



## League of Women Voters of Minnesota Records

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League of Women Voters  
of the United States

*ordered 18*  
**Memorandum**

1026 17th Street, N. W. - Washington 6, D. C.

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July 30, 1954

TO: Local and State League Presidents  
FROM: Mrs. John G. Lee

While the experience is fresh in my mind I should like to share with you the thinking that went on this week with a group of southern state League presidents. The conference came about because letters to the national office from a number of presidents and Voters Service chairmen indicated that new problems -- particularly in relation to the Fall elections -- were arising as a result of the Supreme Court decision on segregation in the schools. It became clear that League leadership in those states would profit greatly from pooling ideas and experiences.

With this impetus and the valiant assistance of Mrs. Pauley, president of the League of Women Voters of Georgia, a conference was held in Atlanta on July 27-28 after only two weeks of planning. Meeting for the two days of discussion were the presidents of the states where the greatest amount of governmental problems might be anticipated, i.e. Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia, and the chairman of the Arkansas State Organization Committee. Also present were Mrs. Killen, Mrs. Perryman, Mrs. Leonard, Miss Drake and myself from the national Board and staff.

The legislative picture is clearest in Georgia and Louisiana where voters will have a ballot issue on education in the November election. Georgia's plan is designed to allow the General Assembly to end the public school system and substitute private schools in order to keep segregation in effect in Georgia. In Louisiana the ballot issue is directed toward placing the public school system under the police power of the state. In Mississippi there is a possibility of a special session of the legislature to be followed by a referendum. However, generally it appears that there will be a legislatively quiet period while the states wait for the decrees to be handed down by the Court after it hears further arguments in regard to implementation of the May 17 decision. Unfortunately, a good deal of heat on the race issue, generated during the primaries, has complicated the picture.

Now where does the League of Women Voters of the U.S. stand in this matter? The first Principle in our Platform is "The principles of representative government and individual liberty established in the Constitution of the United States." The Supreme Court has declared that segregation in the schools violates the 14th amendment; therefore it was agreed that the League would have no authority to support segregation in the schools. Although the Principle is clearly established, it was further agreed that under the present Current Agenda or the Continuing Responsibilities there is no authority for a national position or action against segregation nor do any of the state Leagues represented have authority for such a position or action under their Current Agenda or Platform.


Although several state Leagues have items relating to education on their Platform or Current Agenda, these items are not directed toward the problem raised by the Court decision except in Georgia. The Georgia League has an item in the field of education. At its Council meeting in May (before the Supreme Court decision) action in support of a public school system, without any reference to integration or segregation, was authorized. The League will work to defeat the private school ballot measure in November and will strive to keep the focus on the administration of education. The Louisiana League will not be active in regard to the state ballot issue because it has no position in regard to the specific proposal of the legislature. Mississippi, likewise, has no specific position for action; in fact, the legislature itself has not yet acted.

It will be remembered that, in 1952, South Carolina voters approved a constitutional amendment which eliminated the constitutional provision requiring public schools. The South Carolina League opposed such an amendment and its position in that regard is clear. However, South Carolina has not proposed any additional legislation since the Supreme Court decision and, like most of the other states, is waiting for the further decrees of the Court. In the other states where there is no clear-cut position, the regular program-making process of the League will naturally be the basis which Leagues will follow in undertaking work in the education field, and any position will depend, of course, upon the desires of the membership in each state.

Perhaps the most significant point that emerged from the meeting was the importance -- in fact, the necessity for calmness and a temperate attitude. Precipitate measures and hasty action in the educational field will not furnish solutions for problems so basic in the lives of men and women, and above all the children, of both races. The League of Women Voters is well equipped to function in this long-range manner: our program-making process lends itself admirably to a sober appraisal of the needs; and we are accustomed to seeking the overall welfare of our communities.

I left Atlanta feeling that the League is singularly fortunate in the competence and wisdom of the state presidents who will be called upon for leadership in meeting the difficult and complex problems which are bound to result from the Court's decision.

HARRY A. BULLIS, Chairman of the Board, General Mills, Inc.  
BRADSHAW MINTENER, Vice President, Pillsbury Mills, Inc.  
DONALD C. DAYTON, President, The Dayton Co.  
EDWIN C. MOORE, President, Powers Department Store  
ARTHUR J. SMABY, General Manager, Midland Cooperative Wholesale  
LLOYD HATCH, Vice President, Minnesota Mining & Manufacturing Co.  
HOWARD J. SEESAL, President, Field-Schlick, Inc.  
ROBERT F. ALBRECHT, President, Albrecht Furs  
JULIUS BARNES, President, Barnes Shipbuilding Co.  
Former President, U. S. Chamber of Commerce  
LEONARD RAMBERG, Secy.-Treas., Burma Vita Co  
YORK LANGTON, Trade Extension Manager, Coast-To-Coast Stores  
ARNULF UELAND, President, Midland National Bank of Minneapolis  
D. W. ONAN, Chairman of the Board, D. W. Onan & Sons, Inc.  
LAWRENCE A. HENNINGER, President, Strutwear, Inc.  
ROBERT WHITE, President, White Investment Co., Inc.  
GEORGE M. JENSEN, Vice President, Scott-Atwater Manufacturing Co., Inc.  
LLOYD HALE, President, G. H. Tennant Co.  
STUART W. LECK, President, James Leck Co., Contractors and Builders  
D. E. BALCH, Vice President, General Mills, Inc.  
JUDSON BEMIS, Vice President, Bemis Bro. Bag Co.



*employment on merit...*  
and your business

*Mr. Businessman—*

Read this carefully . . . it represents 3 years of study by non-partisan, unbiased volunteer members of the League of Women Voters of Minnesota.



# *discrimination costs money...*

While discrimination against the employment of minority groups has been viewed in many political and ideological lights, it has, in recent years, become necessary to examine this problem from the viewpoint of sound, cold business judgment. In other words, is it good business to discriminate against the employing of members of certain minority racial and religious groups? The experience of leaders in many industries and businesses that have hired members of minority groups, has resolved itself into one definite answer. "It's poor management to discriminate. It costs money." In a free, competitive enterprise system such as we have, discrimination has become a luxury that business cannot afford. Bradshaw Mintener, vice president of Pillsbury Mills, Inc., has said, "I cannot see how we can ever realize our full measure of economic well-being until every man and woman is permitted to work at whatever he can best do, regardless of color or religion." The undeniable truth is that, despite previous beliefs, business loses a great deal of money every year through discrimination.

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## *Some Business Questions Answered*

Since the first fair employment law was passed in New York in 1945, ten other states, and 27 municipalities in nine additional states, have followed suit with extremely successful results. At the present time, 60 million people, or over one-third of the nation's population operate successfully under these laws. This experience has provided some very definite answers to the questions bothering many employers.

**q.** Would this law mean oppressive and meddling government regulation?

**a.** Testimony from business leaders in all parts of the country has resulted in a flat "No" to this question. "For some years now, I have been observing the administration of FEPC in Minneapolis", Harry A. Bullis, chairman of the board of General Mills, Inc., said recently. "During this period, nothing has come to my attention that would give substance to fears that business could not operate freely and efficiently under it." An effective law, properly set up and commissioned, will not have the effect of "control" over business.

**q.** Will customers and employees make trouble for the employer who integrates minority group workers into his business?

**a.** Again, the answer to this question has come about as a result of actual experience. Again, the answer is "No". A number of Minneapolis retail businesses have been operating with people from many minority groups for some time. The difficulties of integration which they feared might arise, never did. Both the public and the employees seemed to receive the plan with hearty approval.

**q.** Must employers change or lower their standards of employment?

**a.** Absolutely not. The law does not, in any way, force employers to hire minority group applicants who fail to demonstrate that they have the ability and qualifications required for the job. By the same token, employers have the right to screen out prospective employees that might (as in the case of defense work) be subversives or poor security risks, or might not have a suitable personality or proper character for the specified job. The law under question is for equality, not for special advantages for members of minority groups.

**q.** How much will it cost to set up and legislate an Employment on Merit commission?

**a.** The present bill as it will be introduced to the state legislature, asks for an \$80,000 appropriation to cover a two-year period. This is a net cost of \$40,000 a year to conduct an Employment on Merit program for the entire state of Minnesota as compared with the Cleveland, Ohio, Voluntary Program which had a working capital of \$31,500 for a single city, for the 15 months it operated before Cleveland businessmen helped to pass an ordinance with enforcement powers.

## The Problem of Government Control

Perhaps the greatest fear of businessmen with regard to a fair employment practices law has been the fear of governmental and political interference and controls on business. At the same time, "voluntary" plans have proved expensive and burdensome on the employer and have failed to carry the confidence of the public and minority groups. With these facts before him, President Eisenhower stated in October of last year, "Eleven states have legislated in job opportunity. If I am elected, I will urge the governors of the 48 states to take leadership in guaranteeing the economic rights of all our citizens . . . I do not believe that any state will refuse to outlaw discrimination in the specific field of jobs." President Eisenhower stated later that he preferred to have the state and municipal governments take over the job of fair employment because each state could better design the law to suit its particular needs and businessmen would have more of an opportunity to make it a "businessmen's law".



### Minnesota's Proposed Employment On Merit Bill . . .

A bill (SF431 . . . HF518) to eliminate discriminatory employment and labor practices based on race, color, religion, or national origin has been

introduced in the 1953 session of the Minnesota legislature. The bill emphasizes education, private conference and conciliation, but provides for extreme cases the customary enforcement powers accompanying this type of legislation. The new bill incorporates modifications proposed as safeguards by a legislator who is, himself, an employer and businessman.



### Bi-Partisan Sponsorship . . .

The proposed bill will be sponsored in both houses by Conservatives and Liberals jointly. Both the Republican and Democratic parties have included specific statements endorsing this legislation in their party platforms and Governor C. Elmer Anderson, in his recent inaugural address, requested that this bill be placed on the statute books as law. After three years of careful investigation, the Minnesota League of Women Voters is giving this legislation its whole-hearted support.

## The Advantages of Employment On Merit Legislation

Benefits from Employment on Merit legislation are not limited to the members of minority groups alone. Every citizen, every business of the state, will benefit from such a bill. An Employment on Merit law

- WILL: 1. Develop and expand the manpower resources of the state.
- WILL: 2. Develop new markets within the state boundaries. He who does not earn cannot buy.
- WILL: 3. Protect the employer against unjustified complaints. Past experience has shown that this act, in many cases, helps complainants to understand their own inabilities and lack of qualifications, overcoming their natural tendency to spread personal bitterness in the community.





WILL: 4. Stimulate many under-employed workers to develop latent skills and talents, and encourage young people of minority groups to take advantage of educational and vocational training opportunities.

Every workable, practical Employment on Merit bill adopted by a state or municipality helps to favorably influence the nation as a whole. Such an act means implementation of the democratic and ethical principles professed in the Constitution. It is the best possible answer to the foremost Communist propaganda line—for only when we have “set our own house in order”, do we have the right to advise the other free nations of the world. And such an act means a wholesome social and business economy. It enables all people to become productive, self-supporting citizens, thus reducing dependency, crime, delinquency, and disease. A productive society is an independent society. A few are not required to carry the economic burden of the many.

## *what to do*

If you favor an Employment on Merit bill, give voice to your opinions by writing your state representatives and senators. Proper business influence will help make this bill a “businessman’s law”. This is what some of the business leaders of Minnesota have to say about an Employment on Merit bill.

“A 1952 Senate Labor Sub-Committee report on results of fair employment laws throughout the country shows that these laws have been ably administered and that general public acceptance has been attained through education and persuasion. Over 5000 cases have been adjusted without use of punitive legal measures against a single employer, although the mere existence of such measures in the legislation has served to command respect for the law.”

GEORGE M. JENSEN  
Vice President, Scott Atwater Manufacturing Co., Inc.

“The difficulties of integration have been greatly overestimated. When we face the problem squarely, we discover that most of our worst fears never materialize.”

STUART W. LECK  
President, James Leck Co., Contractors and Builders

“The freedom of the individual to seek his best opportunity is a sound basis for business freedom. I believe the advantages of this legislation to business outweigh the disadvantages.”

LLOYD HATCH  
Vice President, Minnesota Mining & Manufacturing Co.

“While I believe that civil rights problems are ultimately resolved only through education, in my judgement good legislation, wisely administered, is helpful in speeding up the educational process.”

LLOYD HALE  
President, G. H. Tennant Co.

“The law is necessary to persuade some of those who make employment policy to face the question of discrimination squarely. When they do, they find that they will benefit from employment on merit, and that the problems of adjustment with employees and customers can be easily overcome. The law backs up business men, labor leaders and employment agency managers who want to practice the sound policy of non-discrimination.”

YORK LANGTON  
Trade Extension Manager, Coast-To-Coast Stores

## • administration and procedure

### FAIR EMPLOYMENT PRACTICES COMMISSION

The Commission consists of nine members, one from each congressional district in the state. The primary responsibility of the Commission is to secure compliance with the law by persuading employers, employment agencies and labor unions to consider and utilize all workers on merit and without discrimination. In dealing with specific complaints, it is the Commission's function to solve the problem presented by conference, conciliation and persuasion.

### BOARD OF REVIEW

If the Commission is unable to resolve a complaint by conciliation, the Governor will appoint a three-member Board of Review, drawn from a panel of citizens already appointed. This Board will provide a public hearing for all parties concerned and will determine whether the complaint should be dismissed or whether certain actions are necessary to secure compliance with the law. The Board will issue an order based upon its findings.

### COURT PROCEDURE

If the order of the Board is not complied with, the Commission may file an action in the District Court to secure compliance. Likewise, if any party wishes to appeal from the order of the Board, he may file an action in the District Court. After full consideration, the District Court will issue whatever order may be necessary to make sure that fair employment practices are followed. A violation of such a court order would constitute contempt of court, punishable by a \$250.00 fine or six months imprisonment.

## • commission members

### State Fair Employment Practices Commission

Mrs. Eugenie Anderson, Red Wing,  
*Chairman*

Judson Bemis, White Bear Lake

Glenn Chinander, Newport

William Cratic, Minneapolis

M. J. Daly, Belle Plaine

Stephen Fligelman, Detroit Lakes

Mrs. Arthur T. Laird, Duluth

Ralph Shepard, Worthington

Mrs. Gladys Thompson, Wadena

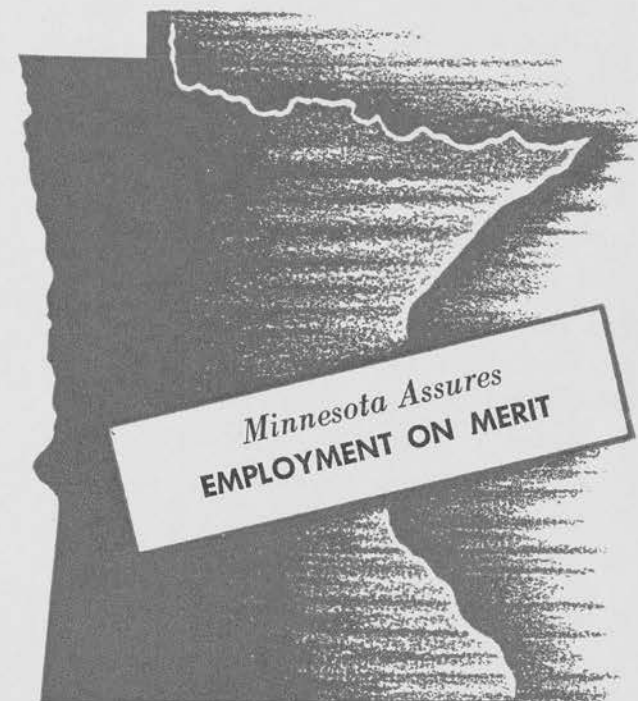
## • staff

Wilfred C. Leland, Jr., *Executive Director*

Richard K. Fox, Jr., *Assistant Director*

### Fair Employment Practices Commission

State Office Building  
St. Paul, Minnesota  
CApital 2-3013, Extension 896



Summary of Minnesota State

Fair Employment Practices Law



## ● public policy

"... the public policy of this state is to foster the employment of all individuals in this state in accordance with their fullest capacities, regardless of their race, color, creed, religion, or national origin, and to safeguard their rights to obtain and hold employment without discrimination. Such discrimination threatens the rights and privileges of the inhabitants of this state and menaces the institutions and foundations of democracy.

It is also the public policy of this state to protect employers, labor organizations, and employment agencies from wholly unfounded charges of discrimination. This act is an exercise of the police power of this state in the interest of the public welfare."

*(From the FEP Law, Section 1)*

## ● coverage and exemptions

This act applies uniformly throughout the state to employers, labor organizations and employment agencies, but does *not* cover:

- (1) employers of fewer than eight persons,
- (2) employment within an immediate family,
- (3) persons employed in domestic service, or
- (4) religious or fraternal organizations with respect to bona fide qualifications based on religion.

## ● unfair employment practices

### FOR A LABOR ORGANIZATION . . .

TO DENY full and equal membership rights to an applicant for membership or to a member because of race, color, creed, religion or national origin.

TO EXPEL a member from membership because of race, color, creed, religion or national origin.

TO DISCRIMINATE against an applicant for membership or a member with respect to his hire, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment because of race, color, creed, religion or national origin.

TO FAIL to classify properly, or refer for employment or otherwise discriminate against a member because of race, color, creed, religion or national origin.

### FOR AN EMPLOYER . . .

TO REFUSE to hire an applicant for employment; or to discharge an employee because of race, color, creed, religion or national origin.

TO DISCRIMINATE against an employee with respect to his hire, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment.

### FOR AN EMPLOYMENT AGENCY . . .

TO REFUSE or fail to accept, register, classify properly, or refer for employment or otherwise discriminate against an individual because of race, color, creed, religion or national origin.

TO COMPLY with a request from an employer for referral of applicants for employment if the request indicates directly or indirectly that the employer fails to comply with the provisions of the act.

### FOR AN EMPLOYER, EMPLOYMENT AGENCY OR LABOR ORGANIZATION . . .

TO DISCHARGE, expel, or otherwise discriminate against a person because that person has opposed any practice forbidden under this act, or has filed a complaint, testified or assisted in any proceeding under this act.

TO WILFULLY resist, prevent, impede, or interfere with the Commission, the Board of Review, or any of its members or representatives in the performance of duty under this act.

TO REQUIRE, before an individual is employed by an employer or admitted to membership in a labor organization, the applicant to furnish information that pertains to the applicant's race, color, creed, religion or national origin unless information on the national origin of the applicant is required for purposes of national security.

TO CAUSE to be printed or published a notice or advertisement that relates to employment and discloses a preference, limitation, specification or discrimination based on race, color, creed, religion or national origin.

### FOR ANYONE . . .

intentionally to aid, or attempt to aid, abet, incite, compel, or coerce another person to engage in any of the practices forbidden by this act.

League of Women Voters of Minnesota  
84 South 10th St., Room 406  
Minneapolis, 3, Minnesota

May 16, 1955

Memo: To Local League Presidents  
From: Opal Gruner, FEP Chairman

At the State Convention on May 13th the League of Women Voters of Minnesota voted, with only 3 dissenting votes, to retain FEPC as a continuing responsibility, in order "to permit the League to function as a watchdog in the first years of the laws administration."

At its meeting on May 11th, the State Board decided to cooperate with the Minnesota Council for FEPC in suggesting to Governor Freeman the names of people who might be good material for the FEP Commission and the Review Board panel. We therefore enclosed a letter from the Rev. Denzil A. Carty, Chairman of the Minnesota Council for FEPC, together with a copy of the standards which the Council has drawn up. Since the Governor wishes to have the Commission and the Board of Review panel appointed by June 1st, the time for sending in suggestions is very short.

One contribution of the League in the '55 battle for FEPC has been to call attention to the problem of the 19,600 Minnesota Indians outside the 3 large cities. It is to be hoped that the new FEP Commission will be comprised of men (and women?) who will be interested in using the authority given them by the new law to do what is possible to help this situation.

NAMES SHOULD BE SENT DIRECTLY TO THE STATE OFFICE BY MAY 23rd.

## MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICES

465 MACKUBIN, ST. PAUL, MINN.



May 13, 1955

Dear Friends:

At the last meeting of the Minnesota Council for Fair Employment Practices it was decided that the Council would continue in existence and would concern itself first with suggesting nominees for the FEP Commission (which is to consist of nine members, one from each congressional district, and one of whom must be a lawyer) and the Board of Review (a panel of twelve members, at least one from each congressional district, and at least four of whom must be lawyers). The chairman was also instructed to write to Governor Freeman, telling him of our action.

A committee composed of the following members was appointed to make a thorough study of basic qualifications desirable for such nominees and to compile a list to submit to the membership at our next meeting:

Mr. L. Howard Bennett

Rev. Denzil A. Carty

Mr. William E. Cratic

Mrs. Opal Gruner

Mr. B. F. Ihlenfeldt

The committee has drawn up the enclosed set of qualifications as a basis for selection. It is hoped that we shall have the active participation of all organizations and individuals affiliated with the Council, especially those who have knowledge of qualified persons outside the Twin Cities.

The bill must be put into effect by July 1st; therefore, we must act immediately. Won't you please see to it that your list is sent in as soon as possible and not later than May 23rd? The committee plans to meet soon after May 23rd to study your recommendations and then to report to the full membership of the Council.

May I take this opportunity of thanking you for the whole-hearted support which you gave to the Council during the entire campaign. I know that you will be interested in following through with your suggestions of persons for the Commission and the Board of Review because the success we have achieved in the passing of the bill can be completely nullified if the right persons are not found to administer the law.

Sincerely,

*Rev. Denzil A. Carty*

Rev. Denzil A. Carty  
Chairman

DAC:fah  
encl.

P.S. We are sorry that we cannot give you more time, but the committee report must be made within the next few days. Won't you please cooperate and get your replies in by the date mentioned above?

MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICES

465 Mackubin, St. Paul, Minn.  
CA 5-7198

Rev. Denzil A. Carty, Chairman

PROPOSED QUALIFICATIONS FOR THE COMMISSION  
AND THE REVIEW BOARD PANEL

Nominees for the Commission and the Board of Review should be:

1. Persons who recognize that the Fair Employment Practices Commission is an administrative agency charged with administering a statutory law of the state and that implementation of the law is not limited to education and conciliation; they should be persons who would not hesitate to use the enforcement powers of the law if that should become necessary in any case.
2. Persons who have demonstrated either some interest or leadership in combatting discrimination and prejudice, or concern over other social problems.
3. Persons who can weigh and evaluate evidence with impartiality.
4. Persons who, if they are not already experienced in human relations problems, are open-minded and forward-looking, and have a sound basic democratic philosophy.
5. Persons who will seriously assume the responsibilities and give the time required to do a conscientious job. In other words, these must be working, not honorary boards.
6. Persons who will be interested in the rights of, not one minority alone, but of every person of any minority who may be the victim of discrimination. The Commission and the Board of Review should be constituted of a somewhat balanced representative of differing political and economic interests.

5/13/55



League of Women Voters of Minnesota  
84 South Tenth St., Room 406  
Minneapolis 3, Minnesota

March, 1955 F 30304  
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TESTIMONY REGARDING S.F. 722

Given before the Senate Judiciary Committee on behalf of the League of Women Voters of Minnesota on March 8, 1955.

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE:

My name is Mrs. Basil Young. I am President of the League of Women Voters of Minnesota and have come down from Hibbing to testify for Fair Employment Practices legislation, which the League has supported since 1951.

Before the League of Women Voters can support any issue, it must meet certain tests: 1) it must concern government, 2) it must be in the public interest since the League serves no special group or interest, and 3) the decision of support must come from the membership after thorough research and study.

It must also conform to certain principles which we have adopted. The governmental issue in the public interest which is before you today falls within the scope of four of the eighteen principles by which we are guided in choosing our program. They are: 1) protection of minority groups against discrimination, 2) efficiency and economy in government, 3) government responsible to the will of the people, and 4) domestic policies which facilitate the solution of international problems.

There should be no room for discrimination in a system of government that has as its base the individual citizen, is dedicated to freedom and equality of opportunity. However, in addition to this being a matter of liberty and equity, there are other sound reasons for legislation of this type.

It would contribute to the economy and efficiency of government by making full use of the human resources of this state; by making it possible for all citizens to become productive and self-supporting. On the other side of the coin, it would reduce the necessity of aid to those who cannot procure jobs because of discrimination.

A recent Minnesota Poll indicates that 85% of Minnesota adults favor FEPC legislation (86% of the city residents, 85% of the people in small towns, 82% of the people on farms). It is on the platform of both political parties. Passage of this bill would therefore be in response to the will of the people.

A fair employment practices law would most certainly fall in the category of a domestic policy which facilitates the solution of international problems. We are the leaders of the free world, and nothing handicaps us more in attempting to solve international problems than our failure to practice what we preach, thereby aiding the communistic cause and furnishing them headlines for their propaganda. We in Minnesota will be doing our part to reduce our vulnerability in this respect if we foster employment of all individuals in accordance with their fullest capacities regardless of their race, color, religion or national origin.

We now have ordinances in the three largest cities: Minneapolis, St. Paul and Duluth, but the authority of these laws is limited. It does not extend to the important industries bordering the city limits — it does not extend to the large minority group, the Indians, most of whom do not live within the limits of these three cities. To utilize most effectively the skills of workers in all communities, are we to add more local commissions or would it be wiser to have a single commission with state jurisdiction? Which would be most efficient, most economical, most far sighted? Which would best meet the test of responsibility for all the people?

The League of Women Voters submits that state legislation is the answer.

LEAGUE OF WOMEN VOTERS OF MINNESOTA  
MINUTES OF MEETING OF BOARD OF DIRECTORS  
February 3, 1955

The meeting of the Board of Directors of the League of Women Voters of Minnesota was called to order at 10:30 a.m. on Thursday, February 3, 1955, by the second vice-president, Mrs. Hamilton Lufkin. Also present were Mesdames Wallinder, Chesley, Gruner, Anderson, Hoesly, Fountain, Klein, and Moen. Mrs. Guthrie of the nominating committee and Mrs. Hocraffer, president of the Roseville League, were present as observers.

MINUTES

The minutes of the January 13 Board meeting were read and approved.

TREASURER'S  
REPORT

Mrs. Wallinder read figures bringing the cumulative treasurer's report up to date and reported a balance on hand of \$1,183.07 on February 1.

PUBLIC RELATIONS

Mrs. Fountain reported that Mrs. Norgaard and Senator Mullin would be heard on the Minnesota Round Table over WLOL Sunday evening, and that she would try to arrange a program for Mr. Cina at a later date. She also announced that Mrs. Young would be heard on "Weekend" over KSTP on Sunday, February 6, discussing problems of constitutional revision with the Indiana League.

NATIONAL COUNCIL

It was moved by Mrs. Gruner that we request Mrs. Young to attend the national Council Meeting, and that Mrs. Young and Mrs. Guthrie be authorized to select the second delegate. The motion was seconded by Mrs. Anderson and passed.

METROPOLITAN  
FINANCE

Mrs. Anderson reported that two meetings had been held, attended by one delegate from each of eighteen Leagues in the Metropolitan area. They are formulating a policy statement regarding finance drives and are setting up a standing arbitration committee to serve if ever any problem should arise between two Leagues with overlapping finance drives. The committee will have one member from Minneapolis, one from St. Paul, one from Hennepin, one from Ramsey, and one designated by the state Board as chairman. There will be an annual meeting - the first one to be held after the spring finance drives. Mrs. Guthrie was asked and agreed to serve as chairman.

NEXT BOARD MEETING

Since the Proposed Current Agenda must be sent to local Leagues by March 12th, the next Board meeting was set for Friday, March

4.

Mrs. Young arrived at 11:40 and presided over the rest of the meeting. With her were Mrs. Hargraves, Mrs. Grindlay, and Mrs. Duncan. Mrs. Young and Mrs. Hargraves had just testified before the House General Legislation Committee on behalf of a constitutional convention.

BUDGET AND PLEDGES

Mrs. Hocraffer presented the budget and suggested pledges as proposed by the budget committee. After considerable discussion, it was moved by Mrs. Lufkin that the budget be accepted as proposed. The motion was seconded by Mrs. Wallinder and passed.

CIVIL SERVICE

Mrs. Everson reviewed the Interim Commission Report and said she and Miss Stuhler had found it to be in line with trends in other states. She recommended that we read not only this Report but also Carpenter's book, "The Unfinished Business of Civil Service." It was felt that League members were not yet sufficiently informed to support proposed changes other than veterans' preference. The proposed modification is in line with League recommendations, except that it allows the veteran to choose where his extra points shall be applied.

It was moved by Mrs. Duncan that we support the proposed modification of veterans preference. The motion was seconded by Mrs. Klein and carried.

## FEPC

Mrs. Gruner feels that the League must assume a lot of responsibility for the passage of the FEPC bill, since the gross misdemeanor clause had been deleted from the bill in order to assure League support. She is holding a training meeting for all who wish to lobby for FEPC. She will work with Mrs. Duncan on getting help from specific local Leagues when necessary. She is particularly anxious to secure the names of out-state businessmen who will support FEPC.

## ORGANIZATION

Mrs. Grindlay asked the Board to consider carefully the proposed expenditure for the services of a trained field worker. After full discussion, during which many questions were put to Mrs. Hargraves, Mrs. Grindlay moved that we accept for a two-month period the plan outlined in Mrs. Lee's letter of January 25. The motion was seconded by Mrs. Gruner and passed. It was decided that Mrs. Grindlay and Mrs. Young should meet with Mrs. Lee and Mrs. Lurie to make plans.

## REAPPORTIONMENT

Mrs. Hoesly reported on the legislative problems facing reapportionment proposals and announced that a meeting for lobbyists would be held the following week.

CONFERENCES ON  
ITEMS I & II

Mrs. Young announced that Miss Washburn will drive to Milwaukee and take Mrs. Young. Mrs. Wallinder stated she could go direct to Milwaukee from Duluth, but could not take the time to drive from Minneapolis. It was moved by Mrs. Fountain that we send Mrs. Young, Mrs. Wallinder, and Miss Washburn to the conference. The motion was seconded by Mrs. Anderson and passed.

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

/s/ Mary Moen

Mrs. L. Vernon Moen  
Secretary



2639 UNIVERSITY AVENUE

# Minnesota Jewish Council

SAINT PAUL 14, MINNESOTA

Phone: MI dway 6-7356

TEL. NESTOR 7356

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SAMUEL L. SCHEINER, Executive Director

The Minnesota League of Women Voters  
Essex Building,  
Minneapolis, Minnesota

Dear League:

The Minnesota Jewish Council, in full meeting assembled Monday evening, May 2, 1955, unanimously passed a resolution of extreme appreciation to you for your great interest and support of Fair Employment Practices legislation for the state of Minnesota. We know that had it not been for your selfless devotion and inspiring leadership the state of Minnesota would not today be able to boast that it has become the ninth state in our great country to clearly and unequivocally bar discrimination in employment.

Please accept this word of thanks and appreciation from an organization which has been most concerned with this problem which is now well on the way toward solution as a result of your fine spirit of cooperation and good will.

Very sincerely yours,

*Samuel L. Scheiner*

Samuel L. Scheiner  
Executive Director

SLS/nr

*Answered  
F.Y.*



*1955 - Civil RS File*  
*Sent 249 Senators who voted*  
*96 Reps. 54 on last*  
*F.F.P. vote*

LEAGUE OF WOMEN VOTERS OF MINNESOTA

84 SOUTH TENTH STREET, ROOM 406

MINNEAPOLIS 3, MINNESOTA

Atlantic 0941

May 31, 1955

Dear Legislator:

We wish to thank you for your support of Fair Employment Practices in the legislative session just past. We believe that your participation in this forward step in human rights is something which you will be proud to remember.

The League of Women Voters of Minnesota has been cooperating with the Minnesota Council for Fair Employment Practices in compiling a list of qualified persons whose support of FEPC is unquestioned, to submit to the governor for his consideration in appointing the nine members of the new Fair Employment Practices Commission and the Board of Review Panel. The law provides that the commission shall consist of nine members, one from each congressional district of the state and one of whom shall be an attorney at law, and the Board of Review Panel is to be appointed so that each congressional district shall have a minimum of one resident member on the panel. It is specified that four of the twelve members of the Review Board Panel shall be lawyers.

It is our understanding that the governor will welcome suggestions of well qualified persons from all over the state and we hope your interest in this legislation will prompt you to follow through by forwarding to the governor any suggestions which you may have. This should be done at once since we are informed that the appointments will be made in the very near future.

Sincerely yours,

Mrs. Basil Young  
President

## IN THE FUTURE

Most Americans have reverence for the law and they abstain from actions which the law prohibits. Yet some Minnesotans may be unaware that the State or cities have legislated in the field of race relations. For that reason the Governor's Interracial Commission believes that this compilation will be a means of effecting a more wide-spread compliance with the law. The Commission also hopes that the success of the State and cities in enacting these statutes and ordinances will indicate the practicality of legislation on a state level in other fields of race relations such as discrimination in housing and discrimination in employment.

## THE GOVERNOR'S INTERRACIAL COMMISSION



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*Governor*

REVEREND FRANCIS J. GILLIGAN  
*Chairman*

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MISS I. MYRTLE CARDEN	MAJOR SAMUEL L. RANSOM
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DR. CHARLES NELSON PACE	MR. TALMAGE B. CAREY

*Secretary*

CLIFFORD E. RUCKER  
*Informational Representative*

## It's The Law in Minnesota



Summarized for Minnesotans  
by the  
Governor's Interracial Commission  
of Minnesota

## It's The Law . . .

It seems to the Commission that there would be advantage in gathering together under one folder all of the laws in Minnesota which directly affect race relations. That is the principle purpose of this folder. Yet this compilation can serve an additional purpose. There are some persons who regard the field of race relations as one to which civil laws cannot be applied. Actually, as this folder indicates, the people of Minnesota in the past have judged otherwise and the laws that they have enacted have been generally respected. It is evidence that the field of race relations is a legitimate field for civil legislation.

### THE NATIONAL POLICY

People in Minnesota are part of the people of the United States. Their convictions are largely the convictions of the United States Government. The people of Minnesota are bound by the laws enacted by Congress. Through the years, Congress has enacted statutes and codes designed to improve race relations. While space does not permit their full reproduction here, the Commission does wish to direct attention to sections of the Declaration of Independence and two amendments to the Constitution. For they are the fountain from which the early settlers of Minnesota drew their beliefs about government.

#### THE DECLARATION OF INDEPENDENCE—1776

. . . . . We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

#### AMENDMENTS TO THE U. S. CONSTITUTION—1868

Article XIV. Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person

of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Article XV. Section 1. 1870. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

### THE STATE OF MINNESOTA

Minnesota was granted statehood in 1858, just three years prior to the outbreak of the Civil War. In those troubled years, the early pioneers of Minnesota had very strong convictions about the sacredness of each individual and of the evils of discrimination. They wove their convictions into the basic constitution of this state.

#### CONSTITUTION OF THE STATE OF MINNESOTA October 13, 1857

Article 1. Section 2. No member of this State shall be disfranchised or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land, or in the judgment of his peers. There shall be neither slavery nor involuntary servitude in the State otherwise than the punishment of crime, whereof the party shall have been duly convicted.

### MINNESOTA STATUTES

At various times since the State Constitution was adopted, the legislatures of the state have passed statutes designed to correct injustices in the field of race relations. As early as 1885, the State of Minnesota enacted a statute guaranteeing to all of its citizens, the equal protection of the law in hotels, restaurants, and public conveyances. This statute has been amended several times and the present law reads:

#### DISCRIMINATION IN HOTELS, RESTAURANTS, PUBLIC CONVEYANCES—1885

Section 327.09. The Minnesota Equal Rights Law. No person shall be excluded on account of race, color, national origin or religion, from full and equal enjoyment of any accommodation, advantage, or privilege furnished by public conveyances, theatres, or other places of amuse-

ment, or by hotels, barber shops, saloons, restaurants, or other places of refreshments, entertainment, or accommodations. Every person who violates any provision of the Section, or aids or incites another to do so, shall be guilty of a gross misdemeanor, and in addition to the penalty therefor, shall be liable in a civil action to the person aggrieved for damages not exceeding Five Hundred (\$500.00) dollars.

To prevent the Negro from being discriminated against in the procuring of life insurance and automobile liability insurance, the following statutes were enacted:

#### DISCRIMINATION IN LIFE INSURANCE—1907

##### Chapter 277

Section 61.05. Discrimination in accepting risks. No company or agent all other conditions being equal, shall make any discrimination in the acceptance of risks, in rates, premiums, dividends, or benefits of any kind, or by way or rebates, between persons of the same class, or on account of race, and upon request of any person whose application has been rejected, the company shall furnish him, in writing, the reason therefor, including a certificate of the examining physician that such rejection was not for any racial cause . . . . .

#### DISCRIMINATION IN LIABILITY INSURANCE—1941

##### Chapter 283

Section 72.17. Discrimination in policies or risks forbidden. No insurance company, or its agent, shall refuse to issue any standard policy of automobile liability insurance or make any discrimination in the acceptance of risks, in rates, premiums, dividends, or benefits of any kind, or by way of rebate between persons of the same class, nor on account of race or color . . . . .

In order that the state government might not be a party of any discrimination in its business contracts, the following statute was enacted:

#### DISCRIMINATION IN CONTRACTS LET BY PUBLIC AGENCIES—1941, Chapter 238

Section 181.59. Discrimination prohibited in contracts. Every contract for or on behalf of the State of Minnesota, or any county, city, borough, town, township, school,

school district, or any other district in the State, for materials, supplies, or construction shall contain provisions by which the contractor agrees:

(1) That, in the hiring of common or skilled labor for the performance of any work under any contract, or any subcontract hereunder, no contractor, material supplier, or vendor, shall, by reason of race, creed, or color, discriminate against the person or persons who are citizens of the United States who are qualified and available to perform the work to which such employment relates;

(2) That no contractor, material supplier, or vendor, shall, in any manner discriminate against, or intimidate, or prevent the employment of such person or persons, or on being hired, prevent, or conspire to prevent, any such person or persons from the performance of work under any contract on account of race, creed or color;

(3) That any violation of this section shall be a misdemeanor; and,

(4) That this contract may be canceled or terminated by the state, county, city, borough, town, school board, or any other person authorized to grant contracts for such employment, and all money due hereunder, may be forfeited for a second or any subsequent violation of the terms or conditions of this contract.

### CITIES

The legislature regulates the activities of the people of the state by statutes. All citizens within the state are subject to those statutes. Yet conditions vary from city to city, and cities have power to legislate on local conditions. The special law for the city is in the form of an ordinance passed by a City Council. The cities of St. Paul and Minneapolis have enacted ordinances in the field of race relations.

### THE CITY OF ST. PAUL

#### CIVIL SERVICE REGULATIONS

Chapter VII. Section 107. Civil Service Regulations. No person in the Classified Service or seeking admission thereto shall be appointed, reduced, or removed, or in any way favored or discriminated against because of his political opinions or affiliations.



#### ANONYMOUS LITERATURE—January 26, 1944

Ordinance No. 8523. Section 2. It shall be unlawful for any person to print, publish, distribute or cause to be printed, published, or distributed, by any means or in any manner whatsoever, any handbill, dodger, circular, booklet, pamphlet, leaflet, card, sticker, periodical, literature, or paper which tends to expose any individual or any racial or religious group to hatred, contempt, ridicule, or obloquy, unless the same has clearly printed or written thereon:

(a) The true name and post office address of the person, firm, partnership, corporation, or organization causing the same to be printed, published or distributed; and

(b) If such name is that of a firm, corporation, or organization the name and post office address of the individual acting in its behalf in causing such printing, publication or distribution.

#### THE CITY OF MINNEAPOLIS

#### MINNEAPOLIS FAIR EMPLOYMENT PRACTICE ORDINANCE—February 5, 1947

Section 3. It shall be unlawful for any head of department, official, or agent or employee of the City of Minneapolis, or of any department thereof, acting for or on behalf of said City, in any manner involving employment by said city, to discriminate against any person otherwise qualified, in employment or in tenure, terms or conditions of employment; or to discriminate in promotion or increase in compensation; or to publish offers of or to offer employment based upon such discrimination; or to adopt or enforce any rule or employment policy which discriminates between employees or prospective employees; or to seek information relative to race, creed, color, national origin or ancestry from any person or any employee, as a condition of employment, promotion or increase in compensation; or to discriminate in the selection of personnel for training.

Section 4. Said City and all of its contracting agencies and departments thereof shall include in all contracts hereafter negotiated, a provision obligating the contractor not to discriminate against any employee of, or applicant for employment with, such contractor, in the City of Minneapolis, and shall require such contractor to include a

similar provision in all sub-contracts to be performed in the City of Minneapolis.

(a) Section 5. It shall be unlawful for any employer within said City to discriminate against any person in connection with any hiring, application for employment, tenure, terms or conditions of employment.

(b) It shall be unlawful for any person, firm or corporation engaged in the business of or acting as an employment, referral, or vocational placement agency or bureau within said City, to discriminate against any person in connection with any application for employment, referral for employment, hiring, tenure, terms or conditions of employment.

(c) It shall be unlawful for any employer covered by this Ordinance or labor union or any person, firm or corporation engaged in the business of or acting as an employment, referral or vocational placement agency or bureau with respect to employees covered by this Ordinance within said City to include in an application form or biographical statement relating to employment any questions or statements designed to elicit or record information concerning the race, creed, color, national origin or ancestry of the applicant.

Section 6. It shall be unlawful for any labor union within said City to discriminate against any person with respect to membership in labor unions.

#### ANONYMOUS LITERATURE—March 28, 1947

Section II. Ordinance Prohibiting the Printing, Publishing or Distribution of Anonymous Handbills, Dodgers, etc. It shall be unlawful for any person to print, publish, distribute, or cause to be printed, published or distributed, by any means, or in any manner whatsoever, any handbill, dodger, circular, booklet, pamphlet, leaflet, card, sticker, periodical, literature or paper which tends to expose any individual or any racial or religious group to hatred, contempt, ridicule or obloquy, unless the same has clearly printed or written thereon:

(a) The true name and post office address of the firm, partnership, corporation, or organization causing the same to be printed, published or distributed.

(b) If such name is that of a firm, corporation or organization, the name and post office address of the individual acting in its behalf in causing such printing, publication, or distribution.

League of Women Voters of Minnesota  
84 South Tenth St., Room 406  
Minneapolis 3, Minnesota

May 1, 1955  
Extra copies - 9¢

## FAIR EMPLOYMENT PRACTICES

### 1955 REPORT

#### CONTINUING RESPONSIBILITY

At the Convention in the spring of 1953 the League of Women Voters of Minnesota voted to continue to work for a Fair Employment Practices Commission law as one of its Continuing Responsibilities, and this intention was reaffirmed at the Council Meeting in Bemidji in 1954.

#### FAIR EMPLOYMENT PRACTICES BILLS

"A bill for an act for Fair Employment Practices creating and establishing a Fair Employment Practices Commission; preventing and prohibiting discrimination in employment based on race, color, creed, religion, or national origin; establishing methods and procedures for this purpose and providing an appropriation to carry out the purposes of this act."

- H.F. 778 - Authors: A.I. Johnson, Prifrel, Langley, H.R. Anderson, and Cina  
Introduced: February 14.  
Referred to Labor, Civil Administration, and Appropriations Committees.
- S.F. 722 - Authors: Mullin, E.L. Andersen, and Vukelich.  
Introduced: February 16.  
Referred to Judiciary and Finance Committees.

**HOW an IDEA BECOMES a BILL, BECOMES a LAW** After ten years of persistent effort on the part of many groups and individuals a strong enforceable Fair Employment Practices Commission bill was passed by the 1955 Legislature. The League of Women Voters had begun studying this legislation in 1949 and had lobbied actively for its passage in the 1951, 1953, and 1955 legislative sessions.

#### PRELIMINARY STATE FEPC CONFERENCE MARCH 27, 1954

Almost a year before the bill was introduced into the 1955 Legislature, the NAACP (National Association for the Advancement of Colored People) invited some 80 organizations, including the League of Women Voters of Minnesota, to attend a preliminary conference to discuss plans for the 1955 FEPC legislative campaign. The NAACP leaders felt that in past sessions there had not been sufficient opportunity for participation by the Negroes themselves, that the planning and determination of policy had not been the result of group thinking, and that the campaigns had not got off to a sufficiently early start. They advocated a militant program in 1955 spearheaded by the NAACP leadership. Delegates from a number of organizations, predominantly Negro and labor groups, attended the conference and pledged their support, including financial contributions; many stated that they would not be willing to accept a bill without enforcement powers. Mrs. John Gruner, FEPC Chairman for the LWV of Minnesota, represented the League.

#### MINNESOTA COUNCIL FOR FEPC ORGANIZED MAY 8, 1954

At a public meeting called by the President of the Minnesota State Conference of NAACP and the Chairman of the Minnesota Council for Employment on Merit, the latter organization was dissolved, and a new "Minnesota Council for Fair Employment Practices" was organized. Temporary officers and committees were set up and a resolution "acknowledging with gratitude the splendid work and cooperation" of the League in former campaigns and soliciting their continued support was sent to Mrs. Basil Young. At the League Council meeting in 1954 it was voted to support FEPC legislation in the 1955 legislative session. When permanent officers were chosen for the Minnesota Council for FEPC, the chairman, the secretary, the treasurer, and the chairmen of the Strategy, Legislative, Research, Membership, and Publicity Committees were drawn from the NAACP leaders.

Personnel, D. W. Onan and Sons, Inc., Minneapolis; Mr. Bemis George M. Jensen, General Manager, Vincent Refrigeration Co., Minneapolis, and president of the Minneapolis Board of Education; Rodney Jacobson, secretary of the Minnesota CIO; Dr. Willard Reeves of the Minnesota Council of Churches; Mrs. Ann Stameshkin, president of the St. Paul PTA and member of the state executive board of the Minnesota Council of Parents and Teachers; Francis La Quier, spokesman for American Indians, Inc.; and Rev. Carty.

Mr. O. Christenson again testified against the bill but this time he followed Judson Bemis who had said, "I understand, and this I have on the highest authority, that the Minnesota Employers' Association (of which my employer is a member) this year has directed its representative not to oppose this legislation in their behalf. While it is true that Mr. Christenson did testify before the House Labor Committee against this bill, apparently he appeared as an individual, and the arguments he presented in opposition reflect the views of only one portion of a divided membership of the MEA." The forcefulness of Mr. Christenson's testimony was therefore broken and he concluded with the unexpected statement, "Many of our people think you should pass it."

SENATE JUDICIARY HEARING FOR OPPONENTS  
MARCH 9, 1955

Testimony of the opponents was continued on March 9th, when Mr. Forbes and Mr. Elmer gave essentially the same testimony they

had given before the House Labor Committee. E. V. Schwartz, who introduced himself as a "little business man" was the only new witness for the opposition. Senator Donald O. Wright of Minneapolis requested time to prepare amendments which he wished to offer, so further action was postponed.

RECOMMENDED TO PASS  
MARCH 15, 1955

Senator Wright's amendment, which includes a provision for a trial "de novo" as one alternative in the district court, if a case

should get that far, was accepted by the proponents of the bill. Senator Wright then suggested that the bill be sent to the Senate Civil Administration Committee. Not only would this have caused delay, but the Civil Administration Committee was considered unfriendly to the bill. The committee by a strong voice vote, recommended the bill to pass and sent it on to the Senate Finance Committee.

HOUSE CIVIL ADMINISTRATION COMMITTEE  
APPROVES BILL - MARCH 16, 1955

Chairman D. D. Wozniak of the House Civil Administration Committee postponed action on the bill until the Senate Judiciary Com-

mittee had acted, so that the Wright amendment could be incorporated in House File 778, to keep it in conformity with Senate File 722. The bill was amended and then passed with but little debate. An amendment offered by Rep. Duxbury of Caledonia who has always opposed FEPC legislation was voted down.

SENATE FINANCE COMMITTEE REDUCES  
APPROPRIATION - MARCH 22, 1955

Senator Mullin presented the proposed budget and "carried the ball" for the bill.

The appropriation was cut from \$40,000 to \$30,000, and the committee voted, 10 to 4, to recommend it to pass. Voting against it were Senators Sinclair, Stephen; Dunlap, Plainview; A. A. Anderson, Luverne; and Erickson, Fairmount.

HOUSE APPROPRIATIONS COMMITTEE HEARING  
MARCH 24, 1955

House Majority leader, Mr. Cina, explained the bill and Rev. Carty and Mr. Leland discussed the proposed budget. Rep. Tweten

of Fosston attacked the bill and raised some questions to which Mrs. Gruner replied, mentioning the 19,600 Indians in the state outside the three largest cities as one of the groups needing protection against discrimination. The committee then called upon Mr. La Quier, Executive Secretary of the Chippewa Council of the Twin Cities, and spent some time in questioning him. The first questions were unfriendly, but he spoke so earnestly that one committee member who had attempted to confuse him, apologized.



ment that "this is not a radical departure in the field of American legislation; " it is, rather, a logical additional "short step forward in our line of march to create equality for our citizens." He was followed by Rev. Carty who introduced representatives of the PTA, labor, business and church groups, and read names of many organizations which had sent letters endorsing the bill. Miss Barbara Stuhler, first vice president, spoke on behalf of the League of Women Voters, as did representatives of the Railroad Brotherhoods, the Sleeping Car Porters and two Indian organizations. Mr. Deinard gave a forceful summary. There was a record crowd of supporters which filled three adjoining committee rooms. An important factor in the 1955 legislature was that new members made up more than one third of both the House and the Senate. Lobbyists from the League and the Minnesota Council for FEPC had talked personally with most of the members of the Labor Committee before this hearing, and it was encouraging to hear some of the new members demonstrate their support of the bill by asking friendly questions.

#### HEARING FOR OPPONENTS MARCH 2, 1955

We had been much heartened by the news, which came to us from three unimpeachable sources, that the executive board of the Minnesota Employers' Association had voted not to oppose FEPC at this session. What was our surprise, therefore, when at the hearing for opponents on March 2nd, Otto F. Christenson, executive vice president of the association and chief opponent of the bill in past sessions of the legislature, spent exactly one hour in giving fourteen reasons why he and "24 or 25" of the 27 directors of the Employers' Association opposed the bill. Former Representative Gordon Forbes appeared in the role of lobbyists and attorney for the Minnesota railroads, and raised a number of technical objections to the bill. He ended by saying that if the committee would strike out all but the general policy statement in the first section, he thought it would be a good bill. Edwin Elmer this year represented the Lumber Dealers' Association only, stating that other employers whom he had represented in the past had found the aftermath of opposition to the bill so unpleasant that they were afraid to oppose it publicly again.

#### RECOMMENDED TO PASS

Representative Fuller, Ivanhoe, offered an amendment which one of the authors characterized as "a right to work amendment, intended to bust up labor unions." It was voted down. The committee then voted, 12 to 5, to recommend the bill for passage. Those who voted for the bill were: Karth, Chairman, Adams, F.R. Anderson, Aune, Berglund, Fugina, Herzog, Kelley, Munger, Podgorski, Prifrel, Volstad. Those who voted against the bill were: Dahle, Fuller, Kinzer, McLeod, L.D. Madden. Those who were absent were Oscar Peterson and Talle.

Particularly because of the contrast with delays which the 1953 Employment on Merit bill had suffered in the House Labor Committee, we were appreciative of the fair and exemplary manner in which Chairman Karth conducted the hearings, being careful to give both sides equal and ample opportunity to be heard and yet moving the bill forward as expeditiously as possible.

#### SENATE JUDICIARY HEARING MARCH 8, 1955

The Senate Judiciary Committee was considered to be a less friendly committee, so the utmost care was taken in planning the presentation. Senator Elmer Andersen said of this hearing: "As one who has sponsored FEPC legislation, I was proud of the presentation made by the proponents of this measure before the Senate Judiciary Committee. It was well organized, admirably presented with an air of objectivity, calmness, and irrefutable logic. To me it was the best presentation I have heard before any committee of the legislature in the sessions that I have served. It was particularly significant to have Mr. Judson Bemis, vice president of the Bemis Brothers Bag Company, one of the nation's larger companies, appear in behalf of the bill."

Speakers were Wm. E. Cratic, Regional President of the NAACP; Mr. Bennett; Mr. Deinard; Mrs. Young, who came from Hibbing to testify; Mr. Frank Chesley, President, Central Research Laboratories of Red Wing; Jack Shea, Vice president in charge of



FIRST DRAFT OF FEPC BILL SUBMITTED TO  
COUNCIL -- NOVEMBER 9, 1954

submitted a draft for the consideration of the Council. It was proposed to substitute for the court enforcement powers of the 1953 bill a new Section 10 which provided that a violator of the law would be guilty of a gross misdemeanor and would be "punishable by imprisonment in the county jail or a state penitentiary for not more than one year or by a fine of not less than one hundred dollars nor more than five hundred dollars, or by both." During the next two and a half months the FEPC Advisory Committee of the League of Women Voters met with Rev. Denzil Carty, Chairman of the Council, Howard Bennett, Sidney Lorfer, attorney, Senator Elmer Andersen, Representative Karl Grittner, Wilfred Leland, Jr., Executive Director of the Minneapolis FEP Commission, and Monrad Paulsen, Professor of Law at the University of Minnesota, and consulted four more of the ablest attorneys we could select. The committee made recommendations to the state Board of the League of Women Voters of Minnesota, which issued this statement: "The League of Women Voters of Minnesota will not be satisfied in 1955 with a fair employment bill which does not contain enforcement powers. The League of Women Voters of Minnesota cannot support the proposed amendment with regard to enforcement which classifies violation of the law as a gross misdemeanor; instead, we recommend and support the enforcement provisions of the original 1953 bill. (1) We find the proposed amendment too drastic a change from what the majority of our members voted in their state convention to support. (2) we believe that enforcement by court order is a more constructive approach, since it not only penalizes but compels compliance, and (3) we believe that the 1953 enforcement provisions are more effective, more practical, and less cumbersome."

This view, however, while shared by several other important organizations, was voted down by the majority of the Minnesota Council for FEPC. Although the League represented a minority dissenting point of view, the Minnesota Council officers invited Mrs. Gruner to all meetings of the Strategy and Executive Committees, as well as to the general membership meetings of the Council and the consultations with legislators who were being requested to author the bill. Representatives Langley, Prifrel, and Chilgren and Senators Elmer Andersen and Vukelich were willing to accept the gross misdemeanor provisions and to author the bill, even without League support. Senator Mullin was much concerned about the lack of unity. House Majority Leader Cina was asked to become an author of the bill and consented to do so if it were made an Administration Bill. Mr. Cina, Speaker A.I. Johnson and the administration's spokesmen insisted that the gross misdemeanor provision would make the bill difficult to pass and that League support was needed to help to pass the bill. Accordingly, a series of conferences resulted in elimination of the gross misdemeanor provisions, and a definite spelling-out of the court enforcement provision instead. At this point we League women, who had been quite unhappy on the sidelines, rolled up our sleeves and went to work.

H.F.778 INTRODUCED AS ADMINISTRATION BILL--Majority Leader Fred A. Cina of Aurora introduced the bill into the House. Other authors were Speaker A. I. Johnson of Benson, Representative Joseph Prifrel of St. Paul, liberals, and Representative Clarence Langley, Red Wing, and Representative H. R. Anderson, Mankato, conservatives. The bill was referred to the House Labor Committee, and later to the Civil Administration and Appropriations Committees.

S.F.722 INTRODUCED  
FEBRUARY 16, 1955

Authors of the Senate bill were Senator Gerald T. Mullin of Minneapolis, Senator Elmer L. Andersen of St. Paul, conservatives, and Senator Thomas Vukelich of Virginia, liberal. After a period of uncertainty the bill was referred to the Judiciary Committee, and later to the Finance Committee.

HOUSE HEARING FOR PROPONENTS  
FEBRUARY 24, 1955

At the opening hearing, in the evening, Amos Deinard, Chairman of the Minneapolis FEP Commission, speaking unofficially as a private individual, gave a brilliant presentation of the bill, prefaced by the state-

RECOMMENDED TO PASS  
MARCH 28, 1955

The vote was not taken until March 28th, when the full appropriation of \$40,000 was approved.

AMENDMENT PACKAGE "DEAL" OFFERED BY  
ANONYMOUS OPPONENTS - MARCH 30, 1955

Senator Mullin informed proponents of the FEPC bill that he had been offered a list of twelve amendments by senators who opposed the bill, and had been told that if we would accept these amendments as a package, they would withdraw their opposition. They did not authorize Senator Mullin to divulge their identity. Since the last of the twelve amendments would have stricken out all of the enforcement powers of the bill, both the League and the Minnesota Council for FEPC wrote letters to Senator Mullin, stating that we could not accept the amendments.

SPECIAL ORDER VOTED BY THE HOUSE  
APRIL 1, 1955

Rep. Cina had given notice that he would request that HF 778 be placed on the special order calendar. The special order debate

occurred on a Friday afternoon. League and Minnesota Council for FEPC lobbyists had been working hard, trying to contact as many members of the House as possible; we feared that the required two-thirds vote of 88 might be particularly difficult to obtain, since some of the representatives had indicated that they might start home early for the weekend.

No sooner had Rep. Cina made the motion for the special order than Rep. Roy E. Dunn, Pelican Rapids, jumped to his feet. "It sets up a commission to encourage trouble making," he said. "It is unfortunate that this bill was dragged in here again. I represent 55,000 people in Otter Tail County and not one supports it except the president of the League of Women Voters." While the roll call was being taken and absent members were being rounded up to vote, Rep. Cina commented that while the state Republican platform endorses FEPC it was being opposed by Dunn, former GOP national committeeman. He added that Rep. John A. Hartle of Owatonna, state Republican chairman, was not taking part in the debate.

To quote from the Minneapolis Spokesman of April 8, 1955: "When the vote was being cast the Speaker of the House, liberal leader A.I. Johnson, one of the house authors of the bill, held up the voting until Hartle could be found so he could vote. Hartle, who had predicted the measure would not pass, voted for the special order. If he had not voted in the affirmative the FEPC bill would have been killed." Twenty five conservatives joined 63 liberals in passing the motion. Rep. Biernat of N.E. Minneapolis, a liberal, could not be found to vote. Basford, 63rd District, and Iverson, 48th District, of the liberal caucus voted "no". The Spokesman article continued: "It took the votes of three members rushed to the state capitol from sick beds to help muster a one vote margin ..... Proponents of the bill felt that the opponents mustered their maximum strength in Friday's attempt to defeat the move for a special order. If opponents could have prevented two thirds of the House from voting on the order, their efforts to defeat the FEPC bill would have been accomplished without obtaining a majority." (This, of course, is what happened in 1953.)

FINAL DEBATE AND VOTE IN THE HOUSE  
APRIL 7, 1955

Six amendments were attempted and one was passed, the same one that Rep. Duxbury had offered without success in the House Civil

Administration Committee. It provides that at least one member of the Commission and at least one member of the 12-man Review Board panel must be chosen from each of the 9 Congressional Districts of the state. Rep. Cina, who was leading the debate in favor of the bill at first objected to the amendment on the grounds that it would restrict the governor unnecessarily in selecting Commission and Review Board panel members, but when the issue threatened to develop a rural-city split, he withdrew his objections, and the amendment passed. Rep. Duxbury voted against the amended bill.

An amendment offered by Rep. Svenson, Buffalo, which would have stipulated that the burden of proof must be placed on the complainant, lost by a voice vote after Rep. Cina argued that it was unnecessary and out of line with other legislation which sets



up boards of review and commissions.

Rep. Iverson amended to delete the definitions from the bill. The 68 to 57 vote which defeated this amendment was the closest vote taken during the two hour debate.

Then Rep. Fuller brought up his "right to work" amendment which had been defeated in the House Labor Committee. His amendment was first declared out of order because it duplicated provisions contained in a bill of which Fuller was an author, and thus violated the rules of the House. Proponents of the bill did not insist on the point of order, but Rep. Fuller withdrew his amendment after a speech by Cina in which he stated that the amendment had no relation to FEPC and that if Fuller wished to crucify labor he should try to bring his own bill up for a hearing before the House Labor Committee.

When Rep. Cummings of Luverne offered an amendment that would have cut the \$40,000 appropriation to \$20,000, Rep. Popovich, St. Paul, a member of the House Appropriations Committee, challenged him to explain what services he proposed to cut, and how he had arrived at the figure which he advocated. Mr. Cummings could only say that he realized that the reduced budget would not provide for enforcement, but should be adequate to hire a good public relations man and provide money for circulars, etc. He admitted that he did not favor an enforceable bill anyway. The Cummings amendment lost, 86 to 17.

Two final amendments offered by the opponents, which would have made the bill applicable to employers of four or more persons and to employers of one or more persons, both lost by large majorities.

Rep. Langley, one of the authors, then made an eloquent speech for the bill which effectively answered some of the fears which had been expressed by opponents. Speaker Johnson, who had stepped down from the speaker's chair for the debate, Representatives Lindquist and Luther of Minneapolis, Karth, Shovell and Prifrel, St. Paul, Shipka, Grand Rapids, Harold Anderson, North Mankato, Hofstad, Madison, and Phillips, Brainerd, all spoke for the bill. Then came that overwhelming vote of 96 to 30 in favor of the bill! Interestingly enough Rep. Roy Dunn was one of those who voted "aye". We had heard from both the Fergus Falls and the Battle Lake Leagues, informing us that they were working to muster support for the bill in his district.

#### PRELIMINARY SENATE DEBATE APRIL 12, 1955

Just before adjournment the Senate passed, by a 29 to 19 standing vote, an amendment offered by Sen. Albert H. Quie, young conservative first-termer from Dennison, which eliminated from the bill a prohibition against requiring an applicant's photograph. When the Senate adjourned there was under consideration a second amendment offered by Sen. Quie which would have permitted an employer to ask for information with regard to an applicant's race, color, creed, religion, or national origin if the applicant consented. Sen. Quie said that some job applicants might volunteer the information that they are Catholics or Lutherans, for example, because they do not want to work with people of other faiths. Senator Vukelich protested that such an amendment would "destroy the purpose of the bill." After the session adjourned, proponents of the bill urged Sen. Quie to either drop or rewrite his amendment.

#### SENATE COMMITTEE OF THE WHOLE DEBATE APRIL 13, 1955

On the evening of April 13th the Minnesota Council for FEPC was holding a meeting in the Mayor's Reception Room in Minneapolis, when a telephone call notified them that the Senate was debating HF 778. The entire group made a hurried trip to St. Paul and poured into the galleries as the Senate was discussing an amendment offered by Sen. Chris L. Erickson, Fairmount, to indefinitely postpone action on the bill. Senator Dunlap, Plainview, in an impassioned speech against the principle of correcting discrimination by legislation, attacked the recent Supreme Court decision against segregation in the schools as a step that will set us back instead of forward. In contrast, Senator Nyckelmoe, Fergus Falls, stated,

"I am dumb-founded to hear these arguments north of the Mason-Dixon Line. It is high time we recognized that the state should establish a policy of no discrimination." Senator Elmer L. Andersen of St. Paul made an admirable and a memorable speech; it met every objection of importance which had been offered by the opposition; it was based on reliable facts and figures; it was developed with logic and objectivity; and it was delivered in a pleasant, unemotional, courteous manner. Senator Mullin, as chief author of the bill, urged that the bill is practicable and reasonable and will hurt no one. Senator Feidt, Minneapolis, made an important contribution when he stated that he had made it his business to inquire of Minneapolis business men how the Minneapolis FEPC ordinance had affected them and that he had found no employer who had had an unsatisfactory experience. Some of them had been benefitted by the law. A voice vote turned down the amendment, 40 to 20.

A second amendment offered by Sen. Erickson, which would have limited application of the law to Hennepin, Ramsey, and St. Louis Counties, was defeated by a vote of 34 to 20. A voice vote on a motion that the bill be recommended to pass, produced about the same division. Before Senator Erickson had offered his amendment, the Senate had passed another amendment offered by Sen. Quie, which changes, "it is an unfair employment practice to elicit or attempt to elicit information that pertains to the applicant's race, creed, color, or national origin" to "it is an unfair employment practice to require the applicant, etc."

Since a bill recommended to pass by the Committee of the Whole is rarely voted down, we felt that the battle was almost won, and when the Senate adjourned, a large delegation of jubilant but restrained supporters of the bill was waiting at the door to congratulate and to thank the authors. Even so we did not stop working.

#### SENATE PASSES THE BILL APRIL 15, 1955

At approximately 12:15 P.M. the Senate reached H.F. 778. It was Sen. Welch, Acting Chairman of the Rules Committee because of

the illness of Sen. Miller, who made the decision that the bill should not be delayed until the afternoon session, when opponents might have been tempted to open up further debate. Very quickly, in a routine manner, the Senate passed the bill, 49 to 10, without even taking the time to call in members who were absent from the room. So unexpected was the final vote at this time that only about four of the large group of supporters who had followed the bill for months were in the gallery when the vote came.

#### HOUSE ACCEPTS SENATE AMENDMENTS APRIL 16, 1955

The next day, the House accepted the two Quie amendments. Had the bill gone to a conference committee, whatever compromise

they would have worked out would have had to go back to both houses to be adopted.

#### GOVERNOR FREEMAN SIGNS THE BILL APRIL 20, 1955

At noon a large delegation assembled to watch Governor Freeman sign the bill. It included authors from the Senate and the

House, and representatives of organizations which had worked since 1945 for passage of the bill. Governor Freeman used fifteen pens to sign his name, signing one letter with each pen. One of these pens he presented to the League of Women Voters of Minnesota.

#### COMMENTS AND ANALYSIS

No one organization or individual deserves credit for the passage of this bill; recog-

nition cannot even be confined to those who participated in the 1955 campaign. In part, the effects of past campaigns have been cumulative. After the bill was introduced there was close cooperation between the LJV and the Minnesota Council for FEPC. The League furnished voting records and records of past interviews with holdover legislators, and both organizations furnished day-to-day lobbyists in the capitol. A joint training session was held for these lobbyists. Frequent strategy meetings were held and the advice of the authors and of the administration was sought at frequent intervals. Before every committee vote analytical lists were made and a lobbying team from either the Council or the League was assigned to interview each legis-  
(lator.



The Minnesota Council for FEPC had capable and zealous leadership. The organization raised \$1,800 to finance the campaign and provided several thousand mimeographed copies of the bill and printed copies of a summary of the bill for general distribution. It gave each legislator a kit containing a number of well chosen items in support of FEPC, sent out a newsletter to its membership and arranged newspaper releases and radio and TV publicity, and made as many out-state contacts as possible through such organizations as the PTA and the Minnesota Association of Cooperatives.

The League distributed to each legislator a short statement as to why a state law was needed, and furnished additional material to some of the authors. It sent out four Calls to Action and many letters to individual Leagues, in order to mobilize the statewide membership to write or telegraph legislators. At critical points in the campaign the State League telephoned local Leagues which might be able to win much-needed votes.

Other important factors contributed to the success of the 1955 campaign. One was the decision of the Minnesota Employers' Association not to oppose FEPC, and the courageous and forthright statement of Mr. Bemis before the Senate Judiciary Committee which made it clear that Mr. Christenson, Executive vice-president of that organization, in opposing the bill, was not representing the organization. The change in policy had probably been brought about by a number of letters which were written by prominent business men who supported the bill to members of the executive board of the association. Having been informed of the policy of the association, the League wrote a letter of protest to the M.E.A. after Mr. Christenson's testimony before the House Labor Committee.

Because a definite and united policy with regard to enforcement provisions had been adopted before the bill was introduced we were able to act quickly and decisively when anonymous opponents in the Senate proposed a "package deal" of amendments which would have crippled the bill. We called their bluff successfully.

Only by contrast with the 1953 session can one fully appreciate the value of administration sponsorship for the bill. Strict party discipline on the part of the liberal group, and the practical elimination of delaying tactics, were enormously important. Every liberal in the Senate consistently supported the bill, and in the House only 2 or 3 of the total 66 failed to do so. In the Senate about an equal number of conservatives voted with the 19 liberals in opposition to the Erickson amendments. In the House about 1/3 as many conservatives as liberals rallied to the support of the bill for the critical special order vote. The Republican leadership in the House gave its support only at the last minute, although Rep. Hartle's vote was one of the 88 required. More than half of the Senate conservatives and 2/3 of the House conservatives withheld their support until the strength of the proponents had been demonstrated. With only one or two exceptions, all legislators from the three large cities supported the legislation.

Finally, not enough can be said for the skill, effectiveness, and dedication of the authors, some of whom have supported FEPC since it was first introduced in 1945. The governor and his administrative assistant, Mrs. Dorothy Jacobson, were from the beginning, interested and active. Most of the time the administration worked quietly, but when the action of the Senate hung in the balance the governor made a public statement to the effect that since the bill was endorsed by both parties it should not be a political issue. Leaders of both parties who have worked for FEPC should be given credit for its passage. "But if this bill — now so near to final enactment — should be defeated in the Senate, or if it should be so crippled to be of little real effect, then the responsibility for its defeat should be clearly placed where it belongs."

FINAL REG. CALL VOTE IN SENATE - 49 Yes, 10 No, 8 Not Voting  
APRIL 15, 1955

Andersen E.L.	Y	Hanson N.W.	Y	Masek	Y	Rogers	NV
Anderson A.A.	N	Hanson R.	Y	Mayhood	Y	Root	Y
Anderson E.J.	N	Harren	N	McKee	N	Rosenmeier	Y
Anderson M.H.	Y	Heuer	Y	Metcalf	N	Salmore	Y
Behmler	N	Holand	NV	Miller	NV	Schultz	Y
Bonniwell	Y	Holmquist	Y	Mitchell	NV	Sinclair	Y
Burdick	Y	Imm	N	Mullin	Y	Vadheim	Y
Butler	Y	Johnson C.E.	Y	Murray	Y	Vukelich	Y
Carr	Y	Johnson J.A.	N	Nelson	Y	Wahlstrand	NV
Child	NV	Johnson R.W.	Y	Novek	Y	Walz	Y
Dunlap	N	Josefson	Y	Nycklemoe	Y	Wefald	Y
Erickson	N	Kalina	Y	O'Brien	Y	Welch	Y
Feidt	NV	Keller	Y	O'Loughlin	NV	Westin	Y
Franz	Y	Kroehler	Y	Olson	Y	Wiseth	Y
Fraser	Y	Larson	Y	Peterson	Y	Wright	Y
George	Y	Lofvegren	Y	Quie	Y	Zwach	Y
Gillen	Y	Malone	Y	Richardson	Y		

1. SPECIAL ORDER VOTE IN HOUSE - 88 Yes, 38 No, 5 Not Voting  
APRIL 1, 1955

2. FINAL FEPC VOTE IN HOUSE - 96 Yes, 30 No, 5 Not Voting  
APRIL 7, 1955

	1.	2.		1.	2.		1.	2.		1.	2.
Adams	Y	Y	Enestvedt	Y	Y	Langen	Y	Y	Schulz	NV	N
Affeldt	Y	Y	Erdahl	N	Y	Langley	Y	Y	Schumann	N	Y
Alderink	N	NV	Ernst	Y	Y	Lindquist	Y	Y	Schwanke	N	N
Allen	Y	Y	Fitzsimons	Y	Y	Lovik	Y	Y	Shipka	Y	Y
Anderson D.F.	N	N	Franz	Y	Y	Lund	Y	Y	Shovell	Y	Y
Anderson F.R.	Y	Y	Freeman	Y	Y	Luther	Y	Y	Skeate	Y	Y
Anderson G.A.	Y	Y	French	Y	Y	Madden L.D.	N	N	Skoog	Y	N
Anderson H.J.	Y	Y	Fugina	Y	Y	Madden R.R.	N	N	Sorensen	Y	Y
Anderson H.R.	Y	Y	Fuller	N	N	McCarty	Y	Y	Sundet	N	N
Anderson M.	N	N	Gallagher	Y	Y	McGill	Y	Y	Swenson	N	N
Aune	Y	Y	Goodin	Y	Y	McGuire	Y	Y	Talle	N	N
Basford	N	N	Graba	Y	Y	McLeod	N	N	Thompson	N	N
Bassett	Y	Y	Grant	Y	Y	Moriarty	N	Y	Tiemann	Y	Y
Battles	Y	Y	Grittner	Y	Y	Mosier	Y	Y	Tomczyk	Y	Y
Beanblossom	Y	Y	Grussing	N	NV	Mueller	N	N	Tweten	N	N
Bergerud	Y	Y	Hagland	Y	Y	Munger	Y	Y	Ukkelberg	N	Y
Bergeson	Y	Y	Halsted	Y	Y	Nordlie	N	N	Van De Riet	N	N
Berglund	Y	Y	Hartle	Y	Y	Noreen	Y	Y	Volstad	Y	Y
Biernat	NV	Y	Herzog	Y	Y	Oberg	Y	Y	Voxland	Y	N
Campton	Y	Y	Hofstad	Y	Y	O'Dea	Y	Y	Wanvick	Y	Y
Chilgren	Y	Y	Howard	NV	Y	Ogle	Y	N	Wee	Y	Y
Christie	Y	Y	Hussong	N	NV	Olson	Y	Y	Wegner	Y	Y
Cina	Y	Y	Iverson	N	N	Ottinger	N	N	Wichterman	Y	Y
Clark	N	N	Jensen	N	N	Otto	Y	Y	Widstrand	Y	Y
Conroy	Y	Y	Johnson E.P.	Y	Y	Parks	Y	Y	Windmiller	N	Y
Cummings	Y	Y	Johnson O.L.	N	N	Paskewitz	NV	Y	Wozniak	Y	Y
Cunningham	N	Y	Karas	Y	Y	Peterson	N	N	Wright	N	Y
Dahle	N	N	Karth	Y	Y	Phillips	Y	Y	Yetka	Y	Y
Dey	Y	Y	Kelley	Y	Y	Podgorski	Y	Y	Mr. Speaker	Y	Y
Dirlam	Y	Y	Kennedy	N	NV	Popovich	Y	Y			
Dunn	N	Y	Kinzer	N	N	Prifrel	Y	Y			
Duxbury	N	N	Knudsen	Y	Y	Reed	NV	NV			
Eck	Y	Y	Kording	Y	Y	Rutter	Y	Y			
Eddy	N	N	La Brosse	Y	Y	Schenck	Y	Y			



League of Women Voters of Minnesota  
Room 406, 84 South Tenth Street  
Minneapolis 3, Minnesota

January 21, 1955  
Additional Copies not available  
Leaders' Material

## CIVIL SERVICE

*Ellen Salehany*

Enclosed is the "Report of the Interim Committee on the Civil Service Program." It's fascinating - it's easy to read. Leave your dishes in the sink and curl up with it. As the "grandmother" of civil service in Minnesota, League members have a very real obligation to study this, the first comprehensive report on civil service since its establishment in 1939.

In all but one minor respect, the Committee's recommendations on modification of veterans' preference agree with the position the League has long maintained. (Minor respect - the League has said that preference should apply only to entrance examinations - the Committee says it may be applied either to entrance or promotional examinations, the veteran applying such portion of his total credits as and when he chooses until the five or ten points have been used.) Note especially the chapter on veterans' preference on pp. 57-84.

We know that you will want us to support legislation incorporating these proposals to modify the existing, extreme system of veterans' preference in Minnesota. The state Board's committee recommendations would be to support other proposals, too. What do you think about....

1. Selection of director - pp. 1-8
2. Grievance procedures - pp. 105-111
3. Survey by outside agency - pp. 112-120, 146-149
4. Employment Security - pp. 13-32

In 1953, the League opposed a bill which would have decreased the salary of the civil service director, changed the method of appointment, and eliminated the examination requirement. A League committee has recently read a number of books and reports by leading authorities in the field of public personnel administration. They all agree that the states are developing varied organizations but the movement is in the direction of the single state administrator responsible to the government for successful administration of the merit system. This is also the recommendation of the Minnesota Interim Committee (pp. 7-8). The recommendation does provide that the director be chosen on the basis of examination.

The League has become particularly aware of the lack of adequate grievance machinery because, in many cases, state employees have brought their troubles to the League. The state Board's civil service committee would like very much to see steps taken to establish a suitable grievance plan.

There is considerable merit in the proposal to have an outside agency make a thorough survey of classification, pay and management in the operation of civil service. In other fields, the League has supported surveys to reevaluate present operations. It seems logical, after 14 years of civil service experience to endorse this recommendation.

Problems dealing with employment security come up frequently. Read carefully the section dealing with the committee's recommendations on this.

There is no reason to think that the civil service law, as adopted, was perfect and that there is no room for improvement. Let's not wait 100 years as we have had to do to get first steps towards constitutional revision.

Let us know what you think - soon! If necessary, put another pot of coffee on the stove, call in your Board and talk it over. On the basis of your League meeting on continuing responsibilities, your Board should be able to make these decisions.

p.s. Additional copies of the Report are not available!

League of Women Voters of Minnesota  
Room 406, 84 South Tenth Street  
Minneapolis 3, Minnesota

February 25, 1955  
Additional copies are not  
available

*Ellen Salasbury*

RE: S.F. 32 (CIVIL SERVICE)  
H.F. 158

To: Local League Presidents  
From: Barbara Stuhler, First Vice President

S.F. 32 - Authors: Vukelich, Rogers, Peterson, E.  
H.F. 158 - Authors: Rutter, Dunn, Cina, Fugina, Dirlam

A bill vacating the office of director of civil service and providing for his appointment by the governor.

Three points should be made about this bill and the League's position:

1. This bill threatens the civil service system.
2. The League can most certainly oppose the bill for two reasons: it does not provide for competitive examination in electing the civil service director and it does not provide tenure for the director. These are two essentials in maintaining the whole principle of civil service.
3. Appointment by the governor (part of this bill) is also provided in the recommendations of the Interim Committee on Civil Service but with the safeguards of competitive examination in selection, and tenure. The League cannot take a stand on the Interim Committee's recommendation until we hear from you. Your decision, pro or con appointment by the Governor will be most helpful to the League's civil service committee (see Background).

Action to date: On February 23, H.F. 158 passed out of the House Civil Administration Committee by a vote of 10 - 6. The League representative did not get an opportunity to testify in opposition. In the afternoon of February 23, S.F. 32 would have passed out of the Senate Civil Administration Committee had it not been for Senator Wefald's action. He proposed an amendment incorporating the safeguards of the Interim Committee's report of which he was a member. There was no second to Senator Wefald's motion but he delayed a possible favorable vote to pass the bill out of committee. Again, the League representative did not get an opportunity to testify in opposition.

Future action: H.F. 158 may be amended on the floor of the House to incorporate the safeguards of examination and tenure for the director of civil service. The Senate Civil Administration Committee may act favorably on the proposals of the Interim Committee if they get strong support to do so. There may be an opportunity for the League's representative to testify next week.

The League's Dilemma: The League can oppose H.F. 158 and S.F. 32 because if they are adopted civil service will be crippled. But what can the League do if it turns out to be an "either-or" proposition? Legislative feeling, as the League interprets it, will not tolerate the status quo of appointment of the director by the Civil Service Board. It will be either H.F. 158-S.F. 32 or the recommendations of the Interim Committee on Civil Service. What is the League to do? Only oppose H.F. 158-S.F. 32? Offer an alternative? The alternative is support of the bills in-



February 25, 1955

plenenting the recommendations of the Interim Committee on Civil Service? We are waiting to hear from you.

Background: The recommendation that the governor appoint the civil service director is part of a nation-wide trend recognizing that the civil service system should be more closely related to the chief executive as part of the total staff function. The recommendations of the Interim Committee on Civil Service provide for this but also provide competitive examination and tenure to remove him from possible political control. S.F. 32 and H.F. 158 do not include these safeguards. The controversial part of the Interim Committee's recommendation is whether the personnel director (as he will be called) should continue to head a separate department or whether he should be head of a division in the Department of Administration. The Interim Committee recommends the latter. Arguments against this point out the danger of political control in having the personnel director subordinate to the Commissioner of Administration who is a political appointee and emphasize that the Little Hoover Commission recommended that the Personnel Department be maintained as a separate agency. They also say that the channels of responsibility will be confused with the director appointed by and responsible to the governor but also responsible to the Commissioner of Administration. Arguments for point out that this organizational arrangement has been initiated in other states and has been highly regarded in putting together the staff functions of government (budget, purchasing, personnel, etc.) to achieve efficiency, economy, responsibility. A League member who served on one of the committees of the Little Hoover Commission has told the state Board that the Little Hoover Commission's committee on executive management wanted to recommend what the Interim Committee recommended but questioned political feasibility at that time. In brief, this is the issue.

Again we plea - let us know.

League of Women Voters of Minnesota  
84 South Tenth St., Room 406  
Minneapolis 3, Minnesota

*Ellen Salomon*

March 11, 1955

This is not going out on  
Standing Order

Additional copies - 34

Memo to: Local League Presidents  
From: Mrs. T. O. Everson, Acting Civil Service Chairman

Here is the League position on civil service. We shall oppose S.F.32 and H.F.158 (vacating the office of director of civil service and providing for his appointment by the governor without the safeguard of competitive examination and tenure). We shall support S.F.950 and H.F.1120 (modification of veterans preference) and S.F.951 and H.F.1097 (appointment of the civil service director by the governor from the top 3 to 5 names selected by competitive examination and placement of the director in the classified service - tenure under civil service). Incidentally, contrary to information carried in the Minneapolis papers, the bill does not provide for the governor to approve the examining committee. The League will not support or oppose any other civil service measure thus far introduced including the bill which places the civil service department as a division in the Department of Administration. This is new subject matter not acted on before and not in the report of the Little Hoover Commission.

These decisions were made at the state board meeting on Friday, March 4. There was no question as to the League's opposition to S.F.32 and H.F.158. We had opposed this bill in 1953 and, as a threat to the principle of the merit system, the League's continuing role as a watch-dog was clearly called for. We have long supported modification of veterans preference (S.F.950 and H.F.1120). Our decision to support S.F.951 and H.F.1097 was based on these reasons:

1. Both the Little Hoover Commission and the Interim Committee on Civil Service recommended appointment by the governor. This follows trends and recommendations in other states.
2. League materials issued in 1952 referring to the Little Hoover Commission proposals, stated: "The difference proposed here is that the director be appointed by the Governor rather than by the Civil Service Board. With the safeguard of having three names resulting from examination, from which to appoint, it does not make much difference whether the Board or the Governor makes the appointment. From the standpoint of establishing a good relationship between the Governor and the department heads, appointment by him is desirable." Mrs. Arthur Dowm testifying for the League in 1953 in opposition to the bill now labeled S.F.32 and H.F.158 pointed out that the Little Hoover Commission had recommended that the Director be appointed by the governor but with the retention of the examination procedure for selection of three top candidates.
3. Replies from the local Leagues to civil service memos of January 24 and February 25 indicated no opposition to appointment by governor through competitive examination and with tenure. Some Leagues supported the proposal. No Leagues mentioned preference for the status-quo. Several Leagues, however, felt they were not sufficiently informed to pass judgment. The state board following an hour's discussion, decided to support S.F.951 and H.F.1097. It was agreed that where a measure was not of great importance and did not violate a principle of League support and where support would be helpful to protect the merit system from such things as appointment by the governor without safeguards, the board, exercising its duty of leadership, could make such a decision.

League testimony is attached.

League of Women Voters of Minnesota  
84 South Tenth St., Room 406  
Minneapolis 3, Minnesota

March 1955

TESTIMONY REGARDING S.F.950 and H.F.1120

I am Mrs. T. O. Everson, Acting Civil Service Chairman of the League of Women Voters of Minnesota.

At several legislative sessions representatives of the League of Women Voters have testified in favor of modification of veterans preference in the interest of efficient and economical government. We have not been alone in our thinking on this subject. Since 1948 four commissions authorized by the Legislature have pointed out the need for modification of our veterans preference laws: The Legislative Research Committee reported in 1948 on Veterans Preference in Minnesota; the Little Hoover Commission in 1950; the Veterans Preference in Public Employment Commission in 1951; and the Interim Committee on the Civil Service Program in 1955.

The Veterans Preference section of the Interim Committee's report is so well documented that there is no need for us to elaborate on it. We can simply say we endorse the bill based on the recommendations contained in this section.

We would be even more enthusiastic about the bill if it were amended to include another recommendation of the Interim Committee, which states: "It is recommended that veterans' preference laws, when applicable, shall be uniform for the state and its political subdivisions."

The League of Women Voters of Minnesota urges this committee to consider seriously the suggested amendment and to recommend H.F.1120 (S.F.950) for passage.



March 1955

TESTIMONY REGARDING S.F.951 and H.F.1097

I am Mrs. T.O.Everson, Acting Civil Service Chairman of the League of Women Voters of Minnesota.

The League supports this bill, as introduced and without amendment, in the first instance because it provides safeguards through open competitive examination and tenure for the director, both necessary to insure a real merit system.

In the second place, appointment by the governor rather than by the civil service board is a procedure recommended by both the Little Hoover Commission and the Interim Committee on Civil Service. It is a practice adopted by other states where there has been recent civil service reform. It is a recommendation incorporated in the writings of many authorities in the field of public personnel administration. We recognize that change can be beneficial where it is in keeping with efficient, economical, and responsible government. No major change has been made in the civil service law since its adoption in 1939. We believe that appointment of the Civil Service Director by the governor is a desirable change at this time.

It is desirable because:

1. It clarifies the responsibility of the chief executive for personnel management in the state government.
2. It makes the single state personnel administrator responsible to the chief executive for successful administration of the state merit system.
3. It puts personnel administration where it belongs as an important tool of executive management.

The League of Women Voters of Minnesota urges this committee to pass favorably on S.F.951 because, to quote the Little Hoover Commission: "....the Director of Civil Service should be appointed by the Governor, but only with safeguards against abuse of the appointing power."



STATEMENT BEFORE THE MINNESOTA SENATE JUDICIARY COMMITTEE IN  
SUPPORT OF PROPOSED FEPC LEGISLATION -- March 9, 1955

---

My name is Judson Bemis. I live at 3841 Schuneman Rd., in White Bear Township, Ramsey County. I am a vice-president of Bemis Bro. Bag Co., Minneapolis. I am here, representing myself, to speak in favor of the bill for a fair employment practices commission. If anyone had told me, ten years ago, that I would ever be testifying before a legislative committee in behalf of an FEPC bill, I would have said they were crazy. My point of view has obviously changed.

What has changed it? Three things:

First - an evening spent 6 or 7 years ago sitting in on an informal meeting of the Minneapolis Fair Employment Practices Commission. I there witnessed intelligent, quiet, impartial investigation and processing of a couple of problems in human relations through the exercise of logic, persuasion, counseling and conciliation -- in essence, I saw intelligent democracy at work in an entirely constructive way.

Second - I have become convinced that in this area of the so-called minority problem, the natural evolutionary pace of education and social change will not bring results fast enough to maintain optimum political and social stability. While it is true that you cannot legislate tolerance and understanding, it is also true that a little wise, yet insistent, gentle, yet firm, nudging, never did anyone any harm. As an example, I recall how my young son, when confronted with a new food, categorically says "I don't like it!" But when the gentle yet firm hand of parental authority gets the spoon into his mouth, 99 times out of a hundred, he finds it's O. K. after all.

Third - and this may only be in confirmation of the second - time is running out. During the past year I spent one month in India, on an assignment for our government. India is an under-developed country and her people are black. There are many under-developed countries where people are black or yellow or red. Can we afford to substantiate the Communist propaganda to these people that democracy and discrimination go hand in hand? Of course not. We know it to be untrue, but we would do well to do everything we can to remove now even the suspicion of discrimination.

For these three reasons, then, I have changed my opinions on FEPC. For these and many similar reasons, I believe that a large number of business men throughout the state have changed their minds on FEPC -- so much so that I understand, and this I have on the highest authority, that the Minnesota Employers' Association (of which my employer is a member) this year has directed its representative not to oppose this legislation in their behalf. While it is true that Mr. Christianson did testify before the House Labor Committee against this bill, apparently he appeared as an individual, and the arguments he presented in opposition reflect the views of only one portion of a divided membership of the MEA.

One final point. Those opposed to his bill make much of the point that such a Commission is unnecessary, particularly when you get beyond the

big cities. Well, a fire department is unnecessary - until you have a fire. Based on the law of averages, I don't expect my house will catch fire - but I'm glad we have a fire department. The insurance underwriters will say that in spite of the infrequency of fires, a fire department pays for itself. So I believe will an FEPC. And if it shouldn't, I know of nothing to prevent this legislature from repealing this legislation. Satisfaction guaranteed or your money back.

League of Women Voters of Minnesota  
84 South Tenth St., Room 406  
Minneapolis 3, Minn.

May 6, 1955

Memo: to Local League Presidents and Legislative Chairmen  
From: State Civil Service Acting Chairman, Mrs. Everson  
Re: Legislative Report on Civil Service Item, May 1, 1955

Will you please attach this latest bit of information to the Report on Civil Service:

"At this session many more bills than usual dealing with phases of the Civil Service Program were introduced. Several of the recommendations of the Interim Committee on the Civil Service Program were adopted. These provided that:

- 1) a record be kept of all oral examinations,
- 2) the board have the power to initiate rules and regulations,
- 3) all rules be referred to the legislative session after their adoption.

Other provisions modified the dismissal procedure and broadened the base for selection of employees so that department heads have more leeway than formerly in choosing employees; in the case of sick leave, immediate family is defined as spouse or minor children living in the household of the employee."

P.S. Sorry, but because of preparation for Convention, the FEP report won't be done until after the State Convention.



CIVIL SERVICE ITEM  
1955 REPORT

CONTINUING  
RESPONSIBILITY

At the Council meeting in the spring of 1953 the League voted to continue to work for An Efficient Civil Service System as one of its Continuing Responsibilities. This support was to be two-fold: 1) to work to preserve the good features of the system when under legislative attack; and 2) to continue to work for its improvement, especially in the field of modification of Veterans' Preference.

We do not often picture our state in the role of employer, yet our taxes provide the money for the state payroll, which numbers about 20,000 persons. Many of the duties of an employer we delegate to our legislators. These include setting rates of pay and directing policy on recruitment, retirement, and dismissal. The tasks are pretty much the same as those of an industrial employer.

BILLS  
INTRODUCED

At this session many more bills than usual dealing with phases of the Civil Service Program were introduced.

S.F. 32  
H.F. 158  
OFFICE OF  
DIRECTOR

The League of Women Voters took legislative action on two bills affecting Civil Service. The first of these was:

S.F. 32 - Authors: Vukelich, Rogers, E. Peterson.

H.F. 158 - Rutter, Dunn, Cina, Fugina, Dirlam.

A bill vacating the office of director of civil service and providing for his appointment by the governor with the consent of the Senate.

HOUSE  
ACTION

The League opposed this bill because it did not provide for selection through competitive examination and the director was not given tenure. The bill passed out of the House Civil Administration Committee by a 10 to 6 vote on February 23. When it came up on the floor of the House, Harold Anderson of Minneapolis and Clifton Parks of St. Paul, members of the Interim Committee on the Civil Service Program, moved to amend the bill so it would conform with the bill based on the Interim Committee's recommendations (S.F. 951 and H.F. 1097). Acting Civil Service Chairman, Mrs. T. O. Everson, prepared testimony in support of S.F. 951 and H.F. 1097, but there was not opportunity to give it. This bill provided for selection of the examining committee by the Civil Service Board and appointment of the director by the governor from a list of not less than three or more than five names certified by the examining committee, the director to have tenure and be removable by the Board for cause. The Anderson-Parks amendment was approved by the House but the bill, as passed on March 1 by a vote of 97 to 15, retained the "consent of the Senate for appointment," a feature which did not meet with our approval. We felt that if the Senate turned down appointments made from competitive civil service examinations it would in a sense be playing politics with civil service.

SENATE  
ACTION

The Senate Civil Administration Committee acted on these bills on March 31, amending the House-passed bill (H.F. 158) to: change from appointment by the Governor back to appointment by the Board (as at present); director to be appointed for a six-year term with consent of the Senate; if re-appointed at end of the term, he would not have to take another examination. H.F. 158 as amended by the Senate was adopted in the last week of the session.

S.F. 950  
H.F. 1120  
VETERANS  
PREFERENCE

This bill, based on the recommendations of the Interim Committee on the Civil Service Program regarding Veterans Preference, was introduced March 1 in the Senate, March 3 in the House.

S.F. 950 - Authors: Wefald, Root

H.F. 1120 - Authors: Parks, H. J. Anderson

LEAGUE  
SUPPORTED

The League supported this bill which provided for: 5 and 10 point preference upon receipt of a passing grade in examination; part or all of the 5 points allowed non-disabled veterans and the 10 points granted disabled veterans could be used on either entrance or promotional examinations, but once the total number of points had been used there would be no more preference; in order to qualify as disabled, veterans must have a 10% or more disability rating by the Veterans Administration; widows would receive preference if they did not remarry; wives of disabled veterans would receive preference if their husbands had a disability rating of 50% or more.

TESTIMONY

The Senate bill was sent to the Civil Administration Committee. The House bill was sent to the Veterans and Military Affairs Committee. Proponents were heard on March 18 in both the House and Senate Committees. Mrs. Everson, representing the League of Women Voters, Mr. Charles Silverson, President of the Citizens League of Minneapolis and Hennepin County, and Mr. George Humphrey of the North Star Post 530 of the American Legion spoke for the bill. Mrs. Everson and Mr. Silverson asked that the bill be amended to include the political sub-divisions (counties and municipalities).

SENATE

Senator Wefald spelled out the provisions of the bill in the Senate committee and did an excellent job. Amendments to the bill were suggested and approved which stripped the bill of the following: requirement of a passing grade before the preference points could be used; requirement of a 10% disability rating before a veteran qualifies as disabled; giving equal eligibility to veterans and non-veterans with equal examination scores. The bill was then sent to a sub-committee for redrafting.

HOUSE

In the House Veterans and Military Affairs Committee the bill was explained by Clifton Parks of St. Paul, an author but not a member of the committee. Although Committee Chairman Tieman, opened the meeting by asking that personalities not be brought into the discussion, the treatment accorded Rep. Parks by some members of the committee who were violently opposed to any limitation of Veterans Preference was anything but statesmanlike. Mr. Parks should be commended for the calm manner in which he answered irrelevant questions concerning his own service record. Reps. LaBrosse of Duluth and Volstad of Minneapolis were particularly virulent in their questioning of Rep. Parks. Fortunately, Mr. Parks is a veteran with 14 months overseas service and a past Commander of an American Legion Post.

HEARINGS  
IN BOTH HOUSES

As discussions proceeded in both House and Senate committees, it seemed clear that there was little knowledge either of the manner in which preference is presently granted or of the contents of the Interim Committee's report. A member of the Senate Committee which had been studying civil service bills for three meetings, and was about to vote on one of them, remarked "I know that Wefald and Root were members of the Interim Committee; I'd like to know who the other members were, it might make a difference in my vote." (Members were listed on page 1) Senator Root replied, "I don't think more than three members of this committee have read the Interim Report." The committee report was placed on each legislative desk the middle of January.

INCONSISTENCIES  
OF VETERANS  
ORGANIZATIONS

Representatives of the Veterans Organizations were heard in the Senate Committee on the 18th and 23rd of March, and in the House Committee on March 25. Inconsistencies of the veterans organizations were very pronounced. Apparently they do not want equal treatment for veterans working for the state and the political sub-divisions since they argued against changes in laws which grant preference to veterans in civil service systems at either level. The laws are now different. They said these were good laws, yet the provisions are such that if one is fair, the other is not. Veterans in the state service do not have to pass examinations in order to get preference while those in the sub-divisions must first pass examinations. The disabled veterans working for the state service get absolute preference, the non-disabled do



not; yet in the political sub-divisions all veterans go to the top of the list when they pass. Testimony of the representatives of the veterans organizations indicated interest only in retaining the status quo. They insisted that we did not have absolute preference in the state because of the rule of three; yet they pleaded not to abolish the same absolute preference.

Spokesmen for the veterans organizations and some of the committee members demanded to be given the name of "just one inefficient veteran," knowing full well the difficulties of proving such a charge under the present system. No mention was made of the number of capable veterans who had left the state service or who did not want to enter state service because there was little or no chance of promotion where disabled veterans (with zero disability ratings) were competing for jobs. The disabled veteran automatically goes to the top of the list if he gets 60 in the examination.

HOUSE  
BILL  
KILLED

It was apparent from the start that H.F. 1120 would not have a chance of being passed by the Veterans and Military Affairs Committee. Rep. Parks pleaded to have the bill sent to a sub-committee so it could be discussed thoroughly. He offered to sit down with the veterans organizations and try to work something out. Rep. A. O. Sundet, Faribault, made such a motion with a second by Rep. Christie of Minneapolis. No one voted with them. Rep. Otto Clark, Osakis, then moved to indefinitely postpone (same as killing); Rep. Harry Basford of Wolf Lake seconded the motion, a voice vote was taken, the motion carried. Once more the League attended last rites for this bill.

S.F. 1172  
H.F. 1300  
PREFERENCE IN  
POLITICAL  
SUB-DIVISIONS

This was a bill to modify veterans preference in the political sub-divisions of the state. The League took no action on this bill.

S.F. 1172 - Authors: Jelfald, Root

H.F. 1130 - Author: Parks

This bill modified preference in the political sub-divisions of the state. It was killed in the Senate Civil Administration Committee when it was indefinitely postponed on a motion by Senator Donald Wright of Minneapolis, although Senator Wright voted to abolish veterans preference on promotional examinations in the state service. This inconsistency did not pass unnoticed.

WHAT OF  
THE FUTURE?

League members who represented you at the hearings on these bills feel strongly that if we are ever going to get modification of veterans preference, a tremendous effort in community education must be made, and though we failed this time, we got farther than we ever did before. The men and women who represent us might find the necessary courage if they thought other besides veterans organizations' lobbyists were interested in this issue. We wonder how many of the 400,000 veterans in the state know what a monopoly 520 disabled veterans (some of whom have only zero disability) have on promotions in the state classified service.

The valuable time of legislators and other highly respected citizens and some of our very precious and much needed tax money have gone into the four reports published since 1948. Each one has pointed out the need for modification of veterans preference, yet nothing has been done about it. A Minneapolis Star editorial of March 28 said, "Privately many legislators say they oppose this sort of favoritism but the veterans organization lobbies are so powerful a prudent lawmaker dare not oppose them. That seems a sad admission in a legislature which, in view of the state's other pressing problems, needs to show courage as well as wisdom."





STATE OF MINNESOTA  
EXECUTIVE OFFICE  
SAINT PAUL

ORVILLE L. FREEMAN  
GOVERNOR

July 14, 1955

Mrs. Basil Young, President  
League of Women Voters of Minnesota  
84 South Tenth Street, Room 406  
Minneapolis 3, Minnesota

Dear Mrs. Young:

Thank you for your letter of July 11, expressing your interest and concern about the procedure which may be followed by Governor Freeman in his appointment of persons to be on the Fair Employment Practices Commission.

I want to assure you that the Governor agrees entirely with the principles that ought to be carried out as you expressed them in your letter. It is true that several people have made application to the Governor for the position of executive director of the FEPC. In all such cases, the applicants have been informed that the FEPC has the duty and authority to select an executive director, and that all applications would be turned over to that Commission. Whenever people have written to us in behalf of a possible candidate, the Governor has replied that such appointment is entirely in the hands of the Commission.

I am sure that you need have no concern about the attitude of the Governor toward carrying out not only the letter but the spirit of this law. He certainly would not attempt to influence the choice of an executive director, through his authority to appoint members of the Commission. Our real problem in selecting members of the Commission has been to make the best possible selection from among the many able people who might be selected, to, at the same time, try to see that the Commission should include representatives of all those groups who ought to be represented on such a Commission and, finally, to make this kind of a selection within the restriction of one appointee from one Congressional district.

I trust that when the selection is made you will be entirely pleased with the Commission, and that it will be able to launch this new program in Minnesota in the best possible atmosphere.

Sincerely yours,

*Dorothy H. Jacobson*

Dorothy H. Jacobson  
Administrative Assistant

DHJ:vbl

cc: Young  
Gruener  
Duncan

July 11, 1955

Mrs. Dorothy Jacobson  
Governor's Office  
State Capitol  
St. Paul, Minn.

*air mail  
Special*

Dear Mrs. Jacobson:

The League of Women Voters of Minnesota, as you know, worked for the passage of Fair Employment legislation in the last session, and has retained this issue on its program as a continuing responsibility.

The League of course, under its non-partisan policy, cannot support any person for any office or position, and we are therefore taking no part in making recommendations for nominees for the post of executive director of the Commission. Our interest is solely in seeing that the letter and spirit of the law is properly carried out.

For this reason we are a little concerned over the flood of letters, which, according to the newspapers, is reaching the Governor on behalf of one candidate or another for the position of executive director. We are confident, of course, that Governor Freeman would not let himself be influenced or pressured to appoint commissioners on the basis of their support of the candidacy of one individual or another for this position. We feel, however, that it is unfortunate that the public should have so misunderstood or misinterpreted the law and the spirit of employment on merit as to have raised this issue before the new commission has been appointed. There are more important qualifications for a commission member than whether he would support this or that man for executive director. It is too bad that advocates of individual candidates do not see that a commission chosen for the support of any certain individual would not be as broadly representative as it should be. As a matter of fact, we believe that a judicious commission member would refuse to commit himself to any candidate until the commission has set up standards and qualifications for the job and has carefully and systematically surveyed the field of possible applicants.

If any particular candidate for the position of executive director should appear to get the nod from the Governor, it would tend to establish a precedent of putting the position into politics. Such a situation might tend to complicate the relationship between the commission and the executive director, giving the latter the whip hand over those who are responsible for setting up the policies under which he works.

This letter from the League of Women Voters is perhaps unnecessary, but we thought it would do no harm to share with you our thinking on the matter. Again, may we thank you for the kind consideration and attention you have always given us on the many occasions we have expressed our views and solicited your help.

Sincerely,

Mrs. Basil Young  
President

*E. L. Johnson*

LEAGUE OF WOMEN VOTERS OF MINNESOTA

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

Memo to: Local League Presidents  
From: Mrs. T. O. Everson, former state Civil Service Chairman  
Subject: Civil Service

Delegates to the May 1955 convention of the League of Women Voters of Minnesota voted to make the civil service system a continuing responsibility. Civil service has been a part of the League program ever since 1935 when we supported the civil service bill introduced in the special session of the Legislature. Civil service was enacted by the 1939 legislature, and the League was given major credit for the legislation!

Civil service was last on the League's current agenda in 1952. Then and since, we have worked especially hard for modification of veterans preference. At the 1955 state convention, the state board proposed that the item be limited as a continuing responsibility to modification of veterans preference in the state and its political subdivisions. But you wanted to continue the more comprehensive item. Your inheritance as daughters and granddaughters of the "founding mothers" of civil service probably prompted a desire to know the total picture.

In the 1955 legislative session, at your direction, we:

1. Supported modification of veterans preference.
2. Opposed vacating the office of civil service director and providing for his appointment by the governor without the safeguard of competitive examination and tenure.
3. Took no position of the proposal to place the civil service department as a division in the department of administration.

None of these measures passed.

4. Supported appointment of the civil service director by the governor from the top three to five names selected by competitive examination and placement of the director in the classified service (tenure under civil service).

#4 passed with an amendment that the civil service board rather than the governor appoint. Appointee now has to be confirmed by Senate.

The major source material on the current operations of civil service is the "Report of the Interim Committee on the Civil Service Program" which was sent to you in January 1955. Since the Report contains the most recent proposals for changes in the civil service system, dig it out of your files and use it in your discussions.

We shall anticipate civil service legislation in the 1957 legislature. What proposals would you have us support or oppose? The decision rests with YOU!



Sally Clarkson

1600 East 96<sup>th</sup> Jul-6543

Grade 11

We hope that this information will be  
helpful to your group.

Yours truly,

(Mrs.) Anna Mae Dawson  
Counselor

## LISTS OF POSSIBILITIES

Not recommended items from 1955, 1957, 1959 and 1961:

Occurring 4 times: Tax study, including sales tax, sources of revenue, overall tax structure, gasoline tax, dedicated funds, personal property tax, Governor's tax commission report, withholding tax, broadening of tax base, analysis of revenues and expenditures, more efficient methods of collecting, equalizing and distributing tax money (these items not all mentioned each time.)

Youth conservation: juvenile problems and correctional system

Conservation or water: study of Minnesota water with emphasis on pollution and conservation of supply.

Occurring 3 times: School financing: including state aids, use of occupational tax for current needs, dedicated funds, higher education, educational standards, control of public schools.

Civil Service; veterans preference

Highway safety laws: traffic safety factors with regard to

a) law enforcement, b) licensing of drivers, c) highway planning, d) citizen educ.

Reorganization of state government: Little Hoover report

Occurring 2 times: Judiciary: judicial article, juvenile court problems, reorganization and reforms

Library services

Home rule

Civil Defense

Consumer protection

Occurring 1 time: State aids for gifted children, state budgets, welfare, home rule for counties, election laws-requirements for voting and registration procedure, metropolitan plan of government, states rights, aid to distressed areas, school district reorganization, legislative reorganization-annual sessions, mental health, state hospitals, St. Lawrence waterway, penal systems, needs of aged.

Proposals for studies by the Legislative Research Committee for the 1961-62 interim include these subjects:

- ...water utilization in industrial and air cooling systems
- ...Equalization Aid Review Committee's methods of determining property values in school districts
- ...Comparison of U of M with other Big Ten U's in academic salaries, faculty-student ratios, classroom utilization, tuition and fees, legislative approaches used in other states in making budget allocations
- ...duplication of functions within Department of Conservation and between it and other state agencies, also state parks and recreation
- ...fiscal operation of Railroad and Warehouse Commission
- ...pilot taconite direct reduction plant in Northern Minnesota
- ...24% overrun law dealing with butterfat, state meat inspection, oleo tax and coloring, a proposed agricultural commodity marketing act
- ...fee system as it pertains to elected county officials
- ...operations and charges of private employment agencies
- ...aid to dependent children, in relation to federal legislation
- ...hospital rates and charges
- ...enabling legislation for counties joining for detention facilities
- ...allocation of state funds for hospitals
- ...lowering voting age to 18 years.

LEAGUE OF WOMEN VOTERS OF MINNESOTA

University of Minnesota, TSMC, 15th & Washington Ave. S.E., Minneapolis 14, Minnesota  
Price 8¢ Federal 8-8791 February, 1956

CIVIL SERVICE IN MINNESOTA

There are a number of different merit systems in Minnesota. Each is a distinct unit with its own law, organizational structure and jurisdiction. Basically the principles are very much the same. They give examinations for selection of employees; some classify jobs; they provide a structure for the assignment of salaries; they allow paid vacations and sick leave; they provide a system for making promotions. But within these areas, the methods differ widely. Any individual employee case which may come up for inspection must be examined only within the framework of the particular merit system in which it falls.

The State Civil Service system, which the League was so influential in creating, is the most modern, having an administrator responsible for all of the operations of the department, with a part-time board acting in a policy-making, quasi-judicial capacity, as recommended in the Model Civil Service Law prepared by the National Civil Service League. Many of the other public personnel systems in the state are administered by full-time boards or commissions with a secretary or chief examiner who is responsible to the board or commission for all administrative actions.

The jurisdictions of the various merit systems operating in Minnesota are described briefly below.

1. Federal Civil Service. This personnel system in Minnesota is administered by the United States Civil Service Commission from the branch office in St. Paul and the regional office in St. Louis, Mo. Under Federal Civil Service are offices such as the U.S. Post Office, the U.S. Forest Service, Customs, Veterans Administration, Social Security and Internal Revenue. These departments have offices scattered throughout the state, in addition to larger district or regional offices located in the Twin Cities.

2. County Welfare Merit System. This is a subdivision of the State Department of Public Welfare, established by the federal Social Security law to provide a merit system for county welfare employees. In Minnesota this personnel system has jurisdiction only over the employees of the County Welfare Boards. The federal Social Security law provides that all employees partially paid by Social Security funds shall be selected on a merit basis. All states, therefore, have a personnel system which has jurisdiction over all health, welfare, and employment and security employees. In Minnesota the state employees in these departments enjoy the benefits of the statewide civil service system.

3. Municipal civil service systems and City Police and Fire Civil Service Commissions. For many years, Minneapolis, St. Paul and Duluth (cities of the first class) have had civil service systems for the employees of the city governments. Civil service for police and fire departments has been authorized for cities smaller than first class since 1929.

The 1951 Legislature passed an act enabling cities of the 2nd, 3rd, and 4th class, and villages or boroughs to establish civil service systems. Under this statute, establishment of a local merit system is provided by an ordinance approved by a majority of the voters voting on its approval at a general or special election.

4. County civil service systems. St. Louis County and Ramsey County have merit systems covering county employees. The St. Louis County Civil Service Board has jurisdiction over the St. Louis County Welfare Board employees. In Ramsey County,



those employees are under the jurisdiction of the County Welfare Merit System. (See 2 above).

5. State of Minnesota Civil Service Department. This is the public personnel agency which has jurisdiction over employees working for state government. It is the Civil Service which the League was instrumental in effecting in this state in 1939, and the one in which it is particularly interested as a result.

#### STATE CIVIL SERVICE COVERAGE

In the extent of its coverage, Minnesota's state civil service system is one of the best in the country. In June, 1955, there was a total of 13,622 state employees. Of this total, 12,681 were in the classified service (positions under civil service) and 941 were in the unclassified service (positions not under civil service). The Civil Service Act specifically excludes some state employees from provisions of the law. Briefly, these unclassified positions include: Elective officials, department heads appointed by the Governor, one private secretary to each of the elective officers, deputy registrars of motor vehicles and their seasonal help, employees in the Governor's office, employees of the Legislature, the academic staffs of the state teachers' colleges, professional staff of the Attorney General's office, court employees, patient and inmate help in state institutions, and state highway patrolmen. (State Highway Patrolmen are selected and appointed according to civil service procedures, but none of the other provisions of the civil service law affect them.)

#### RELATIONSHIP BETWEEN THE PERSONNEL AGENCY AND THE FINANCE AGENCY

Important to keep in mind when studying the functions of a personnel agency is its relationship to other agencies of the governmental unit, especially the department in control of funds. In Minnesota, for instance, the functions of the Budget Division of the Department of Administration and of the Civil Service Department are closely related.

In order to understand civil service in this state, it is necessary also to know some of the functions of the Budget Division and also of the state Legislature with respect to allocation of funds. Briefly, the Legislature appropriates the monies for the operation of each state department for each biennium. The Budget Division controls the expenditure of these monies within the amount appropriated by the Legislature. (The Budget Division maintains a much more rigid control over the expenditures of the General Revenue Fund than over those of dedicated funds.)

The Department of Administration, therefore, is the one which determines: whether or not a new position would be necessary to the department's operations; whether or not a proposed departmental reorganization of positions would be in accordance with the principles of sound management; and whether, therefore, such a reorganization could be allowed; and whether or not funds be available for the reallocation of a position to a higher job classification. Such problems involve personnel management. Their resolution, however, falls within the scope of the central finance agency rather than that of the personnel agency.

Governor Freeman, in his special reorganization message of February 25, 1955, spelled out a proposal to cement this relationship by placing the Civil Service Department as a division in the Department of Administration. The same suggestion was also recommended by the Interim Committee's Report on the Civil Service Program. It is generally agreed that this is a trend in administrative organization to unify all management functions (organization, finance, personnel, etc.) in a single staff agency - in Minnesota, the Department of Administration. A comparable recommendation was made by the second Hoover Commission in proposing that a presidential adviser on personnel management be appointed to the White House executive staff. Some states

have already adopted this organizational pattern. It should be noted that Minnesota's Little Hoover Commission, in 1950, recommended that the Civil Service Department be retained as a separate department.

Some fear has been expressed that this proposed arrangement would make civil service "political." However, most authorities endorse this recommendation without sharing apprehensions that it would weaken the civil service system.

On the other hand it should be pointed out that the present administrative arrangement in Minnesota does not really prevent close collaboration between the Department of Administration and the Civil Service Department. As in most organizational patterns, the human element plays a large part - cooperation depends largely on good relations among the administrators involved. At the present time, a harmonious working relationship seems to exist between the Commissioner of Administration and the Civil Service Director. The principle of unification of management functions in one department should not be overlooked, however, as a possible future development in the State government of Minnesota.

#### THE MINNESOTA STATE CIVIL SERVICE DEPARTMENT.

The Minnesota Civil Service Department has a single administrative head, with a three-member board which acts in a policy-making and a quasi-judicial capacity. This type of administrative organization is generally recognized by management experts as being one of the most efficient organizational forms, and is incorporated into the Model Civil Service Law.

#### Civil Service Board

Members of the Board are appointed by the Governor, with the consent of the Senate, for terms of six years. One member is appointed each biennium. The present members of the Civil Service Board are:

Charles Bannister, Duluth, Business Representative, Hotel and Restaurant  
Employees  
Raymond D. Black, Minneapolis, Executive Director, Citizens League of  
Minneapolis and Hennepin County  
Francis W. Russell, Cold Spring, Attorney

The principal powers and duties of the Civil Service Board are:

1. After public hearing, to approve, modify, reject, or approve as modified:
  - a. Rules and regulations prepared and recommended by the Director for carrying out the purposes of the Civil Service Act. 1955 law gave Board power to initiate rules.
  - b. Plans for the classification of positions.
  - c. Compensation schedules for positions in state civil service.
2. To make investigations concerning the enforcement and effect of the civil service act.
3. To conduct hearings and pass upon complaints, in accordance with the provisions of the act.

The Board is also responsible for appointing the Civil Service Director. It appoints an examining committee to conduct a merit examination for the purpose of establishing a list of eligible candidates. The Board then makes an appointment from the three to five highest names for a term of six years. The Board appoints subject to the consent



of the Senate, and the Director may be reappointed by the Board without further examination with Senate consent.

There were two proposals to change the method of appointment of the Civil Service Director in the 1955 legislative session:

1. To vacate the office of civil service director and provide for his appointment by the governor without the safeguard of competitive examination and tenure.
2. To provide for appointment of the civil service director by the governor from the top three to five names selected by competitive examination and placement of the director in the classified service (tenure under civil service).

In order to understand more fully the character of these proposals, it is necessary to point out that the former Director of Civil Service in Minnesota, who resigned in 1955, was a very controversial figure. The first proposal was clearly directed at getting rid of him. The second proposal incorporated a recommendation of the Little Hoover Commission and the Interim Committee on the Civil Service Program and is generally supported by public personnel authorities. The Civil Service Director resigned under attack and his successor was chosen in accordance with existing law by the Civil Service Board by competitive examination. The second proposal changed nothing in this procedure except that the appointment would be by the Governor. It is very unlikely that the first proposal will be repeated now that the object of its intent has been removed. The League opposed the bill because it did not include selection of the Director on the basis of proved merit (competitive examination) and did not provide for tenure. The second and more serious recommendation, which received League support, might again be introduced in future legislative sessions.

#### The Director of Civil Service

The Director, John W. Jackson (his appointment in 1955 must be approved by the Senate in 1957) is responsible for administering the provisions of the Civil Service Act. He has a staff of some 55 persons engaged in the performance of these main functions of the department:

1. To administer the civil service law in accordance with its provisions and under the policies of the Civil Service Board.
2. To give open-competitive and promotional examinations in order to find the best qualified persons available to do state work; to test them; grade their papers; set up eligible lists; and make certain that appointments are made according to civil service law and rules.
3. To check the pay of each state employee to be sure he is getting paid within the proper pay range.
4. To determine whether proposed personnel actions are within the scope of the law and rules.
5. To maintain an official roster of state employees.
6. To make sure that all personnel transactions such as salary increases, promotions, transfers, and the like are proper and legal.
7. To classify jobs based on their duties and responsibilities in accordance with state classification plan.



8. To re-allocate jobs when duties and responsibilities have changed enough to make it necessary.
9. To recommend to the Civil Service Board the assignment of each class of work to a specific pay range and to recommend changes in these assignments when necessary.
10. In general, to be the state's central personnel agency.

The Department is divided into three main sections to administer the functions delegated to the Director under the act. These divisions of the Civil Service Department are:

1. The Recruiting and Examining Division. This division recruits state employees; prepares, gives and grades examinations; and sees to it that appointments are properly made from eligible lists.
2. The Classification and Compensation Division. This division classifies all the state jobs in accordance with the state classification plan and determines pay rates for state jobs in accordance with the state pay plan.
3. The Transaction and Office Management Division. This division is responsible for the accuracy and legality of all personnel transactions such as salary increases, resignations, layoffs, demotions, and so on; for making sure that all state payrolls are correct; for the proper explanations of the law and rules to the operating departments; and for doing "housekeeping" work for the Civil Service Department itself, such as budgeting, purchasing, filing, duplicating and typing.

#### VETERANS PREFERENCE

The League supported legislation in 1955, as it has in many legislative sessions, to modify veterans preference. It provided:

1. 5 and 10 point preference upon receipt of a passing grade in examination.
2. Part or all of the 5 points allowed non-disabled veterans and the 10 points granted disabled veterans could be used on either entrance or promotional examinations, but once the total number of points had been used, there would be no more preference.
3. In order to qualify as disabled, veterans must have a 10% or more disability rating by the Veterans Administration.
4. Widows would receive preference if they did not remarry; wives of disabled veterans would receive preference if their husbands had a disability rating of 50% or more.

The most recent information on veterans preference in public employment was presented in a statement (reprinted here in part) by Mrs. T. O. Everson, former Civil Service Chairman of the League of Women Voters, at the Institute on Minnesota Government and Politics, University of Minnesota, July 1955.

"On March 17, 1955, we had 12,508 full-time state employees - 23.6% were accorded veterans preference. From May 1, 1947 to January 1, 1955, 911 veterans with failing scores were appointed to state jobs (entrance 764, promotional 147); 440 of these

were disabled veterans. Under the present law, a zero disability is enough to get such a rating, and disabled veterans go to the top of the eligible list.

"The principle of the merit system allows no exceptions from the rule that the best possible person, selected through competitive examination, shall be appointed to a given position. For this reason, veterans preference or preference for any group is inconsistent with the theory of the merit system. The League of Women Voters of Minnesota is aware of the service veterans have rendered to our country, and we believe that this service and the time it consumed should be recognized through incorporation of some preference for veterans as an integral part of our civil service system.

"It is our belief, however, that too much reliance has been placed upon a rigid system that benefits neither the veteran nor our government. Since 1948, four commissions authorized by the legislature have pointed out the need for modification of our veterans preference laws: the Legislative Research Committee, in 1948; the Little Hoover Commission, in 1950; the Veterans Preference in Public Employment, in 1951; and the Interim Committee on the Civil Service Program, in 1955. The League of Women Voters has supported bills based on the findings of these groups.

"Colonel Garey, Civil Service Counsel for the American Federation of State, County and Municipal Employees, International, said in commenting on the Report of the Interim Committee:

'Everything that the committee says in condemnation of and about improving the veterans preference situation in Minnesota is endorsed by me heartily. As a veteran of two wars, and most of a life-time service in the National Guard, I endorse heartily the courage of the Committee. Veterans preference should be limited to five points to be used only in entrance examinations and 10 points only if there is shown compensable disability, meaning at least 10% disability. The absolute preference is unthinkable and will soon become unbearable and no one knows this better than veterans. Only the "prefessional" veteran holds out for something that should have been written off our statutes shortly after World War I. The sons and daughters of veterans, if they do not happen to be veterans themselves, suffer just as much from unconsiderable veterans preference as do the sons and daughters of non-veterans, if we have any non-veterans left in our land.'

"Senator Wefald, member of the Interim Committee on the Civil Service Program said in a letter to an American Legion Post:

'In your resolution, you express "unequivocal opposition to any change in the veterans preference law in the state of Minnesota." There is no law so perfect that it does not require change or amendment and the veterans preference law is in need of some changes which will benefit veterans themselves as well as the public at large. Many of the veterans employed by the state of Minnesota are of the highest calibre and ability, but it would be rather far-fetched to say that every veteran is of the highest calibre and ability. There is no group of people anywhere on earth where everyone in the group can be said to be of the highest calibre.'

"The League has approved the recommendations of the commissions and committees which state, 'That veterans preference laws when applicable shall be uniform for the state and its political subdivisions.' If improvement is desirable in the classified service of the state, it is much more so in the political subdivisions where all veterans have absolute preference. The power to change rests with the legislature.

"The valuable time of legislators and other highly respected citizens and some of our very precious and much needed tax money have gone into the four reports published since 1948. Each one has pointed out the need for modification of veterans preference. Yet nothing has been done about it. A Minneapolis Star editorial of March 28, 1955 said, 'Privately, many legislators say they oppose this sort of favoritism but the veterans organization lobbies are so powerful a prudent lawmaker dare not oppose them. That seems a sad admission in a legislature which, in view of the state's other pressing problems, needs to show courage as well as wisdom.' A state-wide committee of the American Legion recently voted in favor of some modification but its recommendations never reached the floor of the state convention in 1955.

"The task force on Personnel and Civil Service of the second Hoover Report (1955) said in part:

'...special preference can be justified only where it meets a real need of the veteran without seriously damaging the civil service.... Assistance to veterans during the period of readjustment is reasonable but preferences for able bodied veterans cannot be continued permanently without doing violence to the effectiveness of the Government's personnel. The argument that veterans have proved as capable as non veteran civil servants is not in itself an argument for veterans preference in public employment. After making their readjustment to civilian life, veterans can stand on their feet as well as other citizens. The task force does not believe that the American people, including the great majority of veterans themselves, want veterans to be a permanent "privileged class." That runs counter to the democratic ideals of America - ideals which veterans were called into service to defend.'

#### QUESTIONS FOR DISCUSSION

1. What are the different civil service systems operating in Minnesota?
2. How complete is civil service coverage of state employees?

What is the difference between the "classified" and "unclassified" services? How many employees are presently in each category?

3. How is the Minnesota civil service system organized?

According to principles of public personnel administration, is Minnesota's civil service organized efficiently?

4. What are the principal functions of the Civil Service Board? Who is on the Board?
5. What are the major responsibilities of the Civil Service Director? Who is the Director?
6. What are the duties of the three main divisions in the Civil Service Department?
7. What is the relationship between the Department of Administration and the Civil Service Department?

What do you think of the suggestions for reorganization as they affect these two departments?

8. Do you think the Civil Service Director should be appointed by the Civil Service Board or the Governor? Why?



9. In what way does veterans preference hinder efficient and economical government?
10. What proposals do you suggest for modification of veterans preference?

#### REFERENCES

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Mosher, W. E., Kingsley, J. D. and Stahl, O. G., Public Personnel Administration, Harper and Bros., New York (3rd ed.) 1950.

"Report of the Interim Committee on the Civil Service Program," 1955.

Special Message by Governor Freeman before a Joint Session of the Minnesota Legislature, February 25, 1955.

Task Force Report on "Personnel and Civil Service," U. S. Commission on Organization of the Executive Branch of the Government (second Hoover Commission). February 1955.

FAIR EMPLOYMENT PRACTICES COMMISSION

In the few months that have elapsed since the first Fair Employment Practices Commission was appointed by Governor Freeman, a staff has been chosen and a comprehensive and promising program has been outlined. Mrs. Eugenie Anderson, former Ambassador to Denmark, heads the Commission. Other members are: Glen Chinander, Newport; Ralph E. Shepard, Worthington; M. J. Daley, Belle Plaine; Judson Bemis, White Bear Lake; Mrs. Gladys Thompson, Wadena; Stephen Fligelman, Detroit Lakes; Mrs. A.T. Laird, Duluth; and William Cratic, Minneapolis. Mr. Wilfred C. Leland, Jr., for eight years Executive Director of the Minneapolis FEPC, was chosen Executive Director for the new state Commission, and Mr. Richard K. Fox, Jr., formerly industrial secretary of the St. Paul Urban League, was appointed assistant director.

Three cases of alleged discrimination are being processed. It is interesting to note that all three of these cases come from the suburbs of the Twin Cities, bearing out statements made by the League of Women Voters in lobbying for the FEPC law. We pointed out that discrimination is likely to be found in the large number of industries which ring the major cities but which do not come under their jurisdiction.

As had been predicted, the Commission plans to accomplish as much as possible through education. A statement of the policy of non-discrimination of the state will be sent to all heads and personnel officers of departments of state government, and to mayors throughout the state. Individual conferences will be held with many of these officials, as well as with top management of some of the major business concerns and officials of the trade unions. Mr. Leland believes that his big task will be to convince both employers and employees that their fears of hiring or working with minorities are without foundation. One of the biggest causes of discrimination in business firms, he says, is silence on the part of management as to their policy. "Everybody down the line does what he thinks the top management wants done. They may not have any Negroes or Jews working in the plant and they feel the boss thinks it should be continued that way."

Educational literature of several types will soon be developed--copies of the law, summaries of the law, a description of advisory services offered by the Commission, advice on how to practice fair employment, instructions as to how to file a complaint, possibly a monthly news-letter issued jointly with the Governor's Interracial Commission.

Cooperation between the FEP Commission and other agencies is being given careful attention. Of paramount importance, of course, are working arrangements between the State Commission and the City Commissions of Minneapolis, St. Paul, and Duluth. The Commission will work closely, also, with the Minnesota State Employment Service, the Governor's Interracial Commission, the intergroup relations agencies of the state, and business, labor, and civic leaders.

A plan of organizing, in cooperation with the Governor's Interracial Commission, voluntary groups of interested citizens throughout the state, is being considered. These might be of two kinds. The first would be local advisory committees in communities where there is no city ordinance against discrimination in employment. These committees would work closely with the Commission. In addition, groups of citizens which might be known as "Friends of Human Rights" might be very helpful in winning public support and understanding for the program.

The Commission recognizes that the problems of the Indians and of the Migrant workers are so pressing and so complex that special programs must be developed to work out their solution. This again, is no surprise to the League, which has been interested in these aspects of the problem for some time. Other research projects will be worked out, and the Commission will doubtless enlist the help of universities and foundations in the state.

July 5-6

Fair Employment Practices  
Board of Review Panel  
201 State Office Building  
St. Paul 1, Minnesota

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Review Panel established under the Minnesota State Fair Employment Practices Law in Room 470, State Office Building, St. Paul, Minnesota, on the 20th day of August, 1956, at 9:00 o'clock A.M. on and in respect to the adoption by the Board of Review Panel of rules of practice for hearings before the Board of Review relating to complaints of discrimination in employment because of race, color, creed, religion, or national origin under Laws of Minnesota 1955, Chapter 516. Said hearing will be held and this notice is given pursuant to Minnesota Statutes 1953, Section 15.042.

Dated at St. Paul, Minnesota, this 16th day of July, 1956.

BOARD OF REVIEW PANEL  
The Reverend Denzil A. Carty  
Mr. Thomas M. Champlin  
Mr. Maurice W. Cohen  
Mr. Amos Deinard  
Professor Stephen B. Humphrey  
Mr. Ingwald Jacobson  
Mr. Gustavus Loevinger  
Mrs. Charles Mayo  
Mr. Emil L. Prestemon  
Mr. Noah S. Rosenbloom  
Miss Barbara Stuhler

By

*Wilfred C. Leland, Jr.*  
Wilfred C. Leland, Jr.,  
Executive Director

Fair Employment Practices Commission



PROPOSED RULES OF PRACTICE FOR HEARINGS BEFORE  
THE BOARD OF REVIEW UNDER THE MINNESOTA STATE  
FAIR EMPLOYMENT PRACTICES LAW

To be adopted in accordance with and pursuant to Laws 1955, Chapter 516,  
Section 9, Subdivision 5, and Minnesota Statutes 1953, Chapter 15.

ARTICLE I

Definitions

Section 1. The term "initial complaint" means that complaint filed  
and issued pursuant to section 8 of the act.

Sec. 2. The term "complainant" means any person aggrieved by a  
violation of the act who files, or in whose behalf by his attorney, agent, or  
the commission, is filed an "initial complaint".

Sec. 3. The term "complaint" means the complaint which pursuant  
to section 9 of this act is issued and served upon the respondent by the commis-  
sion subsequent to the appointment of the board.

Sec. 4. The term "respondent" means the person charged in the com-  
plaint with having committed an unfair employment practice under the act.

Sec. 5. The term "act" means the Minnesota State Act for Fair Em-  
ployment Practices, Laws 1955, Chapter 516.

Sec. 6. The term "board" means the three persons appointed by the  
governor from the board of review panel to conduct a hearing in the case.

Sec. 7. The term "party" includes the complainant, respondent, and  
intervenor.

Sec. 8. The term "person" includes partnership, association, cor-  
poration, legal representative, trustee, trustee in bankruptcy, receiver,  
and the state and its departments, agencies, and political subdivisions.

Sec. 9. The term "commission" means the Minnesota State Fair  
Employment Practices Commission.

## ARTICLE II

## Procedure

Section 1. Service and Filing of Pleadings. Original and three copies of the complaint, notice of hearing, answer, and all other pleadings shall be filed with the board at the commission office in St. Paul, Minnesota, together with the original or certified copy of the return receipt proving service upon the other party or parties.

Sec. 2. Complaint.

(A) Service - Upon receipt of notification from the board of the time and place of the hearing to be held by the board, the commission shall file the original of the complaint and notice of hearing, together with three copies of the same, with the board at the commission office in St. Paul, Minnesota. The commission shall issue and serve by registered mail upon the respondent and complainant a copy of the complaint and written notice of hearing requiring the respondent to answer the allegations of the complaint at the hearing. The original or certified copy of the return receipt proving the service of said complaint and notice of hearing upon respondent and complainant shall be filed with the board at the commission office in St. Paul.

(B) Form of complaint.

(1) The complaint shall be in writing.

(C) Contents - A complaint shall contain the following:

(1) The full name and address of the complainant.

(2) The full name and address of the respondent.

(3) The specific charge of discrimination because of race, color, creed, religion or national origin, followed by a clear and concise statement of the facts which constitute the alleged unfair employment practice.

(4) The date or dates of the alleged unfair employment practice, and if the alleged unfair employment practice is of a continuing nature, the dates between which said continuing acts of discrimination are alleged to have occurred.

(5) A statement as to any action or proceeding instituted in any other form for the same unfair employment practice alleged in the complaint, together with a statement as to the disposition of such other action or proceeding.

(D) Amendment of complaint - A complaint, or any part thereof, may be fairly and reasonably amended as a matter of right at any time before hearing thereon, and thereafter at the discretion of the board.

(E) Withdrawal of complaint - A complaint, or any part thereof, may be withdrawn only with the consent of the board and upon such conditions as it may deem proper.

### Sec. 3. Answer.

(A) When filed - Within 15 days after receipt of the copy of the complaint and notice of hearing, the respondent shall serve by registered mail upon the commission and the complainant a verified copy of the answer, and serve and file with the board at the commission office in St. Paul, Minnesota, by registered mail, the verified original and three copies of the answer, together with the original or certified copy of the return receipt proving service of the answer upon the commission and complainant.

(B) Extension of time for filing - Extensions of time in which an answer is to be served and filed may be granted upon agreement between the commission and respondent, subject to the approval of the board.

(C) Form of answer.

(1) The answer shall be in writing, signed and verified by the



respondent. The answer shall contain the postoffice address of the respondent and his attorney or agent.

(2) The answer shall contain a general or specific denial of each and every allegation of the complaint controverted by the respondent, or a denial of any knowledge or information thereof sufficient to form a belief, and a statement of any matter constituting a defense.

(3) Any allegation in the complaint which is not denied or admitted in the answer, unless the respondent shall state in the answer that he is without knowledge, or information sufficient to form a belief, shall be deemed admitted.

(D) Amendment of answer - An answer, or any part thereof, may be fairly and reasonably amended as a matter of right at any time before hearing thereon, and thereafter at the discretion of the board.

(E) Amendment of answer upon amendment of complaint - In any case where a complaint has been amended, the respondent shall have an opportunity to amend his answer within such period as may be fixed by the board.

(F) Defense and new matter - Any allegation of new matter contained in the answer shall be deemed denied without the necessity for a reply.

(G) Failure to file answer - The board may proceed, notwithstanding any failure of the respondent to file an answer within the time provided herein, to hold a hearing at the time and place specified in the notice of hearing, and may make its findings of fact and enter its order upon the testimony taken at the hearing.

(H) Opening of default - Upon application, the board may, within 60 days of service of its order, or within such lesser time as the board may seek relief in the district court, upon good cause shown, open a default in answering.

Sec. 4. Notice of hearing.

(A) Service - Notice of hearing shall be filed with the board and served by registered mail, upon the respondent and complainant at least 20 days before the date of the hearing.

(B) Contents.

(1) The notice of hearing shall state the time and place of the hearing and require the respondent to answer the allegations of the complaint at the hearing.

(2) It shall inform the respondent that within 15 days after receipt of the copy of the complaint and notice, the respondent shall serve upon the commission and the complainant and file with the board, by registered mail, a verified answer to the complaint.

(3) The notice shall state that a failure to answer shall be deemed an admission of the allegations contained in the complaint and a default will therefore be entered against respondent.

Sec. 5. Hearings.

(A) Conduct of hearings.

(1) The case in support of the complaint shall be presented before the board by the commission's attorney.

(2) The board shall have full authority to control the procedure of the hearing, to admit or exclude testimony or other evidence, subject to the provisions of Laws 1955, Chapter 516, and to rule upon all objections.

(3) Majority vote - All rulings and determinations of the board shall be by majority vote.

(4) Continuation and adjournments - The board may continue a hearing from day to day or adjourn it to a later date or a different place by announcement thereof at the hearing or by appropriate notice.

(5) Stipulations - Stipulations may be introduced in evidence if signed by the person sought to be bound thereby or by his attorney at law.

(6) Motions and objections - Motions made during a hearing and objections with respect to the conduct of the hearing, including objections to the introduction of evidence, shall be stated orally and shall be included in the stenographic report of the hearing.

(7) Oral arguments and briefs - The board shall permit the parties to submit oral arguments before them and to file briefs within such time limits as the board may determine. Oral arguments shall not be included in the stenographic report unless the board shall so direct.

(8) Improper conduct - The board may exclude from the hearing room any person who engages in improper conduct before it, except a party, his attorney, or a testifying witness.

(9) Public hearing - Hearings shall be public.

(10) Affidavits and depositions - Affidavits and depositions, duly and properly executed, may be received in evidence by the board.

(B) Reopening of proceedings.

(1) The board on its own motion may, whenever justice so requires, reopen any matter previously closed by it, upon 15 days' notice of such reopening being given to all parties.

(2) A complainant, respondent or intervenor, or the commission may, for a good cause shown, apply for the reopening of a previously closed proceeding.

(3) Upon application duly made, the board, in its discretion, may, within 60 days of service of its order or within such lesser time as the commission may seek relief in the district court,



reopen any matter previously closed where a decision was rendered upon the default of a party affected thereby.

(C) Intervention - Any person may, in the discretion of the board, be allowed to intervene in person, or by his attorney or agent, for such purposes and to such extent as the board shall determine.

Sec. 6. Subpoenas.

(A) Issuance - The board may issue subpoenas signed by any two members of the board compelling the attendance of witnesses or the production for examination of any books or papers relating to any matter under investigation or in question before the board on its own motion, or, upon the written application of any party to the proceeding. The issuance of such subpoenas on the motion of a party to the proceeding shall depend upon a showing of the necessity therefor.

(B) Payment of fees - Where a subpoena is issued upon the motion of a party to the proceeding other than the board or the commission, the cost of service, witness and mileage fees shall be borne by the party at whose request the subpoena is issued. Where a subpoena is issued on the motion of the board or the commission, the cost of such service and witness and mileage fees shall be borne by the board or commission. Such witness and mileage fees shall be the same as are paid witnesses in the district courts of the state.

Sec. 7. Depositions.

(A) The board on its motion or on the written application of a party may, whenever necessary or required, and on not less than five days' notice, or such other terms and conditions as it may determine, take or cause to be taken depositions of witnesses residing within or without the state.

Sec. 8. Findings, order, and opinion.

(A) After hearing the matter the board shall make, issue and serve

8/20/56

by registered mail findings of fact, conclusions of law and an order.

(B) The board may in its discretion issue an opinion containing the reason for the findings, conclusions and order. Any member of the board may, in his discretion, file a concurring or dissenting opinion.

Sec. 9. Amendment.

(A) The rules of practice before the board shall be subject to amendment at any time, and the full board of review panel may adopt, in accordance with Minnesota Statutes 1953, Chapter 15, additional rules whenever the same are deemed necessary for orderly procedure.

Sec. 10. Liberal construction of rules - These rules shall be liberally construed to accomplish the purposes of the Minnesota State Act for Fair Employment Practices.

## MINNESOTA COUNCIL ON INDIAN AFFAIRS

853 Marion Street  
St. Paul 3, Minnesota

May 18, 1956

Dear Friends,

On January 14, 1956, over 150 organizational representatives and interested individuals attended a conference on Indian problems at the State Office Building in St. Paul. One of the recommendations which came out of that conference was that a permanent state-wide organization should be formed to interest itself in the welfare of the Indians within our state and in helping the American Indian to solve his problems.

At a second meeting held on March 10, 1956, at the Minneapolis Labor Temple in Minneapolis, temporary officers were chosen, and a Committee of Ten was authorized to set up committees to draft a proposed Constitution and By-laws, to write a Statement of Purpose, and to prepare a slate of officers.

The committees for the "Minnesota Council on Indian Affairs" have completed their work. The proposed Constitution and By-laws are enclosed with this letter. Members of the By-laws Committee were Mr. John Pemberton, Mr. William E. Cratic, and Rev. Daniel Corrigan, chairman.

The nominating committee submits the following slate of officers:

Chairman - - - - -	Mr. John Pemberton
1st Vice-chairman- - - - -	Rev. Denzil A. Carty
2nd Vice-chairman- - - - -	Mr. W. J. D. Kennedy
Recording Secretary- - - - -	Mrs. Irene Gonzagowski
Corresponding Secretary- - - - -	Miss Ellen Weston
Treasurer- - - - -	Mr. Kip St. Clair

Members of the nominating committee were Mrs. Doris Olds and Messrs. Joe Vizenor, Howard Bennett, Harry Lawrence and Otto Thunder and Mr. Robert W. Menzel, chairman.

The organization meeting will be held at the MINNEAPOLIS LABOR TEMPLE at 117 Southeast Fourth Street, Minneapolis on MAY 26, 1956, at 10:00 A. M.

If your organization is unable to send delegates at this time, but is interested in joining the Council, please write us to that effect.

Sincerely,

*Florence Jones*

(Mrs.) Florence Jones  
Temporary Chairman



## CONSTITUTION And BY-LAWS

### ARTICLE I     Name

The name of this organization shall be - "The Minnesota Council on Indian Affairs".

### ARTICLE II     Purpose

The Minnesota Council on Indian Affairs exists to provide an association for education and political action for organizations which have a concern for the improvement of the conditions of Indian people.

### ARTICLE III     Membership

Any persons who represent a group, or any person who subscribes to the purpose and policies of the Minnesota Council on Indian Affairs may become a member upon payment of dues as set forth in Article IV of this Constitution.

### ARTICLE IV     Dues

The membership fee shall be \$1.00 per year. Payment of such annual dues shall entitle each member to all the privileges of membership in the organization.

### ARTICLE V     Officers, Executive Board Members, and Their Election

Sec. 1     Officers shall consist of a Chairman, three Vice-Chairmen, Recording Secretary, Corresponding Secretary, and Treasurer.

Sec. 2     The Executive Board shall consist of the officers, chairmen of all standing committees, and twenty members at large.

Sec. 3     The officers and the twenty Executive Board members at large shall be elected at the annual meeting in January and shall hold office until the next yearly election.

Sec. 4     At the November meeting, a nominating committee shall be elected, consisting of not less than five or more than fifteen members of the organization.

The nominating committee shall report at the December meeting with recommendations for a slate of candidates for election as officers and twenty Executive Board members at large.

At the January meeting additional nominations may be made from the Floor by any member of the organization. Proper notice in writing shall be sent to all members prior to any election.

Voting at the election shall be by secret ballot of members, unless otherwise ordered by the membership.

ARTICLE VI      Duties of Officers and Executive Board

Sec. 1      The chairman shall preside at all meetings of the organization, including membership meetings and meetings of the Executive Board.

The Chairman shall also appoint all chairmen of standing committees. He shall be ex officio member of all committees except the nominating committee, and shall represent the organization as directed by the membership.

Sec. 2      The first, second, and third Vice Chairmen in that order shall assume the duties of the chairman or of other Vice Chairmen in their absence.

Sec. 3      The Recording Secretary shall be responsible for recording the minutes of all membership and Executive Board meetings, and for keeping a current membership roster.

Sec. 4      The Corresponding Secretary shall perform such correspondence as is delegated by the membership or by the President of the organization.

Sec. 5.      The Treasurer shall receive and disburse all funds of the organization. Disbursements shall be made on authorization of the membership or of the Executive Board. The Treasurer shall make monthly reports of funds received and disbursed, such reports being subject to an annual audit by a committee

appointed by the Chairman or by the Executive Board.

Sec. 6     Executive Board

The Executive Board shall have such power as delegated by the membership, provided that the Executive Board may take action on matters of an emergency nature between meetings of the general membership.

ARTICLE VII     Meetings

Sec. 1     Meetings of this Council shall be held on call of the President, the Executive Board or at the request of five or more members of the Council.

Sec. 2     The Executive Board meetings shall meet prior to each regular meeting of the membership.

Sec. 3     A quorum for the membership meeting shall consist of twenty-five members in good standing.

Sec. 4     A quorum for the Executive Board meeting shall consist of seven members of the Executive Board.

ARTICLE VIII     Committees

Sec. 1     Committees of the Council shall consist of the membership, program, legislative, housing, employment and such other committees as may be found to be necessary.

Sec. 2     Committee chairmen shall be appointed by the Chairman of the Council with the approval of the membership.

Sec. 3     The chairmen of committees shall choose the other members of the committees.

ARTICLE IX     Parliamentary Authority

Roberts Rules of Order Revised shall be the parliamentary authority for the Council at all meetings, unless otherwise provided in these by-laws.



ARTICLE X     Amendments to By-Laws

These by-laws may be amended by a two-thirds majority of members present at any meeting of the Council provided that notice of such proposed amendment or amendments must be given at a previous meeting and that written notice must be sent to all members of such proposed amendments.

Returned File Young  
~~F3D4B5~~  
F3D3C5

January 11, 1957

Rev. Denzil Carty, Chairman  
Minnesota Council for F.E.P.  
465 Mackubin  
St. Paul, Minnesota

Dear Rev. Carty,

In answer to your letter concerning the Minnesota Council for F.E.P. meeting on February 14 at the Y.M.C.A. branch in St. Paul on University Avenue, we have asked Mrs. Homer Mantis of St. Paul to represent the League of Women Voters of Minnesota at this meeting, since Mrs. John Gruner has asked to be relieved of this assignment. As you recall, the League is not a member of this council so Mrs. Mantis is not a delegate, but we would like to have her attend the meeting to represent the League of Women Voters of Minnesota so that the League may cooperate with the Council.

I am enclosing the portion of our Lobby by Letter Kit which is concerned with Fair Employment Practices Legislation.

Sincerely,

Mrs. Basil Young, President

THIS SIDE OF CARD IS FOR ADDRESS

UNITED STATES

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CENTS



POSTALCARD

THE REV. DENZIL A. CARTY  
ST. PHILIP'S EPISCOPAL CHURCH  
465 MACKURIN  
ST. PAUL ?



MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICES

Our delegates are:

1. \_\_\_\_\_  
Name Address

\_\_\_\_\_  
Phone

2. \_\_\_\_\_  
Name Address

\_\_\_\_\_  
Phone

Our organization's name is \_\_\_\_\_

## MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICES

465 Mackubin Street  
St. Paul 3, Minnesota

December 14, 1956

Dear Friends:

Our organization, and the many groups and individuals that participated, can look back with satisfaction on the successful outcome of the campaign in the 1955 State Legislature for passage of the Minnesota Fair Employment Practices Act.

Now the FEP Commission, set up by that Act, has had almost two years of experience in bringing about better employment opportunities for the people of this state, regardless of their race, religion, or national origin.

The Minnesota Council for Fair Employment Practices has the policy of giving all support to the continuance of this program and insuring that an adequate budget shall be provided for the Commission's work. To this end, it is important that the Council and its constituent and allied organizations be alert and active in the forthcoming session of the Minnesota State Legislature, which convenes in January.

You are therefore invited to a meeting of the Minnesota Council for Fair Employment Practices, to take place

Monday, January 14, at 7:30 p.m.  
at the Midway YMCA  
1761 University Ave., St. Paul.

If your organization meets before that date, will you please bring up this matter and ask for the designation of official delegates to the FEP Council? A postcard is enclosed for your convenience, to send in the names of your representatives.

Yours sincerely,

*Rev. Denzil A. Carty*

Rev. Denzil A. Carty  
Chairman

①  
FAIR EMPLOYMENT PRACTICES COMMISSION

The 1955 session of the legislature passed a strong and enforceable Fair Employment Practices Law, considered one of the best in the country today.

During its first year the Minnesota Fair Employment Practices Commission and its staff have been laying the groundwork for a positive and constructive education and enforcement program against discrimination. The following important steps have been achieved:

1. Details of implementing the new state policy of non-discrimination in employment have been made clear to all state ① employees who have personnel responsibilities, and to those who deal with state contracts. Mayors and county officials have been similarly informed. Questions relating to race ② and religion have been dropped from governmental application forms. (Eight complaints of alleged discrimination have been received. In two cases the employers were exonerated. The other four cases are still pending, as of August 7, 1956.)
2. Agreements have been worked out with the 3 city commissions which provide that cases falling within local jurisdictions shall be handled locally unless the complainant wishes the state commission to investigate his case.
3. The cooperation of the Minnesota State Employment Service in all its local offices has been solicited; literature and instructions have been furnished them. Cooperation of as many private employment agencies as possible has been solicited, and machinery has been set up for cooperation with human relations organizations in the state.
4. Copies and summaries of the new law, instructions as to how to file a complaint, and other literature relative to implementation of the new law have been printed and distributed.
5. Conferences have been held with business and labor leaders, to build a policy of full equality of employment opportunities. The railroads and taconite industry are two of the most important groups which have been contacted.
6. One of the most important achievements has been the organization of local advisory citizens' committees



throughout the state, in cooperation with the Governor's Human Rights Commission, which will concern themselves with human rights and fair employment practices. Some 20 of these local committees have been organized; eventually there will be 35 or more. Committee members were carefully chosen (more than 500 persons were consulted before selections were made). These committees will not only interpret and publicize the law in their respective communities, but they will analyze and study local problems, such as those concerning Indians and migrant workers, and will confer with the 2 state commissions in working out solutions.

\*\*\*\*\*

The League of Women Voters will during the 1957 legislative session:

- A. Oppose any crippling legislation.
- B. Support measures that help to carry out the intent of the law.
- C. Support adequate appropriations to administer the law.

## TO USE OUR SERVICES . . .

Fill out and mail the following to the  
**Fair Employment Practices Commission**  
201 State Office Building  
St. Paul 1, Minnesota  
CApital 2-3013, Extension 896

I believe I have been discriminated against:

- \_\_\_\_\_in applying for a job
- \_\_\_\_\_in being considered for a promotion
- \_\_\_\_\_in applying for union membership
- \_\_\_\_\_in being dismissed from a job

I belong to\_\_\_\_\_. I would  
Name of Organization

like to have the following free Commission  
services for my group:

- \_\_\_\_\_speaker
- \_\_\_\_\_literature
- \_\_\_\_\_assistance in planning a human rela-  
tions program

NAME\_\_\_\_\_

ADDRESS\_\_\_\_\_

TEL. NO.\_\_\_\_\_

## REMEMBER . . .

A complaint may be considered by  
the Commission *only* if reported  
within six months after the incident.

The law provides that no one shall  
be discriminated against because he  
has filed a complaint, testified or  
opposed any practice forbidden by  
the law.

## COMMISSION MEMBERS:

Mrs. Eugenie Anderson, Red Wing,  
Chairman  
Judson Bemis, White Bear Lake  
Glenn Chinander, Newport  
William Cratic, Minneapolis  
M. J. Daly, Belle Plaine  
Stephen Fligelman, Detroit Lakes  
Mrs. Arthur T. Laird, Duluth  
Ralph Shepard, Worthington  
Mrs. Gladys Thompson, Wadena

## STAFF:

Wilfred C. Leland, Jr., Executive Director  
Richard K. Fox, Jr., Assistant Director

**Fair Employment Practices Commission**  
201 STATE OFFICE BUILDING  
ST. PAUL 1, MINNESOTA  
CApital 2-3013, Extension 896



# Fair Employment Practices

AND  
YOU



WHAT TO DO  
If You Have A Complaint  
Of Discrimination

STATE OF MINNESOTA  
Fair Employment Practices Commission

## IF YOU BELIEVE . . .

you've been refused a job or a promotion because of your race, color, creed, religion or national origin . . .

## THERE IS SOMETHING YOU CAN DO ABOUT IT

There's a law in Minnesota in effect since July 1955, that prohibits employers, employment agencies, and labor unions from discriminating against a worker because of his race, color, creed, religion or national origin.



## HERE IS WHAT YOU CAN DO

Go to the Fair Employment Practices Commission office at 201 State Office Building, St. Paul, Minnesota,



OR phone St. Paul CApital 2-3013, Extension 896. If this is not convenient, then fill out the form on the back of this pamphlet and mail it to the Commission office.



A staff representative will give you a confidential interview and assist you in preparing a statement of just what happened. Then the Commission takes over.

You don't need a lawyer nor will it cost you anything. The services of the Commission are free.

The next thing that takes place is a personal visit by the Commission representative to the employer, employment agency or labor union which you feel discriminated against you. Your complaint will be thoroughly investigated to determine whether discrimination was involved.

The party against whom the complaint is made has a fair chance to present his side of the story. Many things are discussed, one of which is whether the applicant measures up to the standards set by the employer or labor union. The qualifications of the person are important because the heart of the Fair Employment Practice Law is employment on merit.



All the evidence is carefully weighed. The Commission reviews the current employment practices of the company, employment agency or union. If the investigation indicates discrimination, the Commission directs the respondent to comply with the FEP Law and correct the discriminatory practices. If the Commission finds that no discrimination was practiced, the complainant's suspicion is removed and the employer, union or employment agency is cleared.

If the Commission cannot solve the problem in this way, the Governor will appoint a Board of Review to conduct a public hearing. After considering the facts presented by all the people concerned, the Board will issue an order to take whatever action is necessary to secure compliance with the law.

If the Board's order is not carried out, the Commission may take action in District Court to enforce the law. If either the complainant or the respondent wishes to appeal from an order of the Board, he may take the problem before the District Court. Failure to comply with an order of the District Court constitutes contempt of court, punishable by a \$250.00 fine, six months imprisonment, or both.



FAIR EMPLOYMENT PRACTICES COMMISSION

1957 Legislative Report

1955 BILL

A strong and enforceable Fair Employment Practices law was passed by the 1955 session of the Legislature. The Governor appointed a Commission and Review Board shortly thereafter. The Legislature charged the nine members of the Commission with the responsibility of "fostering the employment of all individuals, regardless of their race, color, creed or national origin."

Thus far the Commission in cooperation with the Governor's Human Rights Commission has organized 12 advisory committees throughout the state. These committees are serving as valuable instruments for gaining the cooperation of people in every phase of life with the principle of equality of opportunity for all citizens.

Twenty nine complaints have been received by the commission. All complaints were settled with the exception of one which is being heard before a review board and its findings will not be known until June.

APPROPRIATION

At the present time the Commission has been operating on \$30,000 a year. The Commission itself requested \$46,000 a year to set up more advisory committees, add two additional staff members and purchase office equipment. The Governor requested an increase to \$34,000 for the first year and \$35,000 for the second. The final appropriation was \$31,000 for the first year, and \$32,000 for the second year.

INTERIM COMMITTEE

An interim committee has been set up by the legislature to study discrimination in housing, the FEPC and its relationship to the Governor's Human Rights Commission. Ten thousand dollars was appropriated for this committee and findings will be reported back in the next legislative session.

CIVIL SERVICE

1957 Legislative Report

The League of Women Voters took no action on Civil Service Bills this session. No veterans preference bills were introduced and no policy changes were suggested in the Civil Service System.

May 1, 1957

Mr. Cecil Newman  
Minneapolis Spokesman  
242 3rd Ave. So.  
Minneapolis, Minnesota

Dear Cecil,

I had a conversation with Opal Gruner the other day, and we were commiserating with each other on the failures of this legislative session. We have to grant some good work, too, but in the fields we were especially interested in, we had a clear record of failure.

She spoke of her conversation with you regarding the failure of the Housing bill, and she said you felt sorry that the League hadn't helped on that bill, that it might have made a difference. We were both thinking that you perhaps did not understand the rules of program making that the League operates under, and so I am enclosing a few small pieces of material for your perusal.

But to put it briefly -- the League acts only on such matters as its members by vote at state convention directs it to act. The only matter in the civil rights field which the members have studied and come to a decision on is a Fair Employment Practices Commission. We have not studied housing, so could not have come to a decision on this matter. It does not mean the League is against fair housing, it only means that we have not studied it, so have no stand, so can not act in the legislature.

Any questions? We do like to keep our public relations good with our friends.

Affectionately,

Mrs. Harold L. Wilson  
Secretary

MINNESOTA LAWS AGAINST DISCRIMINATION  
compiled by  
MILES LORD, ATTORNEY GENERAL

1957

(Note: This compilation embraces all laws and constitutional provisions against discrimination based on race, creed, color, religion, national origin or political affiliation in force at the close of the 1957 Session of the Minnesota Legislature.

References herein, except where otherwise stated, are to Minnesota Statutes 1953.

The legislative history of each law enacted through the 1953 Session may be found in Minnesota Statutes 1953.)



MINNESOTA CONSTITUTION:

Article I, Sec. 2. Rights and privileges.

"No member of this State shall be disfranchised, or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land, or the judgment of his peers. There shall be neither slavery nor involuntary servitude in the State otherwise than the punishment of crime, whereof the party shall have been duly convicted."

Article I, Sec. 16. Freedom of religion.

"The enumeration of rights in this constitution shall not be construed to deny or impair others retained by and inherent in the people. The right of every man to worship God according to the dictates of his own conscience shall never be infringed, nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any religious or ecclesiastical ministry, against his consent; nor shall any control of or interference with the rights of conscience be permitted, or any preference be given by law to any religious establishment or mode of worship; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the State, nor shall any money be drawn from the treasury for the benefit of any religious societies, or religious or theological seminaries."

Article I, Sec. 17. Voting and holding public office.

"No religious test or amount of property shall ever be required as a qualification for any office of public trust under the State. No religious test or amount of property shall ever be required as a qualification of any voter at any election in this State; nor shall any person be rendered incompetent to give evidence in any court of law or equity in consequence of his opinion upon the subject of religion."

MINNESOTA STATUTES 1953:

Section 43.15 State Civil Service Employment.

"No discrimination shall be exercised, threatened, or promised by any person in the civil service against, or in favor of, any applicant, eligible, or employee in the civil service because of his political or religious opinions or affiliations."

Section 44.07 Municipal Civil Service.

"Subdivision 1. Every examination shall be impartial, fair, and designed only to test the relative qualification and fitness of applicants to discharge the duties of the particular position for which it is designed. No questions in any examination shall relate to the political or religious convictions or affiliations of the applicant. \* \* \*"

Section 44.08 Municipal Civil Service.

"Subdivision 1. No permanent employee in the classified service shall be dismissed or suspended without pay for more than 30 days, except for just cause, which shall not be religious, racial, or political. \* \* \*"

Section 61.05 Life Insurance.

"No company or agent, all other conditions being equal, shall make any discrimination in the acceptance of risks, in rates, premiums, dividends, or benefits of any kind, or by way of rebates, between persons of the same class, or on account of race; and upon request of any person whose application has been rejected, the company shall furnish him, in writing, the reasons therefor, including a certificate of the examining physician that such rejection was not for any racial cause. Every company violating either of the foregoing provisions shall forfeit not less than \$500 nor more than \$1,000 and every officer, agent, or solicitor violating the same shall be guilty of a gross misdemeanor; and the commissioner shall revoke the license of such company and its agents, and grant no new license within one year thereafter."

Section 61.06 Life Insurance.

"No life insurance company doing business in this state shall make or permit any distinction or discrimination in favor of individuals between insureds of the same class and equal expectation of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance, or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of the contracts it makes; \* \* \*."

"Any violation of the provisions of this section shall be a misdemeanor and punishable as such."

Section 72.17 Automobile Liability Insurance.

"No insurance company, or its agent, shall refuse to issue any standard policy of automobile liability insurance or make any discrimination in the acceptance of risks, in rates, premiums, dividends, or benefits of any kind, or by way of rebate between persons of the same class, nor on account of race. Every company or agent violating any of the foregoing provisions shall be fined not less than \$50.00 nor more than \$100, and every officer, agent, or solicitor violating the same shall be guilty of a misdemeanor."

Section 126.07 Admission to Public Schools.

"Any member of any public school board or board of education of any district who, without sufficient cause or on account of race, color, nationality, or social position, shall vote for, or being present, shall fail to vote against, the exclusion, expulsion, or suspension from school privileges of any person entitled to admission to the schools of such district, shall forfeit to the party aggrieved \$50.00 for each such offense, to be recovered in a civil action."

Section 126.08 Segregation in Public Schools.

"No district shall classify its pupils with reference to race, color, social position, or nationality, nor separate its pupils into different schools or departments upon any of such grounds. Any district so classifying or separating any of its pupils, or denying school privileges to any of its pupils upon any such ground shall forfeit its share in all apportioned school funds for any apportionment period in which such classification, separation, or exclusion shall occur or continue. The state commissioner of education, upon notice to the offending district and upon proof of the violation of the provisions of this section, shall withhold in the semi annual apportionment the share of such district and the county auditor shall thereupon exclude such district from his apportionment for such period."

✓ Section 327.09 Access to Public Accommodations.

"No person shall be excluded, on account of race, color, national origin, or religion from full and equal enjoyment of any accommodation, advantage, or privilege furnished by public conveyances, theaters, or other public places of amusement, or by hotels, barber shops, saloons, restaurants, or other places of refreshments, entertainment, or accommodations. Every person who violates any provision of this section, or aids or incites another to do so, shall be guilty of a gross misdemeanor, and, in addition to the penalty therefor, shall be liable in a civil action to the person aggrieved for damages not exceeding \$500."

✓ Section 462.481, as amended by Laws 1955, Chapter 565, Section 10. Public Housing and Slum Clearance.

"There shall be no discrimination in the selection of tenants because of race, or religious, political, or other affiliations, but, if the number of qualified applicants for dwelling accommodations exceeds the dwelling units available, preference shall be given to inhabitants of the municipality in which the project is located, and to the families who occupied the dwellings eliminated by demolition, condemnation, and effective closing as part of the project, as far as is reasonably practicable without discrimination against families living in other substandard areas within the same municipality."

✓ Section 462.525, as amended by Laws 1955, Chapter 565, Section 11. Discrimination forbidden.

"Subd. 8. There shall be no discrimination in the use of any land in a redevelopment project because of race or religious, political, or other affiliations."

✓ Section 462.641, as amended by Laws 1955, Chapter 565, Section 12. Housing Redevelopment Projects.

"The project or projects of any redevelopment company shall be designed and used primarily for housing purposes, but portions of the project may be planned and used for business, commercial, cultural, or recreational purposes appurtenant thereto as approved in the project. There shall be no discrimination in the use of



projects because of race, religious, political or other affiliation."

Section 507.18. Written Instruments relating to Real Estate.

"Subdivision 1. No written instrument hereafter made, relating to or affecting real estate, shall contain any provision against conveying, mortgaging, encumbering, or leasing any real estate to any person of a specified religious faith, creed, race or color, nor shall any such written instrument contain any provision of any kind or character discriminating against any class of persons because of their religious faith, creed, race or color. In every such provision any form of expression or description which is commonly understood as designating or describing a religious faith, creed, race or color shall have the same effect as if its ordinary name were used therein.

"Subd. 2. Every provision referred to in subdivision 1 shall be void, but the instrument shall have full force in all other respects and shall be construed as if no such provision were contained therein.

"Subd. 3. As used in this section the phrase 'written instruments relating to or affecting real estate,' embraces every writing relating to or affecting any right, title, or interest in real estate, and includes, among other things, plats and wills; and the word 'provision' embraces all clauses, stipulations, restrictions, covenants, and conditions of the kind or character referred to in subdivision 1.

"Subd. 4. Every person who violates subdivision 1, or aids or incites another to do so, shall be liable in a civil action to the person aggrieved in damages not exceeding \$500."

Section 340.73 Sale of liquor.

"Subdivision 1. It shall be unlawful for any person, except a licensed pharmacist to sell, give, barter, furnish, or dispose of, in any manner, either directly or indirectly, any spirituous, vinous, malt, or fermented liquors in any quantity, for any purpose, whatever, to any minor person, or to any pupil or student of any school or other educational institution in this state, or to any intoxicated person, or to any person of Indian blood who has not adopted the language, customs, and habits of civilization, or to any public prostitute.

\* \* \*

"Subd. 3. Whoever shall in any way procure liquor for the use of any person named in this section shall be deemed to have sold it to such person. Any person violating any of the provisions of this section is guilty of a gross misdemeanor."

Section 613.67 Lynching.

"Subdivision 1. 'Lynching' is the killing of a human being, by the act or procurement of a mob.

"Subd. 2. When any person shall be lynched, the county in which the lynching occurred shall be liable in damages to the dependents

of the person lynched in a sum of not exceeding \$7,500, to be recovered in a civil action.

"Subd. 3. Any sheriff, deputy sheriff, or other officer having the custody of any person whom it is sought by a mob to take from his custody, who shall fail or neglect to use all lawful means to resist such taking, shall be guilty of malfeasance and shall be removed from office by the governor in the manner and upon the same procedure as is provided by law for the removal from office of county officers guilty of malfeasance or nonfeasance in the performance of their official duties."

Section 615.16 Wearing of masks.

"Subdivision 1. Prohibition. It shall be unlawful for any person, either alone or in company with others, to appear on any street or highway, or in other public places or any place open to view by the general public, with his face or person partially or completely concealed by means of a mask or other regalia or paraphernalia, with intent thereby to conceal the identity of such person. The wearing of any such mask, regalia or paraphernalia by any person on any street or highway or in other public places or any place open to view by the general public, shall be presumptive evidence of wearing the same with intent to conceal the identity of such person; this subdivision shall not be construed to prohibit the wearing of such means of concealment in good faith for the purposes of amusement or entertainment.

"Subd. 2. Every person violating any of the provisions of this section shall be guilty of a misdemeanor."

Section 155.11 Instruction in Hairdressing Schools.

"Subd. 9. No school, duly approved under this chapter, shall refuse to teach any student, otherwise qualified, on account of race, creed, or color."

Section 181.59 Employment by State Contractors.

"Every contract for or on behalf of the State of Minnesota, or any county, city, borough, town, township, school, school district, or any other district in the state, for materials, supplies, or construction shall contain provisions by which the contractor agrees:

"(1) That, in the hiring of common or skilled labor for the performance of any work under any contract, or any subcontract hereunder, no contractor, material supplier, or vendor, shall, by reason of race, creed, or color, discriminate against the person or persons who are citizens of the United States who are qualified and available to perform the work to which such employment relates;

"(2) That no contractor, material supplier, or vendor, shall in any manner, discriminate against, or intimidate, or prevent the employment of any such person or persons, or on being hired, prevent or conspire to prevent, any such person or persons from the performance of work under any contract on account of race, creed, or color;

"(3) Any violation of this section shall be a misdemeanor; and

"(4) That this contract may be canceled or terminated by the state, county, city, borough, town, school board, or any other person authorized to grant contracts for such employment, and all money due or to become due hereunder, may be forfeited for a second or any subsequent violation of the terms or conditions of this contract."

LAWS 1957, CHAPTER 953. Housing.

"Section 1. The legislature hereby finds and declares that practices of discrimination against any of its inhabitants because of race, color, creed, religion, national origin or ancestry are a matter of state concern, that such discrimination threatens not only the rights and proper privileges of its inhabitants but menaces and undermines the institutions and foundations of a democratic state. The legislature hereby finds and declares that discrimination or segregation in the sale, lease, sublease, use, occupancy, tenure, acquisition or enjoyment of property or housing accommodations because of race, color, creed, religion, natural origin or ancestry tends unjustly to condemn large groups of inhabitants to depressed and substandard living conditions which are inimical to the general welfare and contrary to our democratic way of life. The aforementioned practices of discrimination and segregation in the sale, lease, sublease, use, occupancy, tenure, acquisition or enjoyment of property, or housing accommodations because of race, color, creed, religion, national origin or ancestry are declared to be against the public policy of this state.

"Sec. 2. The opportunity to buy, acquire, lease, sublease, occupy and use and enjoy property and to obtain decent living and housing accommodations without discrimination because of race, color, creed, religion, national origin or ancestry is hereby recognized and declared to be a civil right.

"Sec. 3. A commission to investigate and study discrimination and segregation because of race, color, creed, religion, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, acquisition or enjoyment of property or housing accommodations as well as investigating the possibility of strengthening the state's civil rights program by encouraging the work of the governor's human rights commission and the fair employment practices commission with possible recommendations as to their organization, is hereby created to consist of five members of the senate, to be appointed by the committee on committees, and five members of the house of representatives to be appointed by the speaker. The appointment of such commission shall be made upon passage of this act.

"Sec. 4. The commission may hold meetings at such times and places as it may designate. It shall select a chairman, and such other officers from its membership as it may deem necessary.

"Sec. 5. The commission may subpoena witnesses and records and employ such assistants as it deems necessary to perform its duties effectively. It may do all the things necessary and convenient to enable it to perform its duties.



"Sec. 6. The revisor of statutes and every other state agency shall cooperate with the commission in all respects so that its purpose may be accomplished. The commission shall use the available facilities and personnel of the Legislative Research Committee unless the commission by resolution determines a special need or reason exists for the use of other facilities or personnel.

"Sec. 7. The commission shall report to the legislature on or before January 15, 1959, setting forth its recommendations.

"Sec. 8. The members of the commission shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties.

"Sec. 9. The sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated from the state treasury for the use of this commission."

LAWS 1955, CHAPTER 516. Fair Employment Practices.

"Section 1. As a guide to the interpretation and application of this act, be it enacted that the public policy of this state is to foster the employment of all individuals in this state in accordance with their fullest capacities, regardless of their race, color, creed, religion, or national origin, and to safeguard their rights to obtain and hold employment without discrimination. Such discrimination threatens the rights and privileges of the inhabitants of this state and menaces the institutions and foundations of democracy. It is also the public policy of this state to protect employers, labor organizations, and employment agencies from wholly unfounded charges of discrimination. This act is an exercise of the police power of this state in the interest of the public welfare.

"Sec. 2. This act shall be known as the Minnesota State Act for Fair Employment Practices.

"Sec. 3. Subdivision 1. For the purposes of this act, the words defined in this section have the meanings ascribed to them.

"Subd. 2. 'Board' means the board of review appointed under provisions of this act.

"Subd. 3. 'Commission' means the State Fair Employment Practices Commission.

"Subd. 4. 'Employment agency' means a person or persons who, or an agency which, regularly undertakes, with or without compensation, to procure employees or opportunities for employment.

"Subd. 5. 'Labor organization' means any organization that exists wholly or partly for one or more of the following purposes:

"(1) collective bargaining;

"(2) dealing with employers concerning grievances, terms or conditions of employment; or

"(3) mutual aid or protection of employees.

"Subd. 6. 'National origin' means the place of birth of an individual or of any of his lineal ancestors.

"Subd. 7. 'Person' includes partnership, association, corporation, legal representative, trustee, trustee in bankruptcy, receiver, and the state and its departments, agencies, and political subdivisions.

"Subd. 8. 'Respondent' means a person against whom a complaint has been filed or issued.

"Subd. 9. 'Unfair employment practice' means any act described in section 5.

"Subd. 10. The term 'discriminate' includes segregate or separate.

"Sec. 4. This act does not apply to:

"(1) The employment of any individual

"(a) by his parent, grandparent, spouse, child, or grandchild, or

"(b) in the domestic service of any person;

"(2) A person who regularly employs fewer than eight individuals, excluding individuals described in clause (1); or

"(3) A religious or fraternal corporation, association, or society, with respect to qualifications based on religion, when religion shall be a bona fide occupational qualification for employment.

"Sec. 5. Except when based on a bona fide occupational qualification, it is an unfair employment practice:

"(1) for a labor organization, because of race, color, creed, religion or national origin,

"(a) to deny full and equal membership rights to an applicant for membership or to a member;

"(b) to expel a member from membership;

"(c) to discriminate against an applicant for membership or a member with respect to his hire, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment; or

"(d) to fail to classify properly, or refer for employment or otherwise to discriminate against a member;

"(2) for an employer, because of race, color, creed, religion, or national origin,

"(a) to refuse to hire an applicant for employment; or

"(b) to discharge an employee; or

"(c) to discriminate against an employee with respect to his hire, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment;

"(3) for an employment agency, because of race, color, creed, religion, or national origin,

"(a) to refuse or fail to accept, register, classify properly, or refer for employment or otherwise to discriminate against an individual; or

"(b) to comply with a request from an employer for referral of applicants for employment if the request indicates directly or indirectly that the employer fails to comply with the provisions of this act;

"(4) for an employer, labor organization, or employment agency to discharge, expel, or otherwise discriminate against a person because that person has opposed any practice forbidden under this act or has filed a complaint, testified, or assisted in any proceeding under this act;

"(5) for a person intentionally to aid, abet, incite, compel, or coerce another person to engage in any of the practices forbidden by this act;

"(6) for a person intentionally to attempt to aid, abet, incite, compel, or coerce another person to engage in any of the practices forbidden by this act;

"(7) for any person, employer, labor organization or employment agency to wilfully resist, prevent, impede, or interfere with the commission, the board of review, or any of its members or representatives in the performance of duty under this act;

"(8) for an employer, employment agency, or labor organization, before an individual is employed by an employer or admitted to membership in a labor organization, to

"(a) require the applicant to furnish information that pertains to the applicant's race, color, creed, religion or national origin, unless, for the purpose of national security, information pertaining to the national origin of the applicant is required by the United States, this state or a political subdivision or agency of the United States or this state; or

"(b) cause to be printed or published a notice or advertisement that relates to employment or membership and discloses a preference, limitation, specification, or discrimination based on race, color, creed, religion or national origin.

"Section 6. Subdivision 1. There is created a State Fair Employment Practices Commission, to consist of nine members, one from each congressional district of the State of Minnesota; and at least one of whom shall be an attorney at law, appointed by the governor with the advice and consent of the senate, for a term of five years to



serve until a successor is appointed and qualifies. The chairman shall be designated by the governor.

"Subd. 2. To ensure a continuity of work, the initial appointments to the commission shall be: one member for a term of one year, two for a term of two years, two for a term of three years, two for a term of four years and two for a term of five years. All members shall serve until a successor is appointed and qualifies.

"Subd. 3. A vacancy shall be filled by appointment by the governor for the balance of the unexpired term.

"Subd. 4. Upon notice and hearing a member may be removed by the governor upon a finding of inefficiency, neglect of duty, misconduct or malfeasance in office.

"Subd. 5. Each member of the commission shall receive reimbursement for necessary traveling expenses incurred on official business. Reimbursement shall be made in the manner provided by law for state employees.

"Sec. 7. Subdivision 1. The commission shall formulate policies to effectuate the purposes of this act and shall:

"(1) establish and maintain a principal office in St. Paul, and any other necessary branch offices at any location within the state;

"(2) meet and function at any place within the state;

"(3) appoint an executive director to serve at the pleasure of the commission and fix his compensation and prescribe his duties;

"(4) employ such attorneys, clerks and other employees and agents as it may deem necessary, fix their compensation and prescribe their duties;

"(5) to the extent permitted by federal law and regulation, utilize the records of the department of employment security of the state when necessary to effectuate the purposes of this act;

"(6) obtain upon request and utilize the services of all state governmental departments and agencies;

"(7) adopt suitable rules and regulations for effectuating the purposes of this act;

"(8) issue, receive, and investigate complaints alleging discrimination in employment because of race, color, creed, religion or national origin;

"(9) subpoena witnesses, administer oaths, and take testimony relating to the case before the commission, and require the production for examination of any books or papers relative to any matter under investigation or in question before the commission;

"(10) attempt to eliminate unfair employment practices by means of education, conference, conciliation, and persuasion;

"(11) conduct research and study discriminatory employment and labor practices based on race, color, creed, religion, or national origin;

"(12) publish the results of research and study of discriminatory employment and labor practices based on race, color, creed, religion, or national origin when in the judgment of the commission it will tend to eliminate such discrimination;

"(13) develop and recommend programs of formal and informal education designed to promote good will; and may make recommendations to agencies and officers of state or local subdivisions of government in aid of such policies and purposes in eliminating discriminatory employment and labor practices based on race, color, creed, religion, or national origin; and

"(14) make a written report of the activities of the commission to the governor each year and to the legislature at each session.

"Subd. 2. To the extent determined by the commission and subject to its direction and control, the executive director may exercise the powers and perform the duties of the commission.

"Sec. 8. Subdivision 1. Any person aggrieved by a violation of this act may file by himself, or his agent, or attorney a signed complaint with the commission, stating the name and address of the person alleged to have committed an unfair employment practice, setting out the details of the practice complained of and any other information required by the commission. Any employer whose employees, or some of them, or any labor union whose members, or some of them, refuse or threaten to refuse to cooperate with the provisions of this act, may file with the commission a signed complaint asking for assistance by conciliation or other remedial action.

"Subd. 2. Whenever the commission has reason to believe that a person is engaged in an unfair employment practice, the commission may issue a complaint.

"Subd. 3. A complaint of an unfair employment practice must be filed within six months after the occurrence of the practice.

"Subd. 4. When a complaint has been filed or issued, the commission shall promptly inquire into the truth of the allegations of the complaint. If after the inquiry the commission determines that there is probable cause for believing that an unfair employment practice exists, the commission shall immediately endeavor to eliminate the unfair employment practice through education, conference, conciliation, and persuasion. If the commission determines that there is no probable cause for believing that an unfair employment practice exists, the commission shall dismiss the complaint.

"Subd. 5. The commission, in complying with subdivision 4, shall endeavor to eliminate the unfair employment practice at the place where the practice occurred, or the respondent resides or has his principal place of business.

"Subd. 6. The commission may publish an account of a case in which the complaint has been dismissed or the terms of the settlement of a case that has been voluntarily adjusted. Except as provided in other sections of this act, the commission shall not disclose any information concerning its efforts in a particular

case to eliminate an unfair employment practice through education, conference, conciliation and persuasion.

"Sec. 9. Subdivision 1. There is created a board of review. The board shall be drawn from a panel of twelve persons to be named and appointed by the governor with the advice and consent of the senate. Members of the Board of Review shall be apportioned so that each congressional district of the State of Minnesota shall have a minimum of one resident member on said Board of Review. At least four members of the panel shall be lawyers. For purposes of holding prescribed hearings, three persons, one of whom shall be a lawyer, shall be appointed from the panel by the governor and shall constitute and serve as the board of review. The governor shall designate a member of the board to serve as its chairman. No member of the panel of the board of review shall be a member of the commission. The term of office of each member of the panel shall be three years except that the terms of the members first appointed are: four for one year, four for two years, and four for three years. Members shall serve until a successor is appointed and qualifies. Vacancies shall be filled by the governor by and with the advice and consent of the senate.

"Subd. 2. After written notice and a hearing, the governor may remove a member of the panel for inefficiency, neglect of duty, misconduct, or malfeasance in office.

"Subd. 3. Each member of the board shall receive \$25 per day while the board is in session and reimbursement for necessary expenses actually incurred on official business.

"Subd. 4. On failing to eliminate an unfair employment practice in the manner prescribed by section 8, the commission shall notify the governor in writing of that fact, and request him to appoint a board of review to conduct a public hearing in the case.

"Subd. 5. The board shall conduct a hearing at a place designated by it within the county where the unfair employment practice occurred, or the respondent resides or has his principal place of business. It may subpoena witnesses, administer oaths, take testimony and require the production for examination of any books or papers relating to any matter under investigation or in question before the board. The board shall adopt and promulgate rules of practice to govern its hearings and it shall employ necessary assistants, fix their compensation, and prescribe their duties.

"Subd. 6. The board of review shall notify the commission of the time and place of the hearing to be conducted by the board. Thereupon the commission shall issue and serve by registered mail upon the respondent a copy of the complaint and a written notice requiring the respondent to answer the allegations of the complaint at the hearing. The notice shall state the time and place of the hearing. Within fifteen days after receipt of the copy of the complaint and the notice, the respondent shall serve upon the commission, by registered mail, a verified answer to the complaint.

"Subd. 7. The commission shall submit evidence and present the case before the board in support of the complaint. The complainant shall appear in person at the hearing and is subject to



cross-examination by the respondent, his attorney or agency. The respondent, his attorney or agency, may appear at the hearing, submit evidence, and present his case.

"Subd. 8. The board of review shall not be bound by the strict rules of evidence that prevail in courts of law, but its findings must be based upon competent and substantial evidence. The board shall not receive in evidence any evidence pertaining to the efforts of the commission to eliminate the unfair employment practice through education, conference, conciliation, or persuasion. Each witness at the hearing shall testify under oath. All testimony and other evidence submitted at the hearing shall be recorded and transcribed. The board, at the request of the complainant or respondent, shall provide a copy of the transcript of the hearing without charge.

"Subd. 9. If the board of review finds that the respondent has engaged in an unfair employment practice, it shall make findings and shall issue an order directing the respondent to cease and desist from the unfair employment practice found to exist and to take such other affirmative action as in the judgment of the board will effectuate the purposes of this act and shall serve the order on the respondent personally, and the commission and the complainant by registered mail.

"Subd. 10. If the board finds that the respondent has not engaged in an unfair employment practice as alleged in the complaint, the board shall make findings of fact and conclusions of law and shall issue an order dismissing the complaint and shall serve it on the complainant personally, and the commission and the respondent by registered mail.

"Sec. 10. Subdivision 1. Subject to subdivisions 2 and 3, the commission, complainant or the respondent may institute in the manner prescribed by subdivision 4 a proceeding in the district court for judicial review and enforcement of an order of the board.

"Subd. 2. Except for a proceeding by the commission to enforce an order of the board, a proceeding in the district court shall be instituted within 60 days after service of an order of the board.

"Subd. 3. A proceeding under this section shall be instituted in the district court for the judicial district in which an unfair employment practice covered by the order of the board occurred, or the respondent resides or has his principal place of business.

"Subd. 4. A proceeding under this section is instituted by:

"(1) filing with the clerk of the district court a petition stating the relief requested and the grounds relied on for that relief; a transcript of the hearing held before the board, and a copy of the findings of fact, conclusions of law, and order of the board, and

"(2) serving a proper notice of motion returnable at a special term of the court on the complainant, the respondent, and the commission.

"Subd. 5. When a proceeding has been instituted under this section, the district court has exclusive jurisdiction of the proceeding and shall hear and determine the proceeding.

"Subd. 6. The commission, complainant, respondent, and any person aggrieved by an order of the board may appear in the proceeding.

"Subd. 7. In a proceeding under this section, the district court shall determine whether the findings of the board are supported by competent and substantial evidence, and whether the order of the board is supported by the findings. The court may, in its discretion, remand the proceeding to the board for further hearing, or take additional evidence on any issue, or order a trial de novo to the court.

"Subd. 8. The district court has power to grant temporary relief by restraining order or otherwise; to modify the order of the board in any particular; to order compliance with the order of the board; to issue its order modifying the order of the board and enjoining compliance therewith; to vacate the order of the board and dismiss the proceedings; or to make such orders in the matter as the interests of justice may require.

"Sec. 11. Any person, employer, labor organization, employment agency or party who or which shall wilfully violate any order of the district court entered pursuant to a proceeding under this act shall be cited to the district court for and as being in contempt. Procedure for review of the order shall not be deemed to be such wilful conduct.

"Any person, employer, labor organization, employment agency, or party found in a proceeding before the district court to be in contempt shall be punishable under Minnesota Statutes, 1953, Section 588.10, which provides for imprisonment for not more than six months, or a fine of not more than \$250, or both.

"A proceeding under this section shall be commenced by the commission serving a notice of motion, and an order to show cause upon the respondent, and the complainant, and filing the same with the clerk of the district court of the county in which the aforementioned order is entered.

"Sec. 12. The commission, or the respondent, may appeal to the supreme court as provided by Minnesota Statutes, Section 605.09, clauses (2) and (7) from an order of the district court issued pursuant to section 10, subdivision 8, of this act.

"Sec. 13. The provisions of this act shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this act shall be deemed to repeal any of the provisions of the civil rights law or of any other law of this state relating to discrimination because of race, creed, color, religion or national origin; but, as to acts declared unfair by section 5 of this act, the procedure herein provided shall, while pending, be exclusive.

"Sec. 14. There is appropriated from any money not otherwise appropriated in the state treasury to the commission for the purposes of carrying out the provisions of this act:

\$30,000 for the fiscal year ending June 30, 1956, and  
\$30,000 for the fiscal year ending June 30, 1957.

"Sec. 15. This act becomes effective July 1, 1955."

May 15, 1957

Mrs. Basil Young  
President, Minnesota League  
of Women Voters  
Hotel Nicollet  
Minneapolis, Minnesota

Dear Mrs. Young:

I am enclosing a copy of Senate File No. 1915 through which the Legislature created an Interim Commission to study the problem of discrimination in housing and also to investigate "the possibility of strengthening the state's civil rights program by encouraging the work of the governor's human rights commission and the fair employment practices commission with possible recommendations as to their organization".

The two commissions, our Citizens Committees on Human Rights and Fair Employment Practices and other interested organizations, as well as the legislative Interim Commission, will study possible amendments to the Fair Employment Practices Law to create a state commission against discrimination with responsibilities in the fields of employment, public accommodations and housing and also the proposal to amend the Fair Employment Practices Law to prohibit discrimination on the basis of age.

It is my hope that the League of Women Voters can interpret its continuing responsibility for fair employment practices to include study and possible support of the foregoing proposals. At present, of course, these proposals are just in the discussion stage but will certainly become crystalized between now and January 1, 1959.

You will, of course, be considering these proposals as a member of the Hibbing Citizens Committee, but I hope it can also be done through the League of Women Voters.

Best personal regards and good wishes.

Sincerely yours,

Wilfred C. Leland, Jr.  
Executive Director

WCL:pc  
Enclosure

cc: Mrs. Homer Mantis  
Mrs. Harold Wilson ✓



CHAPTER 953 - - S. F. No. 1915

AN ACT CREATING A COMMISSION TO INVESTIGATE AND STUDY DISCRIMINATION AND SEGREGATION BECAUSE OF RACE, COLOR, CREED, RELIGION, NATIONAL ORIGIN OR ANCESTRY IN THE SALE, LEASE, SUBLEASE, TRANSFER, USE, OCCUPANCY, TENURE, ACQUISITION OR ENJOYMENT OF PROPERTY OR HOUSING ACCOMMODATIONS; AND FOR THE ENCOURAGEMENT OF THE HUMAN RIGHTS COMMISSION AND THE FAIR EMPLOYMENT PRACTICES COMMISSION; AND PROVIDING FOR COOPERATION WITH OTHER GOVERNMENTAL AGENCIES.

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

Section 1. The legislature hereby finds and declares that practices of discrimination against any of its inhabitants because of race, color, creed, religion, national origin or ancestry are a matter of state concern, that such discrimination threatens not only the rights and proper privileges of its inhabitants but menaces and undermines the institutions and foundations of a democratic state. The legislature hereby finds and declares that discrimination or segregation in the sale, lease, sublease, use, occupancy, tenure, acquisition or enjoyment of property or housing accommodations because of race, color, creed, religion, national origin or ancestry tends unjustly to condemn large groups of inhabitants to depressed and substandard living conditions which are inimical to the general welfare and contrary to our democratic way of life. The aforementioned practices of discrimination and segregation in the sale, lease, sublease, use, occupancy, tenure, acquisition or enjoyment of property or housing accommodations because of race, color, creed, religion, national origin or ancestry are declared to be against the public policy of this state.

Sec. 2. The opportunity to buy, acquire, lease, sublease, occupy and use and enjoy property and to obtain decent living and housing accommodations without discrimination because of race, color, creed, religion, national origin or ancestry is hereby recognized and declared to be a civil right.

Sec. 3. A commission to investigate and study discrimination and segregation because of race, color, creed, religion, national origin or

ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, acquisition or enjoyment of property or housing accommodations as well as investigating the possibility of strengthening the state's civil rights program by encouraging the work of the governor's human rights commission and the fair employment practices commission with possible recommendations as to their organization, is hereby created to consist of five members of the senate, to be appointed by the committee on committees, and five members of the house of representatives to be appointed by the speaker. The appointment of such commission shall be made upon passage of this act.

Sec. 4. The commission may hold meetings at such times and places as it may designate. It shall select a chairman, and such other officers from its membership as it may deem necessary.

Sec. 5. The commission may subpoena witnesses and records and employ such assistants as it deems necessary to perform its duties effectively. It may do all the things necessary and convenient to enable it to perform its duties.

Sec. 6. The revisor of statutes and every other state agency shall cooperate with the commission in all respects so that its purpose may be accomplished. The commission shall use the available facilities and personnel of the Legislative Research Committee unless the commission by resolution determines a special need or reason exists for the use of other facilities or personnel.

Sec. 7. The commission shall report to the legislature on or before January 15, 1959, setting forth its recommendations.

Sec. 8. The members of the commission shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties.

Sec. 9. The sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated from the state treasury for the use of this commission.

*What legislators voted how on last bill  
Graduall's Office? Report of the Commission on Housing Discrimination  
Graduall MINNESOTA COUNCIL FOR CIVIL AND HUMAN RIGHTS  
Legis Council. State Capital -  
1958*

CONSTITUTION

- I. Name: The name of this organization shall be the Minnesota Council for Civil and Human Rights.
- II. Purpose: The purpose of the Minnesota Council for Civil and Human Rights is to conduct educational and action programs including those pertaining to legislation in the field of civil and human rights; to coordinate and support, wherever and whenever possible, the efforts of organizations on behalf of the foregoing objectives; and to provide a clearinghouse for information, research and the exchange of ideas of organizations and individuals.
- III. Membership:
  1. Membership shall be open to individuals and organizations (i.e., business, industry, labor, agricultural, educational, civic and religious organizations, etc.) who accept the purposes and objectives set forth in Article II.
  2. Admission to membership shall be by application or recommendation by a member, reported on by the membership committee and voted by either the executive board or membership at a regular or special meeting.
- IV. Dues and Representation:
  1. The Council membership shall consist of individuals and of two representatives from each affiliated organization.
  2. Each member of the Council shall have one vote.
  3. Individuals shall become members of the Council by the payment of \$2.00 annual dues and upon acceptance by the membership or the executive board.
  4. Delegates of organizations shall become members of the Council through action by their organization to affiliate with the Council, acceptance of the organization by the membership or the executive board of the Council and action of their organization appointing them as delegates.
  5. No dues are required from an organization as a condition of membership. However, every organization is urged to make a minimum contribution of \$10.00 per year to the Council's work and to subscribe greater amounts if the budget of the organization permits.
- V. Executive Board and Officers:
  1. There shall be an executive board consisting of the elected officers and not less than twelve and not more than twenty-four additional members.
  2. The term of each board member shall be for three years, except that in 1958, one-third shall be elected for a one-year term, one-third for two years, and the remaining one-third for three years. No member shall serve more than two consecutive three-year terms.



CONSTITUTION, Page 2

3. The officers shall consist of president, vice-president, secretary and treasurer.
4. The term of each officer shall be for one year, and he shall continue to serve until his successor is duly elected and qualified.
5. The executive board may create as many positions of honorary vice-president as they may think desirable. These positions may be filled by appointment by the executive board.

VI. Elections:

1. The members of the executive board and the officers shall be elected by the membership, from its own number, at the annual meeting.
2. A nominating committee of five members shall be elected by the membership 60 days or more before the annual meeting. This committee shall report its recommendations to the membership 30 days before the annual meeting. Nominations from the floor will be accepted at the annual meeting.
3. The terms of the executive board members shall be arranged as provided in Article V, so that one-third shall expire each year.
4. In the case of a vacancy on the board, the executive board may fill the vacancy until the next annual meeting.

VII. Committees: The executive board is empowered to appoint standing committees on membership and budget and such other committees as it may deem necessary.

VIII. Meetings:

1. The Council shall hold an annual meeting during the month of November, the place and date of which shall be determined by the executive board.
2. Special meetings of the Council may be called by the president, the executive board or at the request of five members of the Council.
3. Notices for annual meetings shall be mailed at least one month in advance of the meeting.
4. Notices for special meetings shall be mailed at least two weeks in advance of the meeting.
5. The executive board shall hold regular meetings bi-monthly and other meetings at the call of the president.
6. Twenty members shall constitute a quorum at meetings of the Council.

IX. Amendments: The constitution may be amended at an annual or special meeting by a majority vote of the members present, provided the proposed amendment shall have been submitted in writing to the membership one month before the meeting.

X. Robert's Rules of Order, Revised, shall be the parliamentary authority governing the meetings of the Council, executive board, and committees, unless otherwise provided in this constitution.

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 30 page  
1957 Legislative Report.

Signed \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_



# LEAGUE OF WOMEN VOTERS OF MINNESOTA

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

Federal 8-8791

September 12, 1957

Dear Legislator:

The 1957 Legislative Report of the League of Women Voters is available to you upon request. This report contains an analysis of the legislative progress of the four items that were supported by the League during the last session:

Constitutional Convention  
Party Designation for Legislators  
Reapportionment  
Fair Employment Practices Commission

We hope this informative report will be of value to you. If you would like a copy, please fill out and return the enclosed card.

The delegates at the last State Convention of the League of Women Voters of Minnesota voted to continue to work and support the above items and the convention body also voted unanimously to study the Minnesota Election Laws. Material on this subject will be ready next spring.

Mrs. O. H. Anderson, our new president, and the state board take this opportunity to say that we will make every effort to keep you informed about the League's program during the next two years.

Sincerely yours,

*Dorothy Anderson*  
Mrs. O. H. Anderson  
President

*Mary Mantis*  
Mrs. Homer Mantis  
Legislative Chairman



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

D.A.  
M. Mautis  
M. Evenson

LEAGUE OF WOMEN VOTERS OF MINNESOTA  
15th and Washington Avenues S. E., Minneapolis 14, Minnesota FE 8-8791

M  
E  
M  
O  
DATE: October 22, 1958

TO: Clifford Rucker

FROM: Grace Wilson

SUBJECT Minnesota Voter, September-October

Answered in  
same  
vlin - 58  
Nov. 5 - 58

Dear Clifford, As secretary in the state League office, I have just read your letter to Mrs. Anderson about our article in the **Voter** listing League members who have been serving on the local citizens committees. Mrs. Anderson will I know be answering you, but since I was the one that checked the information for our editor, I should take the blame, if there is any to be taken, on the name of the local committees. The proper and complete name is so long, and we were so pressed for space (as you see, the entire page 2 is in smaller type than the rest of the paper) that we simply shortened the name, not realizing at all that by so doing, the Governor's Human Rights Commission was being left out. We are perfectly aware that the advisory committees are arms of both the FEP and the Governor's H.R. Commission, and we know the differences in the function of the two groups. And we appreciate what both of the organizations are doing to better the rights and conditions of all groups in Minnesota. We appreciate your letter, and are sorry we condensed too much for complete accuracy. But I do think, don't you, that its good to see so many women interested in civil rights, as well as other areas of good government., and that was the whole purpose of the article - to give ourselves a shot in the arm, and encourage more League members to go and do likewise.



STATE OF MINNESOTA  
GOVERNOR'S HUMAN RIGHTS COMMISSION  
117 UNIVERSITY AVENUE

ST. PAUL 1

October 21, 1958

OCT 22 1958

Mrs. O. H. Anderson  
President  
League of Women Voters of Minnesota  
15 So. Washington Avenue S. E.  
Minneapolis, Minnesota

Dear Mrs. Anderson:

At a recent meeting of the Governor's Human Rights Commission, one of the members called attention to the September-October 1958 issue of "The Minnesota Voter" and specifically to the statement that "The Fair Employment Practices Commission and its Advisory Committee on Human Rights draw heavily on League Members."

Also on the honor roll of League members engaged in political service are the names of persons from Austin, Fergus Falls, Granite Falls, Hibbing, Owatonna, Rochester, St. Cloud, Virginia listed as serving on the FEPC Citizens Committee.

The members of the Governor's Human Rights Commission which co-sponsors these citizens' committees with the FEPC were of the opinion that the omission of any mention of the Governor's Human Rights Commission was inadvertently done and they have suggested that a communication be addressed to you calling attention to the joint sponsorship of these committees by the two commissions.

The Governor's Human Rights Commission formerly known as the Governor's Inter-Racial Commission was established in 1943. It is charged with the responsibility of bringing to the attention of the Governor, the Legislature and the general public any Human Rights problem likely to cause serious social disorder in the State. Its primary method is educational, based on the premise that most Minnesotans are fair minded if given an opportunity to know and to weigh the facts.

The Fair Employment Practices Commission was created by law in 1955. It is charged with the responsibility for administering the State Fair Employment Practices Act. Its primary function is investigation, conciliation, and enforcement of the provisions of the FEPC Act. It restricts its activities to the field of employment only.

EARL R. LARSON, CHAIRMAN, DR. HENRY E. ALLEN, VICE-CHAIRMAN, RABBI DAVID ARONSON, MRS. WRIGHT W. BROOKS, JAY EDGERTON, WALTER ELDOT, DULUTH, GREGARIO L. GONZALES, MRS. OPAL GRUNER, REVEREND EDWARD GRZESKOWIAK, DR. E. ADAMSON HOEBEL, RODNEY C. JACOBSON, ANDREW T. JONES, LOUIS E. LERMAN, MAHOMEDI, WILLIAM LONGDO, DULUTH, REVEREND FLOYD MASSEY, JR., PROFESSOR ROBERT C. MCCLURE, MRS. ELLEN MCINTIRE, DR. CARL H. OLSON, MRS. BARBARA O'NEILL, MRS. ALICE S. ONQUE, MRS. EDWARD J. PARKER, JOHN L. PEMBERTON, SR., RABBI W. GUNTHER PLAUT, SAMUEL L. SCHEINER, CARL T. SCHUNEMAN, SR., REVEREND GEORGE A. SMITH, CASS LAKE, DR. ROBERT L. SPENCER, MATTHEW STARK, HENRY R. THOMAS, EDWARD M. WILSON, BALL CLUB, REVEREND JOHN M. WILSON.

CLIFFORD E. RUCKER, EXECUTIVE DIRECTOR.



PHONE: CAPITAL 2-3013 EXT. 686



Mrs. O. H. Anderson

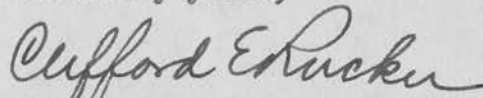
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The Governor's Human Rights Commission with its broad mandate embraces all other areas of human relationships within its program including the problems of the Indian, Migrant Worker, resort accommodations, neighborhood acceptance, housing and education. Each of the Commissions has separate jurisdictions and operating structures. Both commissions have worked together in establishing local citizens committees known as "Governor's Committee on Human Rights and Fair Employment Practices" throughout the State. These Committees serve both Commissions as contact groups in the community.

We thought you would want this information for the clarification of your membership.

With best wishes.

Sincerely yours,



Clifford E. Rucker  
Executive Director

CER:rs

Introduced by Enestvedt  
February 26, 1959  
Ref. to Com. on Civil Administration

H. F. No. 913  
Companion S. F.  
Ref. to S. Com.

A BILL

FOR AN ACT RELATING TO DISCRIMINATION  
IN HOUSING BECAUSE OF RACE, COLOR,  
CREED, RELIGION, ANCESTRY OR NATIONAL  
ORIGIN.

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

Section 1. Subdivision 1. The practice of discrimination against persons because of their race, color, creed, religion, ancestry or national origin is a matter of state concern. Such discrimination foments civil strife and unrest, threatens the rights and privileges of the inhabitants of the state and undermines the foundations of democratic government.

Subd. 2. It is the public policy of the state to foster equal opportunity for all persons to secure and hold housing accommodations each in accordance with his own individual merit and qualifications, regardless of his race, color, creed, religion, ancestry, or national origin. It is also the public policy of the state to protect persons from wholly unfounded charges of such discrimination against others.

Subd. 3. The legislature hereby finds and declares that discrimination or segregation in the sale, lease, sublease, use, occupancy tenure, acquisition, or enjoyment of property, or housing accommodations because of race, color, creed, religion, ancestry, or national origin tends to condemn unjustly large groups of inhabitants to depressed and sub-standard living conditions which are inimical to the general welfare and contrary to our democratic way of life.

Subd. 4. This act is an exercise of the police power of the state for the protection of the public welfare and the prosperity, health, and peace for the people of the state.

Subd. 5. The opportunity to buy, acquire, lease, sublease, occupy, use, enjoy, and dispose of real property and to obtain decent living and housing accommodations without discrimination because of race, color, creed, religion, national origin, or ancestry is hereby recognized and declared to be a civil right.

Section 2. Subdivision 1. For the purposes of sections 1 to 8, the words defined in this section have the meanings ascribed to them herein.

Subd. 2. "Board" means the board of review of the fair employment practices commission.

Subd. 3. "Commission" means the state fair employment practices commission.

Subd. 4. "Discrimination" includes segregation and separation.

Subd. 5. "Financial institution" means a bank, insurance company, savings or building and loan association, credit union, trust company, mortgage company, or other persons engaged wholly or partly in the business of lending money upon the security of real estate mortgages or other conveyances including contracts for deed.

Subd. 6. "Governmental body" means (a) the United States, (b) the state, (c) any political subdivision of the state, and (d) any agency of the United States, the state, or political subdivision of the state.

Subd. 7. "Housing accommodation" includes any building, structure, or portion thereof heretofore or hereafter erected which was used or occupied, or is intended, arranged, or designed to be used or occupied as a home, residence, or sleeping place, or place of abode of one or more human beings; but shall not include any accommodation being operated by religious, or denominational organizations as a part of their religious, or denominational activities; and shall not include a room in a private residence occupied primarily as the sleeping place of a roomer, or boarder.

Subd. 8. "National origin and ancestry" means the place of birth of an individual or of any of his lineal ancestors.

Subd. 9. "Owner" means a person who owns, leases, operates, or manages a publicly assisted housing accommodation and includes any agent, lessee, subleasee, or assignee, or any other person having the right of ownership or possession or the right to sell, or lease in any way any publicly assisted property or housing accommodation, and includes the state or any of its political subdivisions or agencies.

Subd. 10. "Person" includes a partnership, association, corporation, legal representative, trustee, trustee in bankruptcy, receiver, and the state in its departments, agencies, and political subdivisions.

Subd. 11. "Prospective borrower" means a person who seeks to borrow money to finance the acquisition, construction, or repair of a publicly assisted housing accommodation.

Subd. 12. "Prospective occupant" means a person who seeks to purchase, lease, or rent a publicly assisted housing accommodation.

Subd. 13. "Publicly assisted property or housing accommodation" means a housing accommodation:

(a) That is, or is located in, a building:

(1) Situated on land owned or assembled into a parcel for the erection of housing accommodations by governmental bodies;

(2) Upon which a commitment by a governmental body to guarantee or insure an acquisition loan is outstanding;

(3) Subject to an outstanding secured or unsecured loan made, guaranteed, or insured by a governmental body for the purpose of financing the acquisition, construction, rehabilitation, repair, or maintenance of the building; provided that such housing accommodation shall be deemed to be publicly assisted if a commitment has been issued by a governmental agency to the effect that the acquisition of such housing accommodation may be financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the United States government or any agency thereof, or by the state of Minnesota, or any of its political subdivisions, or any agency thereof.



(b) Unimproved land owned or sold by the state or any of its subdivisions, agencies, or governmental bodies.

Subd. 14. "Real estate broker" means, respectively, a real estate broker as defined by Minnesota Statutes, Section 82.01, Subdivision 4, and a real estate salesman as defined by Minnesota Statutes, Section 82.01, Subdivision 5.

Subd. 15. "Respondent" means a person against whom a complaint has been filed or issued.

Subd. 16. "Unfair discriminatory practices" means any of the acted prohibited by sections 3 and 4.

Section 3. Subdivision 1. It is an unlawful practice of discrimination for a person, owner, lessee, sublessee, assignee, proprietor, manager, real estate broker, real estate salesman, business opportunity broker, agent, superintendent, janitor, or any other person having the right of ownership or possession or the right or agency to sell, lease, sublease, or rent:

- (a) To refuse to sell, lease, sublease, or rent or otherwise to deny to or withhold from any person or group of persons any publicly assisted property or housing accommodation because of the race, color, creed, religion, national origin, or ancestry of said prospective occupant;
- (b) To discriminate against any person or group of persons because of race, color, creed, religion, national origin or ancestry, in the terms, conditions, or privileges, or in the furnishings or facilities in the premises, or in services connected with or appertaining to said publicly assisted property or housing accommodations;
- (c) To refuse to show or to permit inspection by a person or group of persons of any publicly assisted property or housing accommodations offered and available for sale, lease, sublease, rental, or assignment because of the race, color, creed, religion, national origin, or ancestry of the person or group of persons;
- (d) To make or cause to be made any inquiry or to record any information concerning the race, color, creed, religion, national origin, or ancestry of any person or group of persons seeking to purchase, lease, or rent publicly assisted property or housing accommodation;
- (e) To expel or evict an occupant from publicly assisted property or housing accommodations because of race, color, creed, religion, national origin, or ancestry;
- (f) To refuse or fail to transmit to any owner any reasonable offer to purchase, lease, or rent listed publicly assisted property or housing accommodations because of race, color, creed, religion, national origin, or ancestry of the person or group of persons making such offer to such real estate broker or salesman;

(g) To encourage, incite, aid, or abet another to violate any provision of sections 1 to 8 by attempting to interfere or interfering or attempting to conspire or conspiring to interfere with negotiations or transactions or with the contract or agreement to sell, lease, sublease, or rent any publicly assisted property or housing accommodations by harassment, annoyance, humiliation, intimidation, or coercion; or to make or carry out or threaten to make or carry out any act of economic sanction or financial reprisal; or to use or threaten to use any force or violence, or any unlawful means whatsoever to prevent any person aggrieved by the violation of sections 1 to 8 from obtaining redress under its provisions;

(h) To discriminate against a person in any manner because he has complied with or proposes to comply with the provisions of sections 1 to 8, or has opposed an unfair discriminatory practice or filed a complaint, testified, or assisted in any proceedings under sections 1 to 8;

(i) To post or publish or cause to be posted or published a notice of advertisement that directly or indirectly discloses any preference or discrimination in violation of any of the provisions of sections 1 to 8.

Subd. 2. This section shall not apply to the sale, lease, sublease, or rental of a private residence where the transaction is made by the owner without the participation of any agent.

Section 4. Subdivision 1. It is an unlawful practice of discrimination:

(a) For any person, banking institution, savings and loan association, insurance company, credit union, or any other institution or person lending money to discriminate against any person or persons because of race, color, creed, national origin, or ancestry of such person or group of persons in the lending of money, making and accepting of mortgages, guaranteeing of loans, making and buying contracts for deed or other documents and conveyances evidencing an equitable interest, or otherwise making available funds for the purchase, acquisition, construction, rehabilitation, repairs, or maintenance of any publicly assisted property or housing accommodation; provided that nothing herein shall be construed or applied so as to invalidate or interfere with bona fide membership, membership conditions, or qualifications established by any such institution or organization;

(b) For any person, business, or credit rating agency to make or cause to be made any oral or written mention of or reference to the race, color, creed, religion, national origin, or ancestry of any such person or persons seeking to obtain any loan or financing for the purchase, acquisition, rental, occupancy, repair, rehabilitation, or use of any publicly assisted property or housing accommodations.

Section 5. Any oral or written provision in any listing of any property or housing accommodation given by an owner to a real estate broker or salesman which purports to discriminate against a prospective occupant because of his race, color, creed, religion, national origin, or ancestry is void. The real estate broker may enforce against an owner all other provisions of a listing agreement that contains such discriminatory provision.

Section 6. Subdivision 1. Any person or persons who are aggrieved by any act of discrimination or segregation on account of race, color, creed, religion, ancestry, or national origin in connection with any housing accommodation which is not "publicly assisted" within the meaning of sections 1 to 8 may file with the commission a complaint alleging the fact of such discrimination.

Subd. 2 Upon receipt of such complaint the commission shall be limited in its function under this section to the investigation of the facts and efforts, by means of education, conference, conciliation, and persuasion, to eliminate such discriminatory practice.

Section 7. Subdivision 1. The administration and enforcement of the provisions of sections 1 to 8 shall be vested in the Minnesota fair employment practices commission.

Subd. 2. The commission after receipt of a complaint may, if the facts before it establish a prima facie violation by any person or persons of the provisions of section 3, subdivision 1 or 2, relating to interference with an executed contract or agreement to sell, lease, or rent any publicly assisted property or housing accommodation, institute in the district court in the judicial district where such violation is alleged to have occurred a proceeding in its own name seeking relief by way of temporary restraining order and temporary injunction against such violation, pending the final adjudication of the matter by the board of review or by the district court on review as herein provided. The commission shall include as respondents in said proceeding all persons and organizations which on the evidence before it are interfering or attempting to interfere with such contract or agreement.

Section 8. The enforcement of all rights and privileges created by sections 1 to 8 shall be the exclusive function of the Minnesota fair employment practices commission, pending determination of proceedings before it.

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