my best to help to give such information to the people; and I hope to present more in a subsequent column. Meanwhile, in considering the question, let only those who are willing to drive in a horse and buggy say of our constitution that "what was good enough for my ancestors is good enough for me"; and let only those who admit denying the principle of democracy say that people cannot be trusted to consider the basic law of our state.



REPORT TO THE PEOPLE  
by  
GOVERNOR ORVILLE L. FREEMAN

## Obsolete Provisions

Respect for Law

## Effective Government Handicapped

# Principles of Democracy

## Local Self-Government

## Equal Voting Rights

## Lagging Behind

As we try to put our state in the lead, and direct our efforts toward building for Minnesota a great future, let us give our government the kind of basic rules of operation that will enable it to contribute most effectively toward that goal.



*Summer 1956*

LEAGUE OF WOMEN VOTERS OF MINNESOTA  
University of Minnesota, (TSMC), 15th & Washington Avenue S.E., Minneapolis 14, Minn.  
Federal 8-8791

#### INFORMATIONAL CAMPAIGN FOR LEGISLATORS

Between now and January is the best time to get to know your legislator and to lobby in person. As a lobbyist you render a service to legislators. You supply him with needed information and you let him know his constituents' opinion. At the same time you put the League on record in hopes of influencing the legislator's vote and you make friends for the League.

Your contacts with legislators may be as varied as your League wishes to make them. You may send letters, make personal calls, invite him to your meeting to tell you how other people in the community feel about constitutional revision. Below are some suggestions for these contacts.

#### Pre-Primary Contact

##### Send a

1. A friendly letter to incumbent legislators.
  2. Congratulatory letter to new candidates on filing. Try to get a letter off to each candidate as soon as possible after the filings close on July 23.
- For both types of letters see samples attached. Please personalize these letters according to your local situation.

##### Offer material

After the primary, the state office is mailing directly to all senators and representative candidates this kit of materials:

The State You're In (May, 1956)

Kit on Continuing Responsibilities

##### Suggest a personal interview

Give him additional information on constitutional revision. Do not ask him to take a stand on constitutional revision at this time. Assume that when he knows all the facts he naturally will be for it.

# SENATORS VOTE ON CONSTITUTIONAL CONVENTION BILL 1955

We suggest that the Leagues with "no" votes give special attention to promoting a Constitutional Convention in their district and to influencing their senators' vote. We suggest that the Leagues with "yes" votes congratulate their senators and ask that they help create understanding of this important issue in their community.

Where there is more than one League in a district, we suggest that the Leagues get together and try a joint promotional project in their district.

## Constitutional Convention Bill

Senate votes: 40 no 27 yes

27 no votes in districts where we have Leagues.

13 no votes in districts where we do not have a League.

18 yes votes in districts where we have a League.

9 yes votes in districts where we do not have a League.

NO		YES	
4	Rochester	16	New Richland
5	Austin		Owatonna
	Kasson		Waseca
7	Wells	20	South St. Paul
10	Jackson		West St. Paul
11	Worthington	22	Hutchinson
13	Granite Falls	23	Olivia
	Tracy	28	Minneapolis
14	New Ulm	29	" "
17	New Prague	32	" "
19	Red Wing	35	" "
24	Granite Falls	37	St. Paul
27	Buffalo	40	" "
30	Minneapolis	41	" "
31	" "		North St. Paul
33	" "		White Bear Township
34	" "	42	St. Paul
36	Bloomington		Arden Hills
	Deephaven		Falcon Heights
	Edina		Roseville
	Excelsior	43	Afton-Lakeland
	Hopkins		Birchwood
	Mound		Mahtomedi
	Richfield	44	Anoka
	St. Louis Park		Circle Pines
	Wayzata		Columbia Heights
	Golden Valley	50	Battle Lake
38	St. Paul		Fergus Falls
39	" "	60	Hibbing
45	St. Cloud	61	Virginia
47	Alexandria	63	Park Rapids
49	Moorhead		
52	Cass Lake		
53	Brainerd		
57	Duluth		
58	" "		
59	" "		
62	Bemidji		

SAMPLE LETTER TO SENATORS

(The state senators serve until 1958. They will not run for re-election this fall.)

Dear Senator \_\_\_\_\_:

We take this opportunity to tell you that the League of Women Voters of Minnesota supports the following program:

Revision of the State Constitution of the State of Minnesota

We feel this can be best accomplished by the calling of a Constitutional Convention.

Reapportionment

Fair Employment Practices Commission

Party Designation for Legislators

Civil Service System

Since these are all important issues in Minnesota government, our state office will mail you information on them. We hope it will be of value to you.

(for proponents)

We are very pleased that you voted for the Constitutional Convention Bill last legislative session. We hope you will do so again. We also invite you to join us in our campaign to secure better understanding of this issue in our community.

(for opponents)

We know that in the past you have had reservations concerning constitutional revision; however, we are hopeful that in the last two years you have found some merit in this proposal.

Sincerely,



SAMPLE LETTER TO BE SENT TO ALL NEW CANDIDATES FILING FOR THE HOUSE OF REPRESENTATIVES

Dear Mr. \_\_\_\_\_:

Congratulations on your filing for the office of representative from the \_\_\_\_\_ legislative district. We need qualified citizens in public office and we appreciate the sacrifices in time, effort and money you will make during your campaign.

We take this opportunity to tell you that the League of Women Voters of Minnesota supports the following program:

Revision of the Constitution of the State of Minnesota

We feel this can be best accomplished by the calling of a Constitutional Convention.

Reapportionment

Fair Employment Practices Commission

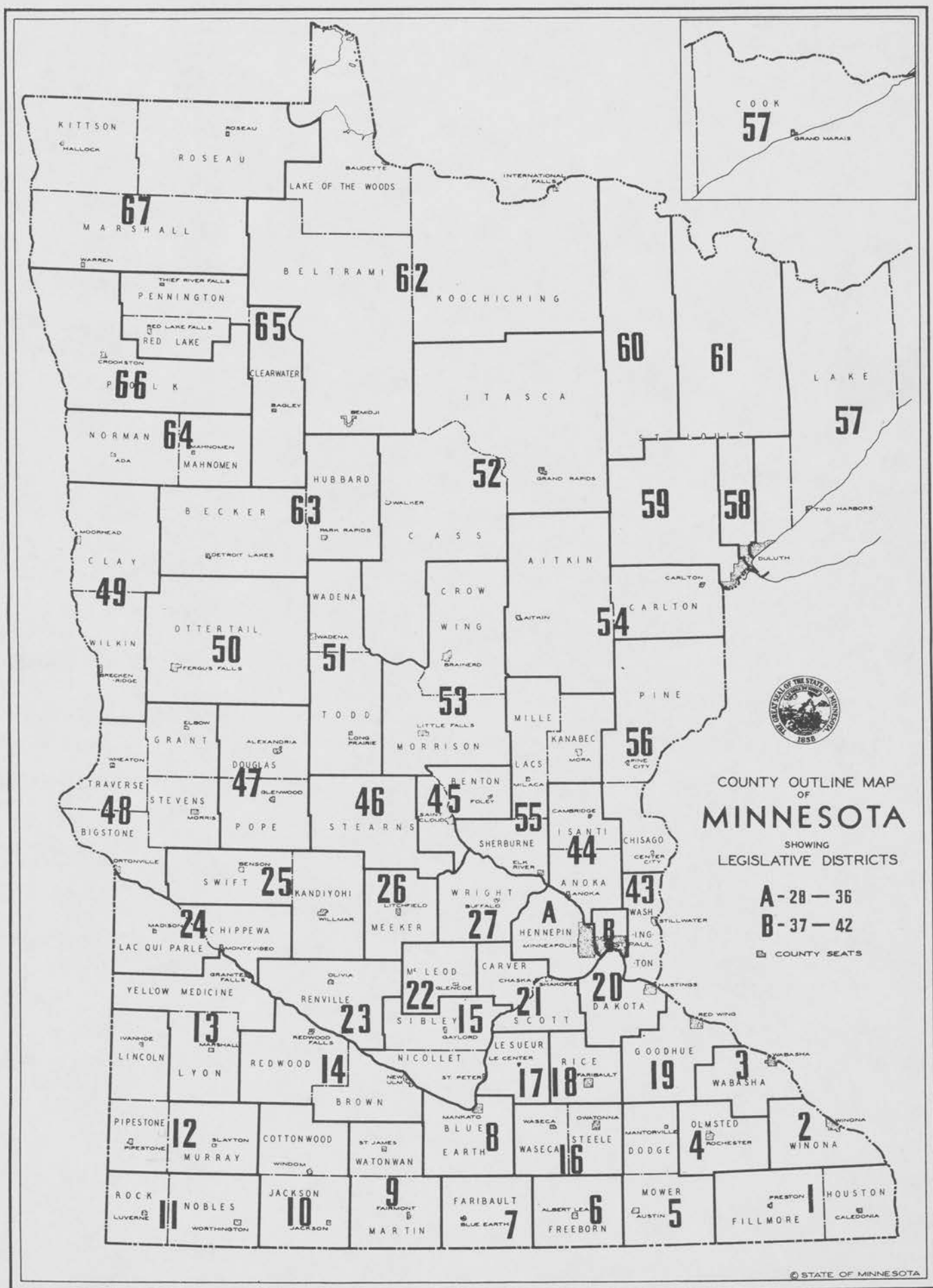
Party Designation for Legislators

Civil Service System

Since these are all important issues in Minnesota government, we offer you informational material on them. We hope it will be of value to you.

Sincerely,

(The letter to incumbent legislators can be the same, except for the last paragraph. You can also say that material on these issues will be mailed to them by the state office.)



## LEGISLATIVE AND CONGRESSIONAL DISTRICTS OF LOCAL LEAGUES IN MINNESOTA

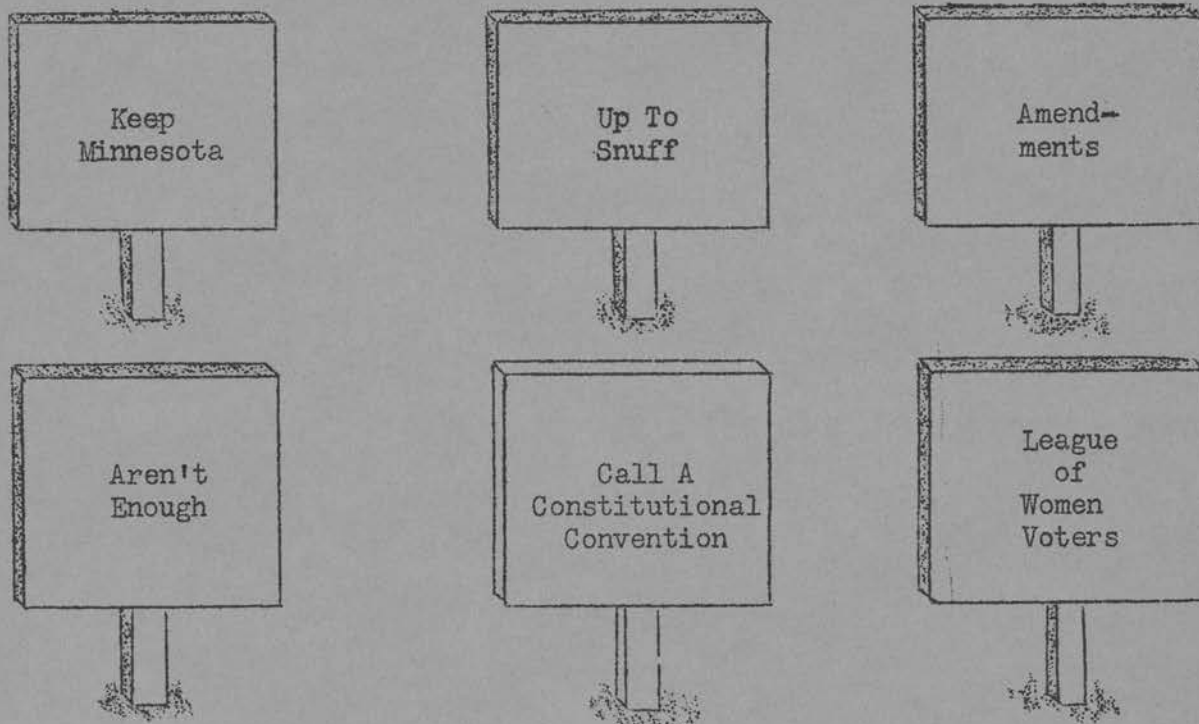
LEGISLATIVE		CONGRESSIONAL	
4	Rochester	I	Austin
5	Austin		Kasson
	Kasson		New Richland
7	Wells		Owatonna
10	Jackson		Red Wing
11	Worthington		Rochester
13	Granite Falls		Waseca
	Tracy	II	Hutchinson
14	New Ulm		Jackson
16	New Richland		New Prague
	Owatonna		New Ulm
	Waseca		South St. Paul
17	New Prague		Wells
19	Red Wing		West St. Paul*
20	South St. Paul	III	Afton-Lakeland
20	West St. Paul		Anoka
22	Hutchinson		Birchwood
23	Olivia		Bloomington
24	Granite Falls		Circle Pines
27	Buffalo		Columbia Heights
28-35	Minneapolis		Deephaven
36S	Bloomington		Edina
	Deephaven		Excelsior
	Edina		Golden Valley
	Excelsior		Hopkins
	Hopkins		Mahtomedi
	Mound		Minneapolis
	Richfield		Mound
	St. Louis Park		Richfield
	Wayzata		St. Louis Park
36N	Golden Valley		Wayzata
37-42	St. Paul	IV	Arden Hills
41	North St. Paul		Falcon Heights
	White Bear Township		North St. Paul
42N	Arden Hills		Roseville
	Falcon Heights		St. Paul
	Roseville		White Bear Township
43	Afton-Lakeland	V	Minneapolis
	Birchwood	VI	Brainerd
	Mahtomedi		Buffalo
44	Anoka		Cass Lake
	Circle Pines		Park Rapids
	Columbia Heights		St. Cloud
45	St. Cloud	VII	Alexandria
47	Alexandria		Granite Falls
49	Moorhead		Olivia
50	Battle Lake		Tracy
	Fergus Falls		Worthington
52	Cass Lake	VIII	Duluth
53	Brainerd		Hibbing
57-59	Duluth		Virginia*
60	Hibbing	IX	Battle Lake
61	Virginia		Bemidji
62	Bemidji		Fergus Falls
63	Park Rapids		Moorhead

(23 Legis. Dist. with no Leagues - 1,2,3,6,8,9,12,15,18,21,25,26,46,48,49,51,54,55,56, 64,65,66,67.

There are 54 local and provisional Leagues in Minnesota with 5100 members. \*Provisional



Stole 5  
F2D4B5-  
JUN 28 1956



Memo to: Local League Presidents  
From: Mrs. Gordon Grunditz  
Re: "Burma Shave" type signs on Constitutional Convention.

We need more orders for "Burma Shave" type signs advertising constitutional convention, and feel that only if we have coverage over most of the state will this type of display be effective. Would you again consider the possibility of using the signs in your community and let us know what you decide? The signs will be available for delivery around July 10.

The cost for each set of six signs is \$3.30, not \$2.64 as we hoped (see President letter of May 31). They are made of masonite board and are twelve by eighteen inches. Each League is furnishing its own mountings, and we have found that old lumber can be purchased at lumber companies for a minimum amount.

The slogan to be used on the signs is being reviewed by an advertising company, and we hope it will be satisfactory to all. Each League is assuming responsibility for getting permission from its local government for placement of the signs, and we have found excellent acceptance.

We appreciate your cooperation and hope you will see your way clear to ordering the signs.

*Separate  
file*

STATE BOARD REPORT

LEAGUE OF WOMEN VOTERS OF MINNESOTA

July, 1956

Guide for Local Board Planning

This State Board Report contains a broad general outline of the work program foreseen by the state Board of the League of Women Voters of Minnesota. It covers suggestions for work on the Current Agenda and Continuing Responsibilities as well as suggestions in other fields of League work. It includes a Planning Calendar for listing certain important dates, publications, and local League activities. It leaves space for you to fill in your specific plans for work on all three levels of League work. We have listed the publications on national Current Agenda as scheduled in the May, 1955 National Board Report. Consult the National Board Report for more detailed information on the national Current Agenda, Continuing Responsibilities, national publication dates and bibliographies. Your local by-laws will provide you with the information you need to make plans for your own local Board responsibilities.

We recommend that you order sufficient copies of this Report for each of your Board members, and that the following material also be included in the Board member's file:

- National Board Report dated May, 1956
- Local League Handbook
- National, State, and Local Current Agenda and Continuing Responsibilities
- National, State, and Local By-laws
- National, State, and Local Budgets
- National and State Publications List

As far as we can see at this time, the material listed will be available at the time set in the calendar. However, emergencies may arise, and you will be notified of any delay as soon as possible.

We hope that this Report will help in your planning for the year ahead, and that it will serve to help you coordinate your activities on the local, state, and national programs.



## OUTLOOK FOR WORK

### CONSTITUTIONAL REVISION

Will the 1957 legislature pass a constitutional convention bill?

The answer to this question may well depend on what 5,000 members of the League of Women Voters do in the next few months. Constitutional revision must have top priority on all League fronts: member education, community education, legislative effort.

#### Publications

1. New unit study material is ready for early fall use. The State You're In is interesting, informative, and concise beyond anything you've had. Every member should read and digest it - thoroughly. Your library, school, community leaders should have or read it. (A longer version is also available on a lending basis for your state agenda resource committee.)

2. Shortly available - and really so special it deserves an unveiling - a professionally written, very attractive, short, dramatic, popular story of Minnesota's Constitution: Well, What D'You Know - Minnesota Has A Constitution. Flood your communities with it.

3. Now in preparation are: (a) a brochure which will attract support of the business community; (b) a September-October Voter article answering the chief arguments we are encountering, with special emphasis on why amendments won't do; (c) local stories about the part your county played in the convention of 1857 (we hope your local paper will run these on October 13 - the day the constitution was ratified).

#### Building Public Opinion

Let's begin, not with the intricacies of our constitutional needs, but by repeating and repeating these simple facts:

- .In America, the citizen is constitution-maker. Whether we need a new constitution and what it should contain is a citizen job, not a legislative one.
- .We are living up to full responsibilities as citizens only when we know what our constitution is like and what improvements it needs.
- .Getting a new constitution is a long process. At present, we are asking our legislators to start the ball rolling by passing a bill in 1957 that will let us decide in 1958 whether or not we want a convention to consider a new constitution.
- .Our present constitution was framed in such haste, bitter partisan feeling, legal irregularity, and fraud that we cannot be proud of how it was produced nor what it contains.

How will you inform your communities? Here are some ways; you'll think of others.

- .By circulating copies of The State You're In and the popular tool as described above.
- .By talking to everyone you meet, from the milkman to Aunt Florabelle.
- .By speeches, speeches, speeches. Contact (now) every club in your area asking for 10 minutes or so. (We'll send you a basic talk with color and interest for fall use.)
- .By newspaper articles.
- .By radio talks. (We have one script and will have others.)
- .By a booth at your county fair.
- .By using the ingenious devices Public Relations has prepared for you: price tags, road signs, and broadsides.
- .By writing letters to the Twin City papers (from outstate - please - they mean so much more).
- .By working with organizations represented on the Minnesota Citizens Constitutional Committee.

## Legislative Effort

Success in this final phase will depend on how well the above steps are carried out. As to lobbying, remember!  
You can best lobby your legislators at home, now, when he has time to read and listen.  
During the session the best lobbying is done not by League lobbyists at the Capitol, but by letters and visits from constituents. This means you and the people you are now contacting.

What better present for Minnesota's hundredth birthday than a Constitutional Convention bill?

## OUTLOOK FOR WORK

### CONTINUING RESPONSIBILITIES

The outlook for successful legislation on the continuing responsibilities is more encouraging because we gather a "little more support" each session. Progress is steady but slow.

The most common complaint that we hear at the legislature is "nobody but the League wants this". The groups who are protected by status quo legislation are always on hand to protect themselves but we have often failed to get support from other groups and other citizens. All too often only the League is on hand to speak for the public. Other citizen interest must be felt by the legislator.

Reapportionment Passage by the House of the Bergerud Bill marks the first time in 42 years that a reapportionment measure has passed either house of the legislature. The League of Women Voters deserves much of the credit for the progress made.

We are quite certain that the Bergerud Bill will be introduced again next session and in substantially the same form. We hope that local Leagues through their contacts with their state senators can gain understanding and support for reapportionment in that body of the legislature. Legislators are showing signs of realizing that they must come to grips with this important problem that they have long ignored. The League will support an area-population compromise such as the Bergerud Bill again this session. We feel it will be acceptable to the majority of Minnesotans.

## Party Designation for Legislators

The idea that a candidate is more responsive to the people if he upholds the promises of his political party is becoming more prevalent. The success of party designation for legislators will depend mostly on support from the political parties themselves, but League people can accomplish much by providing party leaders with information on this issue.

## The Fair Employment Practices Commission

The Fair Employment Practices Commission began functioning September 20, 1955. Since that time only six complaints have been submitted. Employers complied with the commission's orders in two cases. Two others were dismissed. The fifth faces possible hearing. The sixth is still being investigated. All of these cases involve the Twin Cities suburbs. FEPC Commissions in St. Paul, Minneapolis, and Duluth still handle complaints in the cities.

The Commission is organizing citizen committees in other communities to be its "eyes and ears". They will be called Committees on Human Rights and Fair Employment Practices. Their functions will be to call attention to and to help solve the problems in the communities. Twelve such committees are in the process of being

JUL 5 1956

July, 1956

Memo: To Local League Presidents and Constitutional Revision Chairmen in \_\_\_\_\_  
From: State Constitutional Revision Chairman  
Re: Local Historical Project on Constitutional Convention

The Constitutional Revision Committee has a summer and fall project for you! Would your community be interested in a telling of the Convention Story from a local angle? What was your community like in 1857? Who were delegates? What kind of men were they? What did they contribute to the convention? The more our communities understand the conditions under which our constitution was written and accepted, the less respect they should have for it. (And the greater interest, we would hope, in replacing it!)

This is the way we would work together on the plan:

1. Below are the names of your delegates to the Convention.

Could you enlist the aid of your county historical society in finding out something about them? (If the society is not in your town, perhaps it could be done by mail, or send us a call for help and we'll do what we can at the State society.)

2. What were your county and city like in 1857 (population, businesses, political activity, any local color). Can you find any newspapers for 1857? If so, you're made - but they're not too many around.

3. Read the new League material, "The State You're In" - digesting especially Chapter 2. We have a story to tell no other state can match, we should make the most of it.

In the meantime, the state resource committee will be combing the debates of the conventions. They will send you, later in the summer, material on what your delegate did and said in St. Paul. On August 29 (the day the constitution was signed) we're hoping the Red Wing paper will publish their local story. You'll get a copy -- to use for a model. Most of the details will be applicable to all communities.

In the early fall, armed with what you've found out, and with the Red Wing story, talk to your own editor about a story for October 13. (This was the day the voters accepted the constitution.)

Good luck! We think you'll find this fun.



# MINNESOTA CITIZENS CONSTITUTIONAL COMMITTEE

JUL 10 1956

## OFFICERS

DONALD A. HOLMES, Chairman  
Minneapolis  
O. J. JERDE, Vice Chairman  
St. Cloud  
ROGER B. PAGE, Vice Chairman  
St. Paul  
MRS. RUSSELL T. LUND, Secretary  
Edina  
MISS CELIA LOGAN, Treasurer  
Minneapolis  
JAMES OLSON, Auditor  
Minneapolis

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MRS. RALPH NORGARD, Minneapolis  
JAMES OLSON, Minneapolis  
MRS. ELLIS PEILEN, Minneapolis  
MISS BARBARA STUHLER, Minneapolis  
MISS JOYCE VOEKS, Minneapolis

Dear Friend:

Sometime ago you indicated an active interest in being a member of Minnesota Citizens Constitutional Committee and in taking a part in its program to accomplish a revision of our State Constitution.

During the last several months, much progress has been made in perfecting organizational matters on a state-wide basis and the Committee is now on the threshold of initiating its activities.

Already knowing your desire to be of help, we are enclosing a slip on which you may indicate your preference for assignment to Committees which have been activated.

We appreciate your interest and will look forward to receiving your slip at your earliest convenience.

Sincerely yours,

Donald A. Holmes  
Chairman

Barbara Stuhler  
Assistant Secretary

Return slips to:

Miss Barbara Stuhler  
134 Warwick Street S.E.  
Minneapolis, Minnesota

JUL 11 1956

PREFERENCE FOR COMMITTEE ASSIGNMENT

Make 3 choices, indicating first choice by No. 1, second choice by No. 2, and third choice by No. 3.

<u>COMMITTEE</u>	<u>CHAIRMAN</u>	<u>CHOICE</u>
Public Relations	Mrs. Russell T. Lund	_____
Research	Mrs. Ralph Norgaard	_____
Speakers Bureau	Mr. P. Kenneth Peterson	_____
Legislative	Mr. William Carlson and Mr. Bruce D. Smith	_____
Policy	Mrs. Malcolm Hargraves	_____
Membership	Mr. Milton Boock and Mrs. Floyd McDunn	_____
Finance		_____
Constitution and By-Laws	Mr. John Mooty	_____

Date: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

Re: Revision of Minnesota's Constitution  
- and the Courts.

August 27, 1956

If someone says:

A revised Constitution would invalidate court decisions rendered under the old constitution and therefore expensive litigation would result.

Quote these authorities:

Judge Mattson, Minnesota Supreme Court: "It is my considered opinion that the adoption of a new Constitution for the State of Minnesota will cause neither confusion nor increased litigation. A new Constitution, because it has been drafted to meet present-day needs, gives materially less occasion for litigation to determine its meaning and scope than does an old Constitution. An old Constitution, with many amendatory patches, is materially more fruitful of ambiguity conducive to litigation than a new Constitution drafted in the light of modern conditions."

Chief Justice Vanderbilt of New Jersey states that the adoption of a new Constitution in that state brought about the simplification and clarification of constitutional provisions which eliminated much of the need for resorting to court actions to determine what may validly be done under the Constitution. This eminent jurist found that the new Constitution did not in any manner increase the litigation load of either the trial or the appellate courts with respect to constitutional or other questions.

Chief Justice Laurance M. Hyde of Missouri says that a survey conducted by the University of Missouri Law Review showed that the adoption of a new Constitution in that state had reduced rather than increased constitutional litigation.

"The above conclusions apply not only to litigation to test the validity of legislative acts enacted subsequent to the adoption of a new Constitution but also to litigation challenging the constitutionality of statutory enactments which were in existence prior to the adoption of such new Constitution. The experience of other states has been that existing statutes are not challenged any more frequently under a new Constitution than they would have been under the old Constitution," says Judge Mattson.

\*\*\*\*\*

(Original communication in the files of)

League of Women Voters of Minnesota  
University of Minnesota (TSMc)  
15th and Washington Ave. S. E.  
Minneapolis, 14, Minnesota  
FE8-8791



MINN 1156

#11-8-56-15c

A  
VERY HUMOROUS  
STORY

15c

LEAGUE OF WOMEN VOTERS OF MINNESOTA  
15TH AND WASHINGTON AVENUE SOUTHEAST  
MINNEAPOLIS 14 MINNESOTA - FEB. 18791.

"A Very Humorous Story" by Phillip Gelb

ANNOUNCER: In the public interest, convenience and necessity, this radio station in cooperation with the Minnesota League of Women Voters presents --

MUSIC: A FEW STRONG CHORDS

DEEP VOICE: "A Very Humorous Story."

MUSIC: LAUGHING-LIKE (PERHAPS FANTASTIC TOYSHOP)...UP AND OUT

SOUTHERNER: The United States of America is just that -- a unity of States. The State is a separate and individual entity, and the laws of each state must be respected. We say that each citizen of this nation reflects the meaning, the customs, and the necessity of his State's laws and his State's Constitution.

ANNOUNCER: Today, as one-fifth of the legislative representatives of all Americans have signed a manifesto literally declaring a legal war on Federal power and Federal prerogative, it behooves all of us to re-examine the laws of our own state. What are some of the fundamental laws of Minnesota? To what are we committed according to the Constitution of our State?....Listen...

SOUND: (BACKGROUND)...A POLLING PLACE

MRS. BROWN: I'm Mrs. Robert Brown.

POLLWORKER: ...So?

MRS. BROWN: I'm Mrs. Robert Brown...I'd like a ballot.

POLLWORKER: What for?

MRS. BROWN: What for? I want to vote of course.

POLLWORKER: Sorry...this isn't an election for library board or --

MRS. BROWN: What difference does that make?

POLLWORKER: It's a law of the State of Minnesota. Women can vote only in elections for school or library --

MRS. BROWN: You must be out of your mind. I've voted in every election --

POLLWORKER: Madam! This is a copy of the Constitution for the State of Minnesota...

Here's Article seven, section one: "Every male person of the age of 21 years or upwards...shall be entitled to vote." And Section eight:

"Women may vote for school officers and members of library boards"...and that's all! It's in the State Constitution!

MUSIC: IN STRONG...INTO LAUGHING THEME... AND OUT

MAN I: Congratulations, Senator, you swept the State...five to one!

SENATOR: Well, we politicians are always talking about a mandate from the people... I guess I really have got one this time.

WOMAN: The people of Minnesota want you in Washington, Senator...There's no doubt about that.

MAN I: We might as well check and see when the next train leaves for Washington.

MAN II: (FADE IN) I wouldn't bother...The Senator is no Senator, and he's not going to Washington.

WOMAN: Not going! Why the people voted overwhelmingly --

MAN II: But the State legislature voted for somebody else.

MAN I: What are you talking about?

MAN II: It's in the State Constitution...Article four, section twenty-six:  
"Members of the Senate of the United States from this state shall be elected by the two houses of the legislature." That's in the existing, present Constitution of the State of Minnesota...the people don't elect Senators. The state legislature does. ...Article four, section twenty-six!

MUSIC: LAUGHING THEME...UP AND OUT

LEG. I: Well, we finally got that appropriation through for some badly needed schools and mental hospitals.

LEG. II: (FADE IN) That's what you think...Those schools and hospitals were going to be built through a new bond issue, right?



LEG. I: Of course.

LEG. II: Not in the State of Minnesota...Article nine, section five of the State Constitution: "For the purpose of defraying extraordinary expenditures, the state may contract public debts, but such debts shall never in the aggregate exceed \$250,000,"

LEG. I: \$250,000:

LEG. II: That's right...and last year our state debt was over eighty million:

LEG. I: Then we'd better tear up our roads, tear down our parks, and get rid of our fire, police, and sanitation systems. They're unconstitutional:

LEG. II: Well, not exactly . . . a loophole was found.

MUSIC: UP STRONG...DOWN...(BEHIND)

ANNOUNCER: Had enough? We told you...this is a very humorous story...It's just too bad that it's true. In an article entitled "The Constitution of Minnesota" in the Minnesota Law Review, Professor William Anderson wrote...

MUSIC: OUT

ANDERSON: As one looks over the constitution of the state today, he is impressed by the fact that there are many provisions still printed in it which either are not being enforced, many of which in the nature of things simple cannot be enforced, or else are obsolete...The Minnesota Constitution has been changed all-too-frequently by amendment, but the fundamental provisions relating to organization of government and the rights of individuals have not been changed. Many provisions of this fundamental law are now obsolete.

ANNOUNCER: Professor Anderson's article was written in 1921...Today, thirty-five years later, it is even more pertinent.

ANDERSON: Many provisions of this fundamental law are now obsolete.

MUSIC: IN STRONG...DOWN...(BEHIND)

ANNOUNCER: According to the present Constitution of the State of Minnesota, women can vote only in library and school elections...United States Senators

ANNOUNCER(CONT.): are chosen by the State legislature...and the state's debt limit is \$250,000...In some cases, these preposterous provisions have been superseded by Federal law. In other cases, they are just ignored. In all cases, however, these obsolete regulations are still a part of our State Constitution. How did it happen? We told you this is "a very humorous story"...

MUSIC: UP AND OUT

VOICE: In February of 1857 Minnesota was a territory.

SOUND: HORSE RIDING UP FAST...PULLS TO STOP

RIDER: (Running) Sibley...Henry Sibley! Where's Henry? --

SIBLEY: Easy, man...We may need this energy.

RIDER: It's happened!

SIBLEY: Word from Washington?

RIDER: The Congress of the United States has passed a bill that will enable Minnesota to become a State!

SIBLEY: Keep your voice down, man.

RIDER: But this is wonderful news! This means --

SIBLEY: This means we have to call a State Constitutional Convention -- with a Democratic majority. Look, my friend, in the last few years, we've had thousands of new settlers in Southern Minnesota. They've come here from the northeastern part of the country! Don't you know what that means?

RIDER: No-o...

SIBLEY: They're Republicans! 99% of them are Republicans. What do they know about the problems of Minnesota? What right do these "Immigrants" have to control the new state of Minnesota? Those Republicans are nothing but a wild bunch of radicals anyhow....So keep your voice down...We've got to have a Constitutional Convention, but it better have a Democratic majority.

MUSIC: IN STRONG...AND DOWN (BEHIND)

ANNOUNCER: On May 22, 1857, in special session, the Democratic territorial legislature for Minnesota, passed a bill calling for a Constitutional Convention. Minnesota could not become a state without a State Constitution. The Territory's Democratic Governor signed the Constitutional Convention bill into law on May 25th. The election of delegates was to be held on June 1st.

MUSIC: OUT...SHARP

VOICE I: One week to elect delegates for a Constitutional Convention!

VOICE II: We'll hardly have time to print ballots.

VOICE III: Print ballots! There are issues involved here...big issues...You don't write a Constitution overnight!

VOICE IV: Don't you? Watch, friend, just watch!

MUSIC: UP AND DOWN...(BEHIND)

ANNOUNCER: An election for delegates to Minnesota's Constitutional Convention was held. Charges of fraud were levied by both sides. The charges were substantiated....but nothing could be done about it. The Congress of the United States had ordered that a Constitutional Convention for Minnesota was to convene on June 13th.

MUSIC: UP AND OUT

WOMAN: But, Mr. Johnson, I've counted the number of delegates over and over. Every time it comes out to 114.

JOHNSON: So?

WOMAN: We held elections for only 108!

MUSIC: LAUGHING THEME...UP AND DOWN

ANNOUNCER: We told you this was "a very humorous story." Somehow or other, the Republicans came out in the majority, 59 to 55. They weren't going to take any chances. They arrived at the Capitol a day early, caucused and



ANNOUNCER(CONT.) tried to find out when the Democrats wanted to start the convention.

Nobody would talk to them.

MUSIC: OUT

REPUB. I: I've been to every room in the Capitol. Nobody knows anything.

REPUB. II: Did you tell them that all you wanted to know is when the Constitutional Convention begins?

REPUB. I: Of course.

REPUB. II: And?

REPUB. I: Nobody knows anything.

DEMOCRAT: (FADE IN) Who's in charge here?

REPUB. II: I am.

DEMOCRAT: I've got a note from the Governor.

REPUB. II: Finally!

SOUND: (OPENING LETTER)

REPUB. I: What does it say? What does it say?

REPUB. II: (READING) "The Constitutional convention will meet at the usual hour for the assembling of parliamentary bodies in the United States."

(SLIGHT PAUSE)

REPUB. I: ...What time is that?

DEMOCRAT: Don't ask me. I'm just a messenger.

MUSIC: LAUGHING THEME...UP AND DOWN...(BEHIND)

ANNOUNCER: The Republicans went to the House chambers...and waited...and waited...and waited...Twenty-four hours later the Democrats marched in, in a body... Before the sleepy Republicans knew what happened, it had happened.

MUSIC: OUT

SOUND: PEOPLE SETTLING DOWN...GAVEL POUNDS

CHAIRMAN: The Constitutional Convention for Minnesota will come to order.

SOUND: GAVEL POUNDS

VOICE I: (OFF) Mr. Chairman, I make a motion that the work of this convention be channelled into the appropriate committee.

VOICE II: I second the motion.

CHAIRMAN: All in favor say, aye.

DEMOCRATS: AYE!

CHAIRMAN: Opposed?

REPUBLICANS: (Still sleepy) What? Who? What did he say?

CHAIRMAN: The State Constitution will be drafted in committee.

VOICE III: Since the only major business of this meeting has been determined, I move that we adjourn.

VOICE II: I second it!

CHAIRMAN: All in favor?

DEMOCRATS: AYE!

CHAIRMAN: The meeting is adjourned!

SOUND: GAVEL...UNORGANIZED VOICES OF PROTEST AND CONFUSION

MUSIC: UP OVER...AND DOWN...(BEHIND)

ANNOUNCER: This was the only time the Constitutional Convention for the State of Minnesota met as a whole. Unbelievable? The facts for this script have been taken from "A History of the Constitution of Minnesota" by Anderson and Lobb and from "The History of Minnesota" by William Watts Folwell, Minnesota's leading historian and University President, who called our Constitutional convention --

FOLWELL: A roaring farce...that's what it was -- a roaring farce.

ANNOUNCER: After this brief and ludicrous convention-as-a-whole, each party met separately and each began to draft a Constitution for the new State of Minnesota. In the territory people backed their delegates, even the unelected ones, down party lines; but, in Washington the reaction was not as simple.

MUSIC: OUT

EXEC. I: I think they've gone mad in Minnesota. The Democrats are drafting one constitution; the Republicans, another.

EXEC. II: They aren't even doing that. Most of the debate is about the seating of illegal delegates.

EXEC. I: Aren't they aware of the heritage and meaning of a Constitution in this country? A good Constitution is a people's claim to being free and civilized.

EXEC. III: Gentlemen, it is ridiculous to discuss this situation. Send a spokesman to the Capitol of the Minnesota Territory, and tell them we get one Constitution signed by both parties, or Minnesota can remain a territory!

MUSIC: UP AND DOWN...(BEHIND)

ANNOUNCER: But even word from Washington was not enough. After weeks of wrangling, the best that could be done was the creation of a committee of ten, five Democrats and five Republicans. In an atmosphere of conflict, anger, and scorn, a State Constitution was pieced together by this Committee of Ten. In the main, scissors and paste played a greater part in forming our State Constitution than statesmanship and foresight. But even when a long and overly compromised Constitution was agreed upon, the trouble was not over.

MUSIC: OUT

WOMAN: What's the matter now, Mr. Sibley?

SIBLEY: I refuse to sign this document!

ALL: GENERAL CONSTERNATION

WOMAN: But why?

SIBLEY: I refuse to put my name on a document that has a Republican signature on it!

ALL: MORE CONSTERNATION

MAN: But we all agreed to this Constitution!



WOMAN: What do you want us to do now?

SIBLEY: Make another copy! The Republicans can sign this Constitution; we'll sign another!

MUSIC: UP AND DOWN...(BEHIND)

ANNOUNCER: And so two copies of Minnesota's Constitution had to be made on that day, August 28th, 1857, and the two copies had to be ready on August 29th. Sixteen copyists worked all night. There are 300 differences in the two copies of Minnesota's original Constitution. There are so many discrepancies, it is impossible to print an absolutely correct text of our State Constitution...Well, we told you this is "a very funny story."

MUSIC: OUT...SHARP

VOICE: Wait a minute, what's so funny? Isn't a Constitution a pretty important item?

EXEC. I: A good Constitution is a people's claim to being free and civilized.

SOUTHERNER: Each citizen of this nation reflects the meaning, the customs, and the necessity of his State's laws and his State's constitution.

VOICE: So what's so funny?

VOICE II: The Constitution of the State of Minnesota has been amended 82 times. The section on finance alone has been changed 21 times. Not only has this created a massive and unwieldy Constitution, but the special elections necessary have cost the people of Minnesota over half a million dollars.

VOICE: Fun-nee

ANNOUNCER: In 1947, the Minnesota State Legislature created a special Commission to study the State Constitution. In 1949 this Commission recommended 112 changes and six new sections for our State Constitution. All members agreed the best way to make changes was through a Constitutional convention. In 1951 the legislature voted "no" on its own Commission's recommendation.

VOICE: Fun-nee

ANNOUNCER: In 1953 the legislature voted "no" on its own Commission's recommendations again.

VOICE: Fun-nee.

ANNOUNCER: In 1955, "no" again.

VOICE: Very...funny.

ANNOUNCER: The cost to the people of Minnesota for elections to pass only the changes in the State Constitution recommended by the legislative Commission would be close to two million dollars.

VOICE: Extremely funny.

ANNOUNCER: The most expensive Constitutional Convention in the country hasn't cost half as much. Thirty states have held such Conventions to make their Constitutions modern and meaningful. We said this is "a very humorous story" --

VOICE: ...if only it weren't so serious.

ANNOUNCER: Let's stop laughing at ourselves. . . The only answer is a Constitutional Convention for the State of Minnesota. What is a Constitutional Convention? How can we bring it about? Here is the Legislative Chairman for the Minnesota League of Women Voters, \_\_\_\_\_.

LWV CHAIRMAN: (To be inserted: 1-2 minutes)

ANNOUNCER: Thank you, \_\_\_\_\_. "A Very Humorous Story" was written by Phillip Gelb, directed by \_\_\_\_\_. Appearing on the program were \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. This program was presented by the Minnesota LWV in cooperation with this radio station in the public interest, convenience, and necessity.

MEMO

Rochester, Minnesota  
August 19, 1956

To: Authors of resource booklet  
From: Mildred Hargraves  
Subject: Final version of resource material

The Board has authorized Constitutional Revision Committee to produce one edition of the basic resource material, which began as 170 pages and is now 60 pages titled "The State You're In".

Present situation. There are about 200 copies of "The State You're In", an inadequate number for immediate needs: League units, legislators, MCCC, libraries, schools etc. There were made about 23 typed copies of the original chapters, many of which cannot be located and most of which are in tatters. All are required for lobbyists and the resource committee.

The proposal is to produce one version which will fill resource needs. The authors are asked to reappraise length of the original chapters in the light of the abbreviated ones, restoring what was lost in the latter version which seems to them important to retain, but shortening where it can be done without sacrifice. This will be the definitive edition; our rod and our staff for the duration (staff to lean on and rod to beat over the head the recalcitrant). Please include a selected bibliography (this means not everything you have ever read on the subject) which will be included at the end of each chapter to give authority, then for easy reference assembled in categories and added at the end of the book.

Deadline August 27th in the state office. This is a harsh request, but since the authors are working over familiar material, we think it can be done quickly. The tight schedule is necessary to allow for editing, typing stencils, multilithing, assembling and having the finished book in time to fill League orders and supply legislators.

Format. The present title will be used and the map on the cover will be done in peach (to match the pink lady of our popular piece) and a summary at the end on peach pages to attract attention. Introduction will be as it is in "The State You're In"

Costs and process. Multilith

1000 copies

100 pages (both sides of paper to reduce the bulk).

Professionals have volunteered to type the stencils. The multilithing will be done anonymously at a nominal cost. The estimated cost of the entire project is \$300.

Now don't tell me what state you're in this August day after reading this communication, because I know and so am I.

Copies: state office ✓  
Audrey Down Muriel Grunditz  
Jean Chesley Louise Hill  
Marion Fletcher Betty Kane  
Barbara Stuhler and Sis Salisbury



MEMO

Rochester, Minnesota  
August 19, 1956

*mills*  
To: Mrs. Swanson, ~~President~~ St. Paul League of Women Voters  
From: Mildred Hargraves, Constitutional Revision Committee

*2334 Cows - St Paul 8*

Your questions about the problems and results of recent state constitutional conventions and the misgivings and misinformation spread by Mr. Calvin's biennial statements are ones which concern us all. The next issue (Sept-Oct) of the Minnesota Voter will be used to answer these and other questions about constitutional revision and constitutional conventions, which seem to be ubiquitous.

Thus the answers will be in the hands of every League member and additional copies will be available for finance solicitors, for promotion of our new popular booklet, for speakers and for generally fortifying our position.

*copy 7: State office*

716 Fourth Street S.W.  
Rochester, Minnesota  
August 19, 1956

Judge LeRoy Mattson  
Supreme Court of Minnesota  
St. Paul, Minnesota

Dear Judge Mattson:

I tried to reach you by telephone last week when I spent two days in Minneapolis at a League of Women Voters Board meeting. There are questions about the problems and results of recent state constitutional conventions and the misgivings and misinformation spread by Mr. Calvin's biennial statements, which concern all of us who have been trying to build public support for a convention bill. The League is now preparing an article that will attempt to answer some of these questions which seem to be ubiquitous.

Do you have information about what has occurred in the courts of the states most recently having adopted new constitutions? Has there been confusion and increased litigation because of new statutes and interpretations of the new constitution? How complicated was the process of revising existing statutes? I recall at a committee hearing during the 1953 legislature that you said, in effect, that the Minnesota Supreme Court had more trouble reconciling needed legislation with our present constitution than you anticipated in interpreting a new one. If it is proper for you to write out a similar statement which we could quote, it would be most helpful. In any case, we will appreciate whatever judicial facts you have which we can incorporate into our article.

Thank you for the rescue operation.

Yours sincerely,

*Malcolm Hargraves*  
Mrs. Malcolm Hargraves

*877 State #11a*

MEMO

Rochester, Minnesota

August 19, 1956

To: Mrs. Miller, President League of Women Voters of Red Wing  
From: Mildred Hargraves, Constitutional Revision Committee

The questions you asked about constitutional conventions, new constitutions, costs, litigation and such are among many which seem to be ubiquitous and concern us all. The next issue of the Minnesota Voter will be used to discuss and answer them. Thus the answers will be in the hands of every League member and additional copies will be available for finance solicitors, for promotion of our new popular booklet, for speakers and for generally fortifying our position.

Copy to office



THE SUPREME COURT OF MINNESOTA  
ST. PAUL

August 27, 1956

CHAMBERS OF  
LEROY E. MATSON  
ASSOCIATE JUSTICE

Mrs. Malcolm Hargraves  
716 Fourth Street S. W.  
Rochester, Minnesota

Dear Mrs. Hargraves:

It is my considered opinion that the adoption of a new Constitution for the State of Minnesota will cause neither confusion nor increased litigation. A new Constitution, because it has been drafted to meet present-day needs, gives materially less occasion for litigation to determine its meaning and scope than does an old Constitution. An old Constitution, with many amendatory patches, is materially more fruitful of ambiguity conducive to litigation than a new Constitution drafted in the light of modern conditions.

Chief Justice Vanderbilt of New Jersey states that the adoption of a new Constitution in that state brought about the simplification and clarification of constitutional provisions which eliminated much of the need for resorting to court actions to determine what may validly be done under the Constitution. This eminent jurist found that the new Constitution did not in any manner increase the litigation load of either the trial or the appellate courts with respect to constitutional or other questions.

Chief Justice Laurance M. Hyde of Missouri wrote to me sometime ago that a survey conducted by the University of Missouri Law Review showed that the adoption of a new Constitution in that state had reduced rather than increased constitutional litigation.

The above conclusions apply not only to litigation to test the validity of legislative acts enacted subsequent to the adoption of a new Constitution but also to litigation challenging the constitutionality of statutory enactments which were in existence prior to the adoption of such new Constitution. The experience of other states has been that existing statutes are not

For State Law Office  
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-2-

challenged any more frequently under a new Constitution than they would have been under the old Constitution.

Sincerely,

LEM/FH

Leroy E. Watson

8 copies #5

THE SUPREME COURT OF MINNESOTA  
St. Paul

Chambers of  
Leroy E. Matson  
Associate Justice

August 27, 1956

Mrs. Malcolm Hargraves  
716 Fourth Street S. W.  
Rochester, Minnesota

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Sincerely,

Leroy E. Matson

LEM/FH



THE SUPREME COURT OF MINNESOTA  
St. Paul

(8 copies) #6

Chambers of  
Leroy E. Matson  
Associate Justice

August 27, 1956

Mrs. Malcolm Hargraves  
716 Fourth Street S. W.  
Rochester, Minnesota

Dear Mrs. Hargraves:

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Sincerely,

Leroy E. Matson

LEM/FH

THE SUPREME COURT OF MINNESOTA  
St. Paul

Scopies # 7

Chambers of  
Leroy E. Matson  
Associate Justice

August 27, 1956

Mrs. Malcolm Hargraves  
716 Fourth Street S. W.  
Rochester, Minnesota

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Sincerely,

Leroy E. Matson

LEM/FH

League of Women Voters of Minnesota  
15th and Washington Avenue, S. E.  
Minneapolis 14, Minnesota

File  
1956  
Release: Sunday, Oct. 7,  
or thereafter

League Issues Two Books on State Constitution

Two new publications on the need for revising Minnesota's constitution are being issued this week by the League of Women Voters of Minnesota. One is intended for the public and the other for persons doing research.

Copies of "Well, What D'Ya Know...Minnesota Has A Constitution," a booklet written in humorous style and illustrated with cartoons, will be given to county libraries, in addition to those already sent to state legislators and newspaper editors. A tape recording is planned for use by schools, radio stations and organizations.

Dealing mainly with Minnesota's freak 1857 constitutional convention and the legacy of problems it left the state, this booklet calls for a present-day convention "to meet together in the old American way and review and revise our constitution into a vibrant, living thing, rather than a ghostly scroll of a hundred years ago!"

In most of the 54 League communities "Leaguemobiles" will circulate the booklet in business and residential sections on Monday, October 8.

"The State You're In," an 87-page book for reference and study, is meant for speakers, persons in government, students and members of other organizations working for a Minnesota Constitutional convention. It compiles information on all aspects of the state constitution and its problems.

Both books will be displayed in a booth at the Minnesota Educational Association convention in St. Paul October 25 and 26.

Further information on the books and tape recording may be obtained from the League of Women Voters of Minnesota, 15th and Washington Avenue, S. E., Minneapolis 14, Minnesota.

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Dear Editor:

We'd be pleased if you would pencil any comments or criticisms of this booklet in the space below and return to us. We hope you will find the publication useful and will keep it for reference during the coming legislative session.

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League of Women Voters of Minnesota, 15th and Washington Avenue S.E., Minneapolis 14



726

# LEAGUE OF WOMEN VOTERS OF MINNESOTA

15th and Washington Avenue S.E. Minneapolis 14, Minnesota

Federal 8-8791

October 15, 1956

Dear Minnesota Citizen:

The League of Women Voters of Minnesota is launching a fall campaign to build public opinion for the calling of a constitutional convention. We have just published three publications to use as tools to spread citizen understanding of our program. Since you are one especially interested in Minnesota government, we wish to make these publications available to you.

Well, What D'ya Know...Minnesota Has A CONSTITUTION!

This is a popular type booklet--professionally written and cleverly illustrated. We plan to distribute it widely throughout the state to acquaint all Minnesotans with the need for constitutional revision. A copy is enclosed.

The State You're In

This is an 83 page research work on Constitutional Revision. It contains chapters on the making of Minnesota's Constitution, and the ways of improving it. Additional chapters are on The Executive, The Legislature, The Judiciary, Finance and Home-Rule.

You may have a copy by returning the enclosed card.

Legislative Program

This publication explains the program of the League of Women Voters for the 1957 legislative session.

We are hopeful that the information in these publications will be of value to you in your work for a responsible and responsive government for Minnesota citizens.

*Echyl Young*

Mrs. Basil Young, President  
League of Women Voters of Minnesota



Affiliated with the  
League of Women Voters of the U.S.

League of Women Voters of Minnesota  
University of Minnesota  
15 & Washington Avenue S. E.  
Minneapolis 14, Minn.

Please mail to me free of charge your 83 page  
research book on Constitutional Revision  
entitled, "The State You're In."

Signed \_\_\_\_\_

Address \_\_\_\_\_



Minnesota Citizens Constitutional Committee  
134 Warwick Street, S.E.  
Minneapolis 14, Minnesota

☐ I will

☐ I will not

support and vote for a bill submitting  
to the people the question of calling  
a convention to propose revisions of  
Minnesota's constitution.

Comments:

Signed: \_\_\_\_\_

# MINNESOTA CITIZENS CONSTITUTIONAL COMMITTEE

OCT 15 1956

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Dear Fellow Citizen:

We would appreciate your taking a few minutes from your busy schedule to answer, on the enclosed card, the following question, which members of our statewide committee consider to be vital:

Would you, at the 1957 session of the state legislature, support and vote for a bill submitting to the people the question of calling a convention to propose revisions of Minnesota's constitution?

We request an early response, as our local representatives wish to be informed of your position, and we plan to use the compiled information in press releases before the election.

We are enclosing a Statement of Purposes of our organization.

Yours very truly,

*Donald Holmes*  
Donald Holmes  
Chairman



MINNESOTA CITIZENS CONSTITUTIONAL COMMITTEE

STATEMENT OF PURPOSES

The Minnesota Citizens Constitutional Committee represents organizations and individuals who believe that the Minnesota Constitution can and must now be improved to achieve economical, efficient and responsible representative state government.

This belief is supported:

By the Commission on Intergovernmental Relations appointed by President Eisenhower, which said:

"The Commission finds a very real and pressing need for the States to improve their constitutions."

By both major political parties in Minnesota, whose platforms specifically endorse the calling of a constitutional convention to revise the state constitution, and

By two Commissions appointed by the Minnesota Legislature, namely, the Constitutional Commission of Minnesota (1947) and the Little Hoover Commission (1949), both of which recommended substantial changes in the state constitution.

The Committee will act initially:

1. To disseminate information about the Minnesota Constitution and the need for constitutional revision, and
2. To support legislation submitting to the people of Minnesota the question of calling a constitutional convention to revise the constitution.

# INSTRUCTION SHEETS

Selling Campaign for "Well What D'Ya Know, Minnesota Has a Constitution."

For Attention of: Publications Chairman  
Public Relations Chairman  
Constitutional Revision Chairman  
Legislative Chairman

(Unit chairmen should have these sheets. Order as many as you need!)

## The Selling Campaign

1. Each Publications Chairman (with the active support of the entire Board, particularly the Public Relations, Constitutional Revision and Legislative Chairmen) is the Sales Promotion Manager in her area for the booklet "Well, What D'Ya Know---- Minnesota Has a Constitution." (Where there is no Publications Chairman, the Public Relations Chairman assumes the role; otherwise they work as a team.)

2. Upon receipt of the booklets each League member should begin making a long list of prospects, her own personal market. Sell, give, mail them to friends, relatives, acquaintances of influence throughout Minnesota. Remember particularly persons who live in areas where there are no Leagues...but where there are legislators!! Get them into waiting places and on bulletin boards wherever possible through your husband, children, parents, brother, sister, friend (male or female) - they all know as many likely spots for it as you do! Examples of some:

attorney	church	hotel	hospital
dentist	labor union	motel	government offices
doctor	department store	rooming house	(all levels)
veterinarian	restaurant	apartment	club rooms (social,
barber	art center	country club	service, frater-
beauty shop	bank	fire hall	nal)
library	dairy	garage	real estate
teacher	airport	filling station	summer resort
bus depot	railroad station	grocery	community center
business	feed dealer	school	insurance
factory	bookstore	nurses home	

Put one in the hands of the opinion moulders of your community, e.g.:

minister	social studies teacher	community leaders
political party head	school principal	organization heads
labor union head	school superintendent	editors of company
political scientists	service club heads	and organization
city councilmen	agricultural leaders	newsletters and
any member speaking	county officials	papers
before a group	city officials	
librarian	college and university	
	heads, department heads	

3. Reach beyond immediate area, particularly into nearby rural areas. Getting it into the hands of a small town or rural study or discussion group opens a new avenue for the League - outlets for our constitutional revision material, perhaps a League library, subscriptions to our publications, new members for the League. Example of some allies we should seek:

county home demonstration agents	county officials
county agricultural agents	township officials
4-H club leaders	agricultural extension
community service chairmen	homemaker heads (home
officials of the Grange, Farm Bureau	demonstration agents)
and Farmers Union	home and community
rural church leaders	chairmen
county newspaper editors	
rural school librarians	
county librarians	

4. Read your local newspaper as you have not before: look for meetings of groups where you might take a booklet or send one with a friend who could use it as a basis for study or discussion or program building. Talk this over with your public relations chairman, president, speakers bureau head; help arrange whatever is feasible wherever you can. Mention any community celebration or gathering you know of to your public relations chairman for her to send it on to the state office, as well as to use in her own planning for local public opinion building.
5. Make this a face-to-face campaign! These books will do no good in a stack of unopened mail, stashed away in a drawer for later reading or distribution, or filed in the wastebasket. Make up a kit for yourself from your own materials or with the help of the Publications Chairman for prospective large buyers or persons whose support we urgently need. Put in it "Democracy Denied", "Roaring Farce", Price Tag, "Minnesota Facts" and Amendment. Broadside, "The State You're In" (for him to borrow or buy if he wishes to have it), for example.
6. Every Minnesota League member knows 5 (shall we say) persons elsewhere in the state who might not know that Minnesota needs a new Constitution. Send a booklet to them with the shortest note telling them how much you would appreciate their personal support and active interest. Every League unit has persons who cannot for some reason carry on an active campaign; they are the ones to do this, and do it exceedingly well. (See the attached list of towns in legislative districts where legislators have voted "No" on a constitutional convention bill. Whom do you know in some of those towns???)
7. Compile and turn in to the state office (through your League) a list of reputable and responsible persons who would work with the League and the Citizens Committee. (See attached list for the representative in your area.) Learn to know him and work with him. Keep the state board informed about what you are doing so we can pass on your ideas, and use them ourselves. Remember always to sell the League when you are selling Constitutional Revision.

Where to get answers you might not know and how to answer criticisms:

1. "The State You're In" (of which every League has at least 2 copies) contains the answers to your questions. This is the League source book (text) on constitutional revision. It covers the citizen and the constitution; the making of the constitution; ways to improve the constitution; the executive, legislative and judicial branches and tax structure of Minnesota government; home rule, a summarizing chapter, an extensive bibliography.
2. The new Minnesota LWV Publications Catalog lists and describes all the materials we have on constitutional revision. You already have most of them in your personal or League files.
3. Gov. Freeman and Sen. Elmer Andersson delivered speeches on why Minnesota needs a new constitution at the LWV Council Meeting in May, 1956. Get copies of these speeches (see catalog) to give added weight to your own arguments. (How about quoting Gov. Freeman to your Democratic friends and Sen. Andersson to your Republican friends???)
4. Your own constitutional revision chairman will know the answer to most of your questions.
5. Don't hesitate to say you don't know the answer to a question or that you don't know how to answer a criticism if you don't! But do say that you will supply it as quickly as you can. And don't fail to carry out your intention to do so! If there's a real stickler,, write the state office, constitutional revision chairman. Let her know what questions and criticisms you receive that the state board might not have anticipated in the material we have put out to date. Knowing this will help our campaign immeasurably.  
(For a good example of a stickler and how to answer it, see the September-October "Minnesota Voter.")



# Votes in the 1955 Legislative Session

In the 1955 Legislative Session, the Constitutional Convention bill was defeated:

40 "No" votes to 27 "Yes" votes. The distribution was: (see chart below)

27 "No" votes where there are Leagues      18 "Yes" votes where there are Leagues  
13 "No" votes where there are no Leagues      9 "Yes" votes where there are no Leagues

## VOTE IN LEAGUE AREAS

VOTE	CONGR. DISTRICT	LEGIS. DISTRICT	League	VOTE	CONGR. DISTRICT	LEGIS. DISTRICT	League
No	I	4	Rochester	Yes	IV	37	St. Paul
No	I	5	Austin, Kasson	No	IV	38	St. Paul
No	II	7	Wells	No	IV	39	St. Paul
No	II	10	Jackson	Yes	IV	40	St. Paul
No	VII	11	Worthington	Yes	IV	41	St. Paul
No	VII	13	Granite Falls, Tracy				N.St.Paul, Wh.
No	II	14	New Ulm	Yes	IV	42	Bear Twp.
Yes	I	16	New Richland, Owatonna Waseca				St. Paul,
				Yes	III	43	Arden Hills, Falcon Heights, Roseville.
No	II	17	New Prague				Afton Lakeland, Birchwood,
No	I	19	Red Wing	Yes	III	44	Mahtomedi
Yes	II	20	S.St.Paul, W.St.Paul				Anoka, Circle Pines,
Yes	II	22	Hutchinson	No	VI	45	Columbia Heights
Yes	VII	23	Olivia	No	VII	47	St. Cloud
No	VII	24	Granite Falls	No	IX	49	Alexandria
No	VI	27	Buffalo	Yes	IX	50	Moorhead
Yes	III	28	Minneapolis	No	VI	52	Battle Lake, Fergus Falls
Yes	III	29	Minneapolis	No	VI	53	Cass Lake
No	III-V	30	Minneapolis	No	VIII	57	Brainerd
No	V	31	Minneapolis	No	VIII	58	Duluth
Yes	V	32	Minneapolis	No	VIII	59	Duluth
No	V	33	Minneapolis	Yes	VIII	60	Duluth
No	V	34	Minneapolis	Yes	VIII	61	Hibbing
Yes	III	35	Minneapolis	No	IX	62	Virginia
No	III	36	Bloomington, Deephaven, Edina Excelsior, Hopkins, Mound Richfield, St. Louis Par', Wayzata, Golden Valley	Yes	VI	63	Bemidji Park Rapids

## VOTE IN NON-LEAGUE AREAS

VOTE	CONGR. DISTRICT	LEGIS. DISTRICT	County(Some Towns)	VOTE	CONGR. DISTRICT	LEGIS. DISTRICT	County(Some Towns)
No	I	1	Fillmore, Houston (Wykoff, Caledonia)	Yes	VII	26	Meeker(Litchfield)
No	I	2	Winona (Winona)	No	VI	46	Stearns(Sauk Center, Melrose)
No	I	3	Wabasha (Wabasha, Lake City)		VII	48	Stevens(Morris), Big Stone (Ortonville), Traverse(Wheaton) Grant (Elbow Lake)
Yes	I	6	Freeborn (Albert Lea)	Yes	VI	51	Wadena(Wadena), Todd(Long Prairie, Staples)
No	II	8	Blue Earth (Mankato)				Aitkin(Aitkin)
No	II	9	Watsonwan (St.James), Martin (Fairmont)	Yes	VI	54	Carlton(Carlton, Cloquet)
					VIII		

Yes	VII	12	Lincoln (Ivanhoe), Pipestone (Pipestone) Murray (Slayton)	No	VI	55	Mille Lacs (Princeton), Kanabec (Mora), Sherburne (Elk River)
No	II	15	Sibley (Gaylord), Nicollet (St. Peter)	Yes	VI III	56	Pine (Pine City), Chisago (Center)
Yes	I	18	Rice (Faribault, Northf.)	No	IX	64	Norman (Ada), Mahanomen (Mahanomen)
No	II	21	Scott (Shakopee), Carver (Cologne)	Yes	IX	65	Pennington (Thief River Falls), Clearwater (Bagley), Red Lake (Red Lake Falls)
Yes	VII	25	Swift (Benson), Kandiyohi (Willmar)	No	IX	66	Polk (Crockston) (E. Gr. Forks)
				No	IX	67	Kittson (Hallock), Roseau (Roseau), Marshall (Warren)

#### Minnesota Citizens Constitutional Committee

(Set up in October 1955, "to disseminate information about the Minnesota Constitution and the need for constitutional revision, and to support legislation submitting to the people of Minnesota the question of calling a constitutional convention to revise the constitution.")

Directors, by Congressional districts are:

- District I Mrs. Malcolm Hargraves, Rochester; Albert Marshall, Red Wing.  
 " II Mrs. Robert B. Riddér, St. Paul; Mrs. M. W. Malone, Windom.  
 " III Kingsley Holman, Bloomington; John Mooty, Edina.  
 " IV Mrs. Roger B. Shepard, Jr., St. Paul; Roger B. Page, St. Paul.  
 " V Miss Celia Logan, Minneapolis; P. Kenneth Peterson, Minneapolis.  
 " VI O. J. Jerde, St. Cloud; William B. Pearson, Ogilvie.  
 " VII John A. Lundquist, Willmar; Mrs. Reuben Brustein, Appleton.  
 " VIII Emil Erickson, Virginia; Mrs. C. L. Edson, Duluth.  
 " IX Mrs. Floyd McDunn, Pelican Rapids; Joseph Kise, Moorhead.

Directors at Large: Miss Florine LeClair, Minneapolis; Mrs. Ellis Peilen, Minneapolis; James Olson, Minneapolis; Miss Joyce Voeks, Minneapolis; Mrs. Ralph Norgaard, Minneapolis; Miss Barbara Stuhler, Minneapolis; William Carlson, St. Paul.

Officers: Donald A. Holmes, Chairman, Minneapolis; O. J. Jerde, V. Chairman, St. Cloud; Robert B. Page, V. Chairman, St. Paul; Mrs. Russell T. Lund, Secretary, Edina; Miss Celia Logan, Treasurer, Minneapolis; James Olson, Auditor, Minneapolis.

\*\*\*\*\*

Contest: Please return these slips (or some information) within 5 days of deadline date to: Mrs. John R. Hill, Publications Chairman, 916 S. W. 10th Street, Rochester.

As of Nov. 1, 1956

name \_\_\_\_\_ address \_\_\_\_\_  
 of the \_\_\_\_\_ League (total membership of \_\_\_\_\_ has  
 sold \_\_\_\_\_ copies of "Well, What D'Ya Know, Minnesota  
 Has A Constitution" (the largest number in our League).

(To be returned (Signed) \_\_\_\_\_  
 by 11/5) League Office \_\_\_\_\_

Three prizes will  
 be awarded for  
 largest individual  
 sales at Convention.

As of Feb. 1, 1957

name \_\_\_\_\_ address \_\_\_\_\_  
 of the \_\_\_\_\_ League (total membership of \_\_\_\_\_) has  
 sold \_\_\_\_\_ copies of "Well, What D'Ya Know, Minnesota  
 Has A Constitution" (the largest number in our League).

(To be returned (signed) \_\_\_\_\_  
 by 2/5) League office \_\_\_\_\_

Three prizes will  
 be awarded to Leagues  
 for largest sales  
 proportionately  
 based in Leagues of  
 under 50; 50 to 200  
 and over, at Conven-  
 tion.

As of May 1, 1957

name \_\_\_\_\_ address \_\_\_\_\_  
 of the \_\_\_\_\_ League (total membership of \_\_\_\_\_ has sold  
 \_\_\_\_\_ copies of "Well, What D'Ya Know, Minnesota Has A  
 Constitution" (the largest number in our League).

(to be returned (signed) \_\_\_\_\_  
 by 5/5) League office \_\_\_\_\_

10/29/56

These are tentative plans and schedule for Constitutional Convention and Legislative committee and for the Public Relations and Publications related to them. Will other committee chairmen prepare similar outlines in order that the Board may review all of them together at the Nov. 29 meeting and approve a general plan for the remainder of the year.

TENTATIVE PLANS AND SCHEDULE FOR C.C. AND LEGISLATIVE COMMITTEES AND RELATED PR AND PUBS.

State-wide organizations (about 50) to receive:

- NOV "Well What D'ya Know"  
Notice of availability of film "A Very Humorous Story"  
A list of local leagues where they can secure speakers and information for their local groups.
- NOV. Heads of selected organizations and other influential people will receive Alene  
Early DEC. attention by telephone or in person.
- DEC. Business firms: a limited list will be formed from the League Trade Survey  
JAN. roster for letters and/or interviews.

Assignment:

Grossman will prepare list by culling and annotating the original MCCC one. (Alene, shall I (M.H.) or will you write covering letter for book etc. being sent to organizations?)

Guthrie will use St. Paul and Mpls. lobbying committees to mail books (DG says and to make the personal contacts with the specified individuals. OK)

Monthly M.E.A. release provided in budget (P.R.)

Board or Exec. Com. in consultation with P.R. decide subject

Resource chairmen provide information

Public Relations prepare release

Grossman will determine charge for us of film "A Very Humorous Story"

Legislative Interviews and Analyses:

AFTER  
NOV. 6 Legislative Committee will send to local Leagues a list of legislature elected with an analysis of their attitudes toward the three major LWV items (C.C., Reapo., P.D. ) based on the questionnaire, voting records and other information.

NOV  
DEC Local Leagues will be asked to interview their senators and representatives before the session on these three items and send a report to the state office.

Lobbying

AFTER  
NOV. 6  
THRU THE  
SESSION

Letter Campaign: organized on basis of unit meetings  
League members write to legislators and editors  
Influence non-League people (especially) ment o write, choosing the person according to the issue.

Personal Lobbying: Emphasis: and effort to be on the constituent personally seeing, telephoning, or arranging for someone more influential to do so rather than on lobbying at the Capitol by Twin Cities committees. The Legislative Committee will keep the local chairman informed.



Time for Action. Local legislative committees will be advised to organize in a way to reach quickly members and particularly non-members who might be influential on a given issue.

Presentation of Contest Winners to Legislature

Early JAN

Invitation - Hargraves  
Finance and overnight?  
Arrangement with legislators, date, place, time - Guthrie  
Public Relations media - Grossman

FEB. 20

Legislative Day -

Speakers: Authors of bills related to League program  
Lobbying from standpoint of legislator,  
(by a friend and a critic  
Attending: Local League legislative and resource people and  
president.

Luncheon: League members with their legislators. Local Leagues issue invitations and pay for meals. Notify state office number to attend. Physical arrangements for morning meeting and luncheon by St. Paul League on request from Guthrie.

Legislative Tours. There will not be scheduled tours conducted by the state LWV, but there will be a League representative at the Capitol who can inform League visitors about the legislative business of the day.

MAY

Convention and Board Reports

PR - F2D4 B10a  
Proq - F3D2 A13  
DEC 28 1956

# MINNESOTA CITIZENS CONSTITUTIONAL COMMITTEE

## OFFICERS

DONALD A. HOLMES, Chairman  
Minneapolis  
O. J. JERDE, Vice Chairman  
St. Cloud  
ROGER B. PAGE, Vice Chairman  
St. Paul  
MRS. RUSSELL T. LUND, Secretary  
Edina  
MISS CELIA LOGAN, Treasurer  
Minneapolis  
JAMES OLSON, Auditor  
Minneapolis

## BOARD OF DIRECTORS

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MRS. M. W. MALONE, Windom  
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Third Congressional District  
KINGSLEY HOLMAN, Bloomington  
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EMIL ERICKSON, Virginia  
Ninth Congressional District  
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MRS. FLOYD McDUNN, Pelican Rapids  
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MISS FLORINE LeCLAIR, Minneapolis  
MRS. RALPH NORGARD, Minneapolis  
JAMES OLSON, Minneapolis  
MRS. ELLIS PEILEN, Minneapolis  
MISS BARBARA STUHLER, Minneapolis  
MISS JOYCE VOEKS, Minneapolis

## MINUTES OF MEETING OF

## BOARD OF DIRECTORS OF

## MINNESOTA CITIZENS CONSTITUTIONAL COMMITTEE

The third meeting of the Board of Directors of the Minnesota Citizens Constitutional Committee was held on December 13, 1956, at 7:30 P.M. at 1100 First National Soo Line Building, Minneapolis, Minnesota pursuant to call of the Executive Committee and notice duly sent on December 1, 1956.

The following persons were present: Donald A. Holmes, Chairman; Mrs Russell T. Lund, Secretary; Mrs. Malcolm Hargraves; Mrs. Robert B. Ridder; Mrs. Ellis Peilen; Miss Barbara Stuhler and Miss Joyce Voeks. Mr. Holmes presided and Miss Stuhler kept the minutes.

A quorum not being present, the meeting adjourned sine die.

Those present then met informally and discussed the status of the Advisory Council (only about 20 legislative districts appeared to have a member), the outcome of the solicitation of funds (only about \$90.00 had been received and an indebtedness to the League of Women Voters of Minnesota still remains unpaid), the stand likely to be taken by each Senator and House member on the Convention question in the 1957 session of the Legislature (it appeared that about 25 votes would have to be procured or changed on each side of the Legislature) and whether the Committee was in a position to do anything and if so, what could be done. Various suggestions were made. No action was, or could be, taken. The discussion terminated about 9:30 P.M. at which time Mrs. Norgaard dropped in.

Respectfully submitted,

Miss Barbara Stuhler  
Assistant Secretary

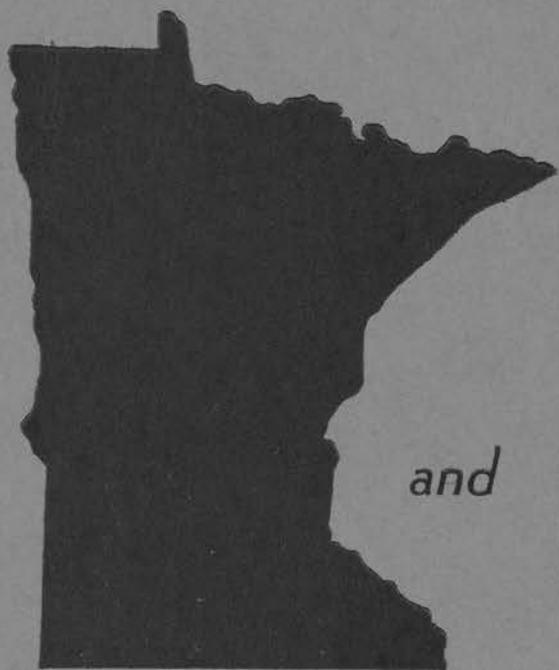
Attest:

Donald A. Holmes, Chairman

Mrs. Russell T. Lund, Secretary

# YES!

*Minnesota Has A Constitution*



*and*

*It's A Great Constitution*



The purpose of this booklet is to present facts as to why Minnesota does not now need a Constitutional Convention.

Obviously, a state Constitution may need amending from time to time. Whenever it is advisable to amend a specific portion of our Constitution, it can be done simply and inexpensively in the traditional way by the Legislature first studying a proposal, then passing the same on to the voters for approval or rejection.

This booklet is prepared as a public service by the Minnesota Employers' Association in the interest of constitutional government for Minnesota.

## HOW IMPORTANT IS HISTORY?

It is true that 59 Republican and 55 Democrat delegates met separately in 1857 for seven weeks and each prepared a recommended proposed Constitution. And that four or five men from each group made up a joint committee of eight or ten men who met for ten days to reconcile and agree upon a proposed Constitution that contained compromises between the two groups. And that proposal was submitted to the voters on October 13, 1857 when the voters approved the Constitution by 30,055 votes.

It's interesting history but has no bearing upon whether a Constitutional Convention is necessary today.

It is also true that since that time 83 amendments have been added to our Constitution to meet the changing times and strengthen our Constitution. These amendments were carefully considered by Legislatures in the past and approved by the voters from time to time after full legislative and public consideration.

## HOW IS A CONVENTION CALLED?

Both the House of Representatives and the Senate must by two-thirds vote submit the question of calling a Constitutional Convention. Here is the pertinent quotation from Article XIV, Section 2:

*"Whenever two-thirds of the members elected to each branch of the legislature shall think it necessary to call a convention to revise this constitution, they shall recommend to the electors to vote at the next general election . . ."*

You can see from the above that it was the intent of the founding fathers that the calling of the convention be clearly necessary and further that the Legislature shall recommend it to the voters. This destroys the argument that the Legislature must submit the question to the people whether or not the individual legislator feels the convention is necessary.

## WHAT IS GOOD ABOUT MINNESOTA'S CONSTITUTION?

The above question might be answered by asking another. What is bad or evil about Minnesota's Constitution. As you read this can you think of anything, or have you ever been told that there is anything in the Minnesota Constitution that is harmful to you, your family, your religion, your business or the community in which you live? It is true that there are some obsolete provisions in our Constitution that now have no legal force or effect. But none of these obsolete provisions are doing anyone any harm.

Our Constitution has a bill of rights protecting freedom of religion, and of the press; it protects our citizens from unreasonable searches and seizures; grants rights of jury trial; prevents illegal arrest and being placed in double jeopardy; guarantees justice without delay; prevents cruel and unusual punishment; grants bail to those arrested; the right of habeas corpus; freedom from imprisonment for debt and protects the people in countless other ways.

The rights in these sections of our Constitution would all come under the scrutiny of a Constitutional Convention.

Our government is divided into three branches — legislative, executive and judicial. Over the years our government has worked well with this system of checks and balances, which has preserved free government for our people.

The Constitution sets up a system of trust funds and support for our schools and universities.

Our Constitution is short, having but 15,465 words. Louisiana had a Constitutional Convention in 1921, and theirs has an estimated length of 201,423 words.

Minnesota's Constitution is easily amended so as to keep in step with the times. It has been amended 83 times through and including the 1956 election.

Under our Constitution Minnesota has grown to become one of the great farm, industrial, business and cultural states of the nation.

## ARE THERE AMENDMENTS THAT SHOULD NOW BE MADE TO OUR CONSTITUTION?

There are at least four proposed amendments that are non-controversial. These amendments would eliminate four obsolete provisions that no one has been very concerned about but that have given the advocates of a convention some opportunity to imply that all of the Constitution is outmoded. The amendments would eliminate the following:

Election of United States Senators by the state Legislature. Minnesota voters have elected U. S. Senators since 1916.

Restrictions on the right of women to vote. Women have voted since 1920.

Limiting the state debt to \$250,000. The state debt has far exceeded that figure for years.

Giving Indians the right to vote without the necessity of a court order declaring them capable of voting.

These amendments can be easily and economically effected in the traditional manner.

Certainly they are not of enough import to justify the expense of between \$1,500,000 and \$2,000,000 for a Constitutional Convention.



Further than that would be the work of many legislative sessions to make the statutes conform to the new constitution. Note the Missouri experience on the following page.

In Minnesota, the average cost, based upon the records of the Secretary of State, indicate that the cost of submitting a constitutional amendment including direct and indirect cost such as printing, pay of election clerks, etc., is only \$25,690.



## WHAT HAS BEEN THE EXPERIENCE OF STATES THAT HAVE HAD CONSTITUTIONAL CONVENTIONS?

### MISSOURI EXPERIENCE

Missouri, which redrafted its Constitution in 1945, not only spent a large sum on the project but then had to hire 12 lawyers who worked two years analyzing 15,000 statute provisions, after which it was necessary to introduce 550 bills at the next session of their Legislature to make the Constitution workable. Printing costs, etc. were very heavy.

On top of that, the Legislature had to immediately submit six amendments to the new Constitution to meet changed conditions.

### NEW YORK

New York had a convention in 1938 and by 1953 had added 56 amendments. Ten more amendments were submitted to the voters in 1955.

### NEW JERSEY

New Jersey had a convention in 1947, added two amendments in 1953, and defeated two in 1955.

A NEW CONSTITUTION DOES NOT STOP THE AMENDING PROCESS.

## WHO WOULD BE THE DELEGATES TO SUCH A CONVENTION?

It is doubtful if many Minnesota citizens, without a special interest involved, could afford to leave their professions, businesses or farms for the time required and be a candidate to such a convention, with the expense of a campaign, and then subject themselves to the pressure, the unpleasantness and the sacrifice involved.

Picture what could easily happen. The political parties with their political machines would have candidates for delegates; the city political machines would seek delegates to secure freedom to operate and to tax; the school forces would seek new revenue; the welfare groups, the old age pension groups, the co-ops, the business interests, the labor unions with their great power and interest in labor laws and regulations, and every spending agency in the state would be seeking more power and money. Labor unions could finance the campaigns of their delegates if they wished far beyond the ability of any individual.

About the only unrepresented group might be the taxpaying citizens of Minnesota — the people who would have to pay the bill.

Minority pressure groups of today result in people with interests to serve being elected in every campaign, as distinguished from the period of Minnesota history prior to 1945.



## SOME FACT AND FICTION

Fiction: Our Constitution is old and out of step with the times.

Fact: So is the United States Constitution old. So is the Magna Carta. So are the Ten Commandments. However, the basic principles in all of them are good. Unless there is something in our state Constitution that is actually harmful, it is not necessary to completely revise it. And if there is anything in it that should be changed, it can easily be done in the traditional manner.

Fiction: Minnesota's Constitution is too long.

Fact: Many states have much longer constitutions than Minnesota has. Louisiana has 201,423 words. Here are a few others: California - 72,000; Texas - 39,000; Oklahoma - 35,000; Missouri - 30,000; Massachusetts - 28,500. Minnesota has 15,465 words.

Some have compared the length of the United States Constitution with Minnesota's. There is nothing unusual in a state Constitution being longer than the national Constitution. The U. S. Government is one of specifically designated powers, whereas state governments embrace all powers not delegated to the Federal Government.

Each state accommodates its Constitution to the needs of its own people and area. Neither length nor terseness determines whether a Constitution serves its intended purpose.

Fiction: People want a Constitution Convention.

Fact: The Minnesota poll on January 9, 1955 showed the people do not want a Constitutional Convention. Then 63% preferred to amend the Constitution in the regular manner, 22% preferred to have a Constitutional Convention, and 15% had no opinion. In 1948 two amendments were submitted to the people. One, to change the method of calling a Constitutional Convention to make it easier, and two, an amendment to allow the submitting of two or more amendments to the Constitution without requiring the voters to vote on each separately.

They were both defeated decisively by an affirmative vote. The first 641,000 against and 294,000 for. The second was defeated 621,000 against and 310,000 for.

Fiction: Under our Constitution the Legislature has remained unapportioned.

Fact: The Constitution is not at fault because there has not been reapportionment for many years. The Constitution provides for reapportionment on a population basis. However, the Legislature has not been able to evolve an acceptable formula.

Fiction: Minnesota's Constitution is long and contains a statutory language, matters which should be left to the legislature to handle by statute.

Fact: In the three states who have recently had constitutional conventions, New Jersey, New York and Missouri, the following statutory items remain in the constitution: For example, the Missouri constitution fixes the compensation of a legislator at \$125.00 and that certainly should be a statutory matter.

The constitution of New York provides for an action for wrongful death and provides that the amount for recovery shall never be subject to limitation. The New York constitution fixes the salary of the governor and this also should be left to the discretion of the legislature. The New York constitution provides for veterans' preference down to and including the exact number of points to be given a disabled veteran on an examination.

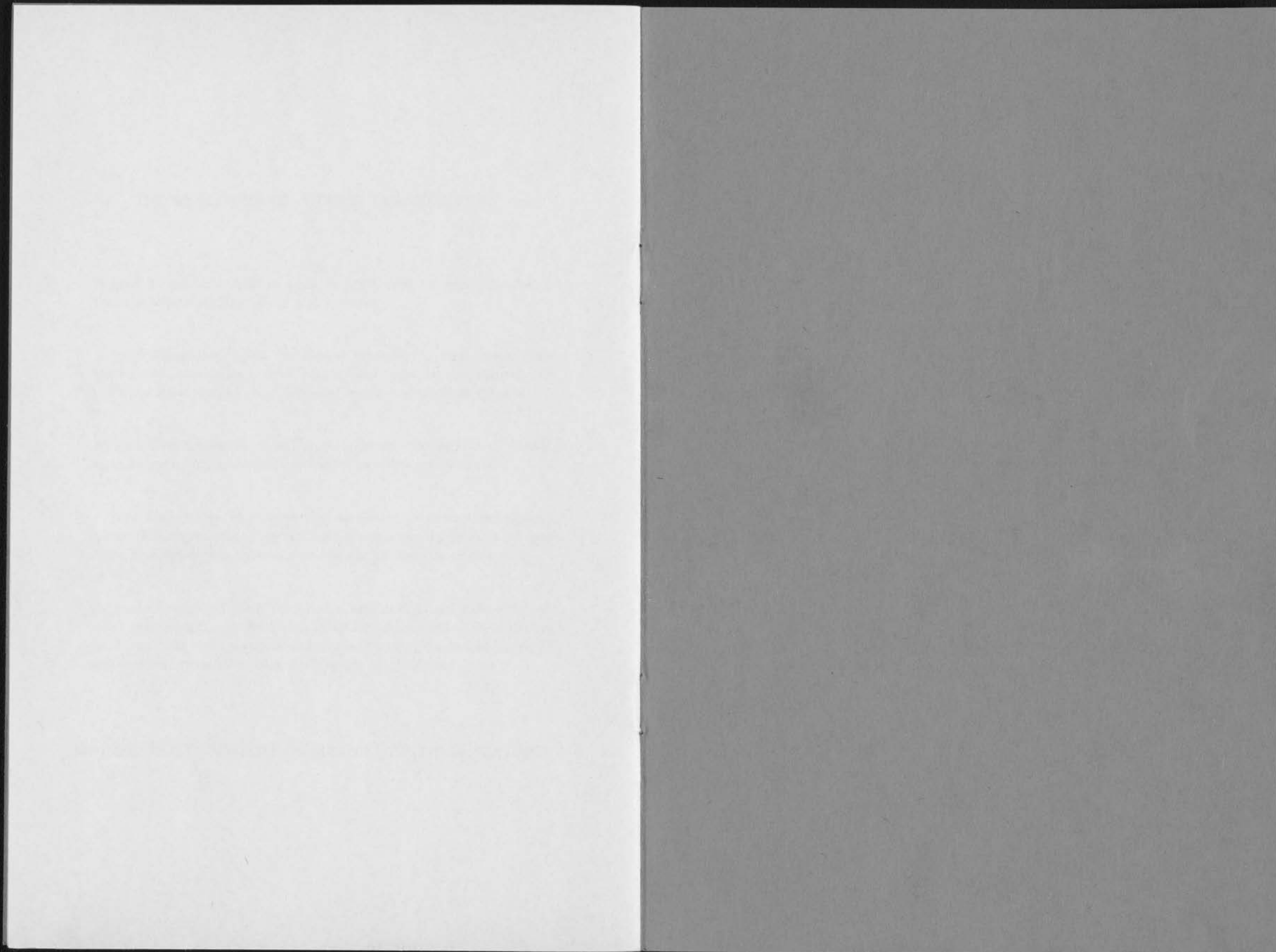
If any change in the reapportionment section of our Constitution is made, it should be offered to the people of the state as a separate measure for their approval or rejection.

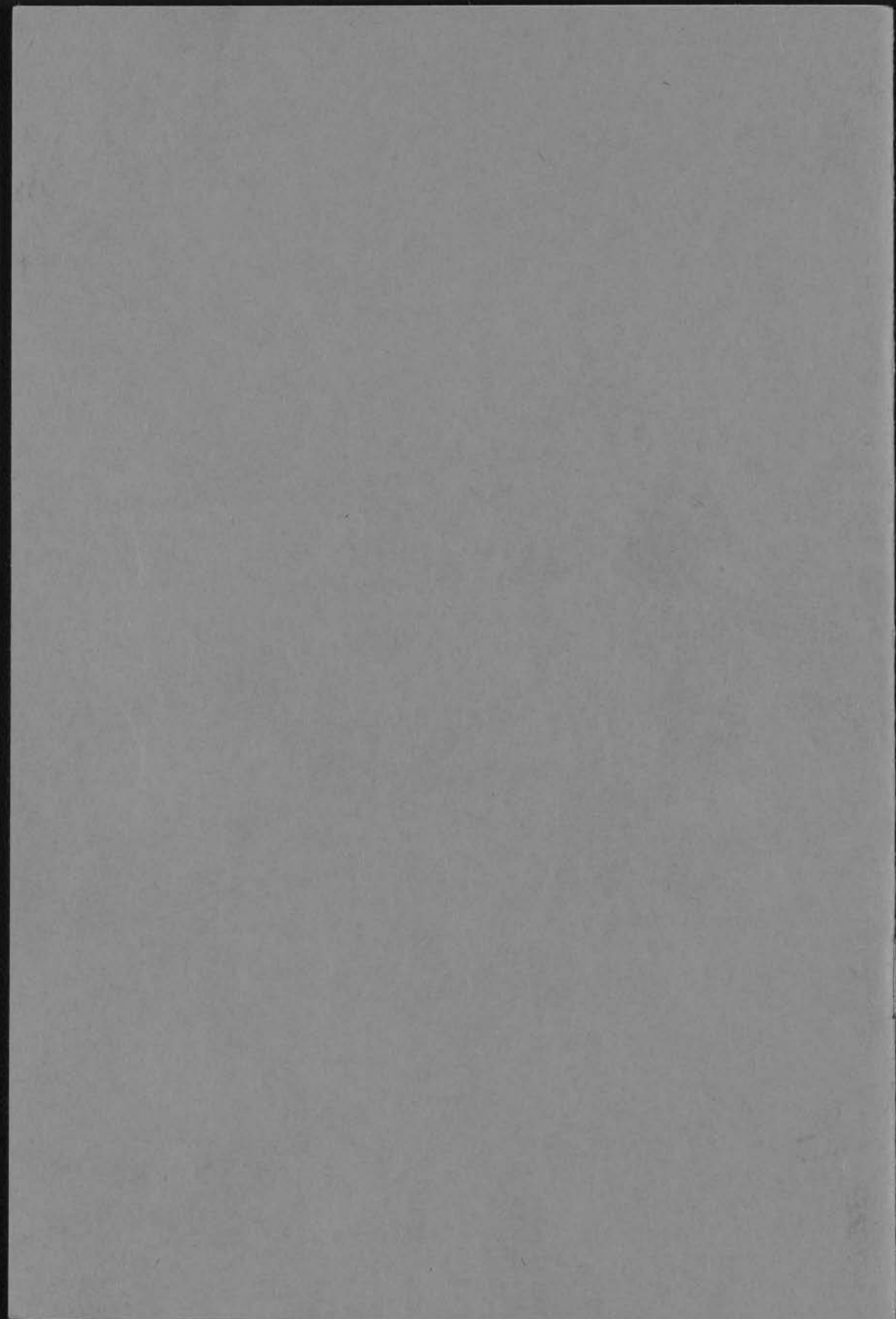


## THE REQUISITES OF A GOOD CONSTITUTION

1. A good Constitution must be plain and certain in its principles, and as far as possible free from doubt and question.
2. A good Constitution must be formed gradually; it must result from history and experience of the people, and must be the natural and deliberate expression of their thoughts, wishes and hopes in government.
3. A good Constitution must definitely apportion the powers of government between the departments and draw clear lines of distinction.
4. A good Constitution must not reflect temporary excitement and popular whims. The steps necessary in making a Constitution by amendment give time for temporary passion to cool and for excitements to pass away.
5. A good Constitution must provide for safe growth and expansion and must give security against public disorder and violence. Its provisions must recognize new thoughts and needs, changing times and changing conditions. It must allow easy modification in the future.

MINNESOTA'S CONSTITUTION HAS ALL OF THESE FEATURES







Fully

# LEAGUE OF WOMEN VOTERS OF MINNESOTA

15th and Washington Avenue S.E. Minneapolis 14, Minnesota

Federal 8-8791

December 1956

Dear Legislator:

As the 1957 session of the Legislature approaches, the League of Women Voters of Minnesota wants you to know that we are fully aware of the many, difficult problems which confront you. We know, too, that the pressures you are subjected to are great. We would like to take this opportunity to express our appreciation -- shared by many Minnesotans -- of your public service as a member of the state Legislature.

Our organization has been working for constitutional revision for nine years. Much of our study and research has been recently put together in the booklet, "The State You're In." We have attempted to demonstrate how Minnesota's century-old Constitution stands in the way of responsible and responsive government and to emphasize the citizen's role as Constitution-maker in our democracy.

As you are well aware, this problem is one of national concern. This concern was recently expressed by President Eisenhower's Commission on Intergovernmental Relations when it reported, "that most states would benefit from a fundamental review of their state constitutions to make sure that they provide for vigorous and responsible government, not forbid it."

Members of the League of Women Voters feel that this "fundamental review" can be accomplished only by a Constitutional Convention. In this we share the view of recent governors, both political parties, the Legislature's own Constitutional Commission of 1947-48, and the many, many citizens who voted overwhelmingly in support of an amendment in 1954 which cleared the way for a Constitutional Convention.

We hope that the material in "The State You're In" will be helpful to you in your consideration of favorable action for the Constitutional Convention bill in this coming session.

Very truly yours,

*Loris Guthrie*

Mrs. Donald Guthrie,  
Legislative Chairman



Affiliated with the  
League of Women Voters of the U.S.

LEAGUE OF WOMEN VOTERS OF MINNESOTA

15th & Washington Aves. S.E., Minneapolis 14, Minnesota, FE 8-8791, December 1956, 5¢

A UNIT MEETING on PERSUADING THE PUBLIC TO TAKE LEGISLATIVE ACTION

The following experiment was carried out recently by a League unit. In view of its success it is hoped League units throughout Minnesota can work in some such program early in the legislative session as a legislative, constitutional revision, or general membership meeting.

Time required for preparation: 30 to 45 minutes.

Discussion leader: any unit member interested in this year's legislative program.

Materials needed:

- 1) supply of publications on state program to be loaned, sold, or consigned to members for distribution
- 2) for the use of the discussion leader, Instruction Sheets on a Selling Campaign for "Well, What D'ya Know...Minnesota HAS a Constitution"; also copies of "Well..."; "The State You're In"; "Lobby by Letter"; extra inserts of Constitutional Convention section of Lobby by Letter; October-November reprint (5¢) of Minnesota Voter, the "4F's"; "Democracy Denied"; information on the new film, "A Very Humorous Story"; a new chalk talk, which can be borrowed from the state office, "The Discontented Constituent"; well-stocked Murphy Bag; pencils, paper and stationery for writing legislators.

LEADER: Today, because of the school holiday there are eight of us rather than the usual 15 or so. Let's see to what extent we few can individually carry out an active and effective legislative effort to bring about the calling of a constitutional convention in Minnesota. (Leader then reads from the three pink sheets on constitutional convention in the Lobby by Letter Kit for the benefit of new persons and to refresh memories of others.) Let's make some notes as we go along so we won't forget what we say we will do.

I have here the Instruction Sheets for carrying out the selling campaign for this new little book, "Well, What D'ya Know...Minnesota HAS a Constitution." This book, as you know, was designed to be our principle agent to build public opinion for the calling of a constitutional convention, the program that Minnesota League members asked to have carried out in the 1955-57 biennium.

I see the first category of persons suggested to head the list of each member's personal prospect list for the book is attorneys. Who here knows an attorney to whom she might sell or give a copy of "Well..."? (Two raised hands and made notes of their intentions.) I think attorneys and business men would like to see the "4F's" article. It answers many questions or objections they might have such as the one on increased litigation costs which some feel might result from constitutional revision (two noted this). You all have your own copies of "Well..." Let's turn to the map to see how we can reach beyond our immediate area. I'll read the legislative district numbers where there were "no" votes on the bill to submit the calling of a constitutional convention to the people in the 1955 legislative session. Let's put "N" in each of these districts. (Leader read from pages three and four of the Instruction Sheets and group marked "Well..." map.) Now let's black in lightly some of the same districts where there are no Leagues. (Leader read, group marked.) Who here knows well someone in any of these marked districts who might influence the senator to change his vote when the constitutional convention bill comes up in the 1957 legislature?

Mrs. S.: My home formerly was in E...F...That's in legislative district number \_\_\_\_.

Leader: Let's look at the names inside the map to find the name of the Senator who voted "no" in 1955. It was Senator X.

MRS. S.: I know him well. He's an old family friend.

LEADER: Would you want to send him a copy of "Well...?"

MRS. S.: I'd like very much to write him and send him a book.

LEADER: Will you also ask him to read, if he has not already done so, his copy of "The State You're In" which the state board sent him very recently? This book, as you know, contains the answers, the reasons why Minnesota's constitution needs revising.

MRS. K.: (not yet a member, her first meeting) My husband knows Senator Y in district \_\_\_\_ which has no League and a "no" vote. He plays golf with him.

LEADER: This is too much! He's one of the strongest opponents of constitutional revision. If you'll look on page 29 of Democracy Denied... I have it here.. maybe we can see why he is so opposed to revision. He represents a highly over-represented area and because he can now do so well by all his constituents that is perhaps the reason he wants nothing changed. Would you take my copy of "State You're In" for your husband to read? Do you think he would talk to Senator Y? That is, if after reading it he agrees with us that it's time for constitutional convention.

MRS. K.: I'm sure he will talk to him about it if I can sell the idea to him. They are very good friends. At least they can have a good argument.

MRS. G.: I know Senator Y's wife. We worked together at the hospital for a short time. I'll send her a copy of "Well...."

LEADER: This is amazingly good luck. He's the one in this vicinity who badly needs "softening." He's a powerful person in his district and in the Senate. Mrs. G., would you also send her a Voter reprint, the "4 F's" and ask her to ask him if he's read his copy of the "State You're In"? (Mrs. G. giggled and nodded yes with some hesitancy).

LEADER: Our own Senator voted against the constitutional convention bill in 1955. Who knows him well enough to ask him what he plans to do when it comes up in the legislature again?

MRS. A.: I know him quite well. I'll call him.

LEADER: Would you point out to him that 59% of his constituents in X County voted "yes" on Amendment 3 in the 1955 election. As we've said, passage of this amendment was a mandate from the people to give them the right to vote on this question. Maybe you could tactfully suggest that by this time undoubtedly the percentage would be higher and perhaps he can't afford to overlook again the expressed wish of his constituents? You might also suggest that inasmuch as its in both party platforms it would seem he should support such a bill.

MRS. A.: I shall do all that and I'll ask him if he's read "The State You're In."

LEADER: Who here knows the local political party heads -- those lifelines of state politics to the legislators?

MRS. A.: I'll talk to Mrs. H...., Republican Chairwoman.

MRS. R.: I'll see Mrs. W...., Democratic Chairwoman.

MRS. G.: My church group is always looking for good programs. Maybe I can use some of this material.



LEADER: If you have someone in the group who reads well, the reading of "Well,..." is an excellent program in itself. It is cleverly written and easily read. Also, you could call on our speakers bureau if for some reason you'd rather not do it yourself. The state office will let you use a copy of the new 20 minute chalk talk, "The Discontented Constituent." This also would be an excellent program for PTA, service groups etc. Then, too, there is the new sound film, "A Very Humorous Story" which can be rented by organizations for \$3.00 plus postage and insurance. This is a documentary type film, extremely well done, the best possible means of selling the need for constitutional revision. (All but one made notes on these materials.)

MRS. N.: My husband is a Rotarian, I'll ask him about supplying them a program.

LEADER: Show him page 29 of "The State You're In" if he's not sold on our program. That will sell any business man. Who here knows the AAUW legislative chairman?

MRS. B.: I'll take some of these things to her and to the Business and Professional Women's legislative chairman,

MRS. B.: I'll see what I can do with Kiwanis,

LEADER: Shall I ask the publications chairman to send for enough copies of the Instructions Sheets for each of our units to have them? They're free from the state office and full of ideas. (The group thought this should be done.)

LEADER: Time has run out and we haven't written the legislators while here as we had planned. Letters written just before, or as early as possible in, the legislative session will have the most effect. Will as many of you as can, do it as soon as possible at home? Maybe we can squeeze that in at our next meeting for those who weren't here today and we'll have the Instructions Sheets for them. Before we go, do any of you know of opposition to constitutional revision by the convention method? Think about it and let the constitutional revision chairman, Betty \_\_\_\_\_, know what you hear. And by the way, do you all have the new Lobby by Letter insert (15¢) which is a digest of our entire program? It is particularly important for you to have the three pink sheets devoted to constitutional convention -- our case in a nutshell.

Thank you all. I do feel really set up by what the few of us will be able to accomplish.