



## League of Women Voters of Minnesota Records

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REGISTRATION AND ELECTION PROCEDURES

(Excerpt from Morris Co. Survey --prepared by Florham Park LWV-Jan. 1953)

The administration of the Election System is not uniform throughout the State. The State Constitution provides six classes of counties according to population. Under the Election Law (Title 19), first-class counties are required to have certain special offices and procedures; second-class counties may elect to have the same; the remaining four classes are treated alike.

The Secretary of State is the only official on the state level who is concerned with the administration of Title 19; therefore, the main responsibility for conducting elections lies on the county level.

The officials responsible for conducting elections are the county clerk and the members of the county board of elections, and in first-class counties, the superintendent of elections. The county board functions as the county board of canvassers for each general election.

The legislature provides for district boards of elections to serve as agents of the county board in conducting elections, and delegates certain duties to the municipal clerks.

The County Clerk is elected by popular vote for a term of five years and his salary is set by the legislature (40:38-6.4).

His duties dealing with elections procedures are:

1. Supervise the printing and distribution of election supplies.
  - a. Determines number of ballots for all elections.
    1. Number of sample ballots for all elections (19:14-21) (19:23-30) and official ballots for general election (19:14-18) is based on the number of registered voters.
    2. Number of official primary ballots is based on the vote cast in the last general presidential election (19:23-27).
  - b. Prints and supplies official and sample ballots and envelopes for the general election. (19:45-4)
  - c. Envelopes for all sample ballots have printed in upper left-hand corner, "If not delivered in 2 days return to Commissioner of Registration." (19:14-23) (19:23-32)
2. May furnish copies of complete registry (19:31-18.1).
3. Make the canvass for primary elections (19:23-55) and sit as clerk of the county board of canvassers for general elections (19:6-26).
4. Furnish military ballots upon application for same (19:56-3).
5. File all important documents.

The County Board of Elections is composed of four legal voters of the county who do not hold elective public office. They are selected for two-year terms by the State Committees of the two major political parties (two each) and commissioned by the Governor (19:6-18). Their salaries are set by the state legislature (19:45-7) and paid by the county. Supplies and equipment are supplied by the county through action of the Freeholders (19:6-21).

The chairman and the secretary shall not be from the same political party, and in case of failure to elect a chairman after three ballots the senior member shall become the chairman with the next senior the secretary (19:6-22). The secretary is the commissioner of registration except in counties having a superintendent of elections (19:31-2).

Only first-class counties (pop. over 600,000) are required by law to maintain a superintendent of elections. He is appointed by the Governor, (19:32-1,2) and is the commissioner of registration in first-class counties (19:31-2). He is also responsible for the proper operation of the election machines, investigates complaints, (19:32-38) and has all the powers of constable, policeman and other peace officers (19:32-21). The state provides that he may appoint additional personnel to assist him (19:32-2).

Second-class counties (pop. 200,000 to 600,000) may establish the office of superintendent of elections by resolution of the Board of Chosen Freeholders (19:32-26).

The duties of the County Board of Elections, in counties which do not have a superintendent of elections, are:

1. Have charge of registration of voters (19:31-6,7).
  - a. Take registration in the county seat (19:31-6). There is no registration by mail (19:31-6).
  - b. Furnish forms to the municipal clerks (19:31-7) (19:31-11) (19:31-13.1) (19:31-9).
  - c. Keep all records of eligible voters.
    - 1). Original permanent registration forms (19:31-10).
    - 2). Signature copy register which shall be open to public inspection (19:31-10).
    - 3). Files: one alphabetical by name; one by districts and address, on which appear full data from permanent forms (19:31-26).
    - 4). Keep a record of voting for each eligible voter (19:31-23).
  - d. Check up and clear registry.
    - 1). May send a check-up card to those who did not vote (19:31-15) (amend. 1952, Chap. 292).
    - 2). Transfer records of deceased persons to the death file (19:31-16).
    - 3). Transfer records of convicted persons to the conviction file upon receipts of list from county prosecutor (19:31-17).
    - 4). Receive lists of moving permits as submitted by municipal clerks or tax collectors (19:31-11.1).
    - 5). Conduct a house-to-house canvass every four years (19:31-15).
    - 6). Remove to the inactive file the records of any registrant who has not voted during four consecutive years (19:31-5).
    - 7). Record change of address within the county as submitted by registrant (19:31-11).
    - 8). Remove to inactive file records of registrant who has changed his or her name due to marriage, divorce, or decree of court, upon receipt of such notice (19:31-13).
    - 9). Transfer records to inactive file of registrant who has moved from the county or state. Do so upon receipt of notice from the registrant, or from the county commissioner where applicant is newly registered, when such notice is signed by the registrant (19:31-15) (C19:31-13.1).
  - e. Publish in the newspaper, prior to second Tuesday preceding any election, a notice setting forth the proposed action before removing the records of any registrant (19:31-15).
  - f. Notify the commissioner of registration of the county in which a newly registered person was last registered by postal card signed by registrant (C19:31-13.1).
  - g. May direct an authorized clerk to make a personal investigation to establish the fact of continued residence or of removal of any registrant (19:31-15).
  - h. Transfer permanent registration forms of registered voters whose voting districts have been changed or when a new district has been created. Registrant may be notified by postal card. Right to vote of any registered voter shall not be invalidated due to error in making the transfer (19:31-14).



2. Transmit to the County Clerk a complete list of all persons registered in each district together with a statement as to the number of persons registered in each district - on or before the Monday following the fourth Tuesday preceding the general election (19:31-18).
3. Transmit to the secretary of state a report of the total number of registrations in his county at least ten days prior to the general election (19:31-14.5).
4. Appoint members of district boards from applications meeting certain qualifications (19:6-2,3) (19:6-12).
  - a). Shall have supervision and direction of and authority over district boards at all elections (19:15-1). Send instructions for each election (19:31-20).
  - b). May remove members "with or without cause" (sic). (19:6-4,5).
  - c). May assign any member of a district board to any election district or transfer any member from one district to another (19:6-7).
  - d). Supply miscellaneous forms to district boards for use at each election (C19:31A-8) (C19:31A-9) (19:31-9).
5. Deliver signature copy registers to municipal clerks for use of district boards in sending out sample ballots and for use on election day, with instructions (19:31-19:31-20).
6. Preserve returned sample ballots for public inspection (19:14-26).
7. Sit on day of elections at the office of the county board between the hours of 6 A.M. and midnight (19:6-25) (19:23-58).
8. Function as county board of canvassers for each general election (19:6-26).
9. Direct a recount by order of the court (19:28-3).
10. Receive and count military ballots (C19:56-23).
11. Store military ballots for one year (C19:56-23).

District Boards consist of four members, two from each of the two major political parties, appointed by the county board for a term of one year (19:6-1&3) with pay set by the legislature (19:45-6) (amend. 1952 Chap. 97).

Duties of the district boards are:

1. Send out sample ballots to registered voters (19:14-25).
2. Conduct each election according to procedures in Title 19, Chapters 15,16,17,18 and 23,35 & 36, 39 to 48.
  - a). Record party initials on signature copy register for each registrant who has voted in the primary election (19:31A-8).
  - b). Record ballot number on signature copy register for each registrant who has voted in the general election (19:31-21).
  - c). Ascertain from commissioner of registration whether voter, whose sheet is missing from signature copy register, has a permanent registration form. If he is properly registered, commissioner shall issue an order to the district board authorizing him to vote (19:31-21).
  - d). Deliver sealed ballot boxes to municipal clerk without the keys (19:18-2).
3. Count votes cast (19:16-2 to 5) (19:23-49)
  - a). Determine void ballots (19:16-4 to 6).
  - b). Counting of votes in all elections shall be open to the public (19:16-2).
4. Make a statement of results which shall be transmitted to the proper officials. Primary election (19:23-50 to 53); general election (19:17-1 to 5).



Municipal Clerks are elected by popular vote in some municipalities and appointed by governing bodies in others. They are under tenure in some municipalities.

Duties of the municipal clerks in relation to elections are:

1. Suggest proper polling places (19:8-2) and furnish certain equipment (19:8-6).
2. Publish time and place and offices to be filled for elections (19:12-7-IIB).
3. Make up and furnish primary official and sample ballots and envelopes (19:23-27&30).
4. Deliver signature copy registers to district boards (19:14-24).
5. Keep and repair ballot boxes (19:8-11).
6. Canvass votes for county committee members (19:23-54).
7. Store sealed ballot boxes for three months after an election (19:18-4) and store all ballots for a period of two years.

Duties of the municipal clerks in relation to registration are:

1. Publish time and place of registration (19:12-7).
2. Take registration and transmit forms to commissioner of registration (19:31-11) (C19:31-13.1).
  - a). May be assisted by duly authorized clerk or clerks approved by the county board (19:31-7) (amend. 1952, Chap. 60).
3. Furnish change of residence cards to applicants (19:31-11).

Responsibilities of the Individual

1. Comply with constitutional requirements (19:4-1) (19:31-3).
  - a). Be a citizen.
  - b). Be 21 years of age or over at the next general election.
  - c). Have resided in the state one year and the county five months prior to the next general elections.
  - d). Be not an idiot, nor insane, nor disqualified as a criminal.
2. Re-register under certain conditions:
  - a). When moving from county to county (19:31-15).
  - b). When moving out of county or state back to a municipality where formally registered (19:31-15).
  - c). When changing name because of marriage, divorce, or court order. If notice of change is not sent to commissioner of registration prior to 40th day preceding any election, person may be permitted to vote, at that election only, by signing both registered and new name (19:31-13).
  - d). When failing to vote for 4 consecutive years (19:31-5).
3. Sign an affidavit stating the date moved and old and new address if moved within the county after the 40th day prior to any election. Shall then be permitted to vote in district from which he has moved. This affidavit shall constitute a change of address transfer (19:31-11).
4. Sign and file with district board, a declaration designating political party in whose primary he wishes to vote, if he has failed to vote in two consecutive primary elections (19:23-45) (amend. 1952, Chap. 158).
5. Shall not espouse the cause of, or contribute to campaign fund of one political party within the year preceding a primary election, and vote in the ballot box of any other political party (19:23-45).
6. May apply to the commission of registration for certificate authorizing him to vote, if when he goes to vote he finds his name upon the signature record is marked as voted. Upon due proof that he has not voted, such certificate shall be issued by the commissioner of registration (C19:31A-9).

Official Challengers

1. Two may be appointed by any political party for each election district and two by any candidate whose name appears on the ballot (19:7-1 & 2).

2. Powers of: (19:7-15).
  - a). Challenge the right to vote of any person and question such person.
  - b). Be present while votes are cast and counted.
  - c). Hear and see the ballots counted.
  - d). Challenge the counting or rejecting of any ballot or part thereof.
3. Any challenge shall be recorded in the poll books (19:15-24).

#### Military Ballot

1. Military ballots afford every military service voter who meets the previously mentioned voting qualifications an opportunity to vote in any election in this state even though he may be absent from his district, state, or the U. S. and even though he has not been previously permanently registered (C19:56-2) (C19:56-19).
2. Applications for military ballots are made to the municipal or county clerks by the voter himself or a friend or relative (C19:56-3).
3. Any military voter who has been in military service or hospital, but who has been discharged too late to register before an election may obtain an emergency voting form from the commissioner of registration if he has previously been permanently registered. If he has not, upon showing his discharge or certificate of service to the commissioner, he shall be required to register, notwithstanding any provision of law prohibiting taking registration at such time, before the commissioner will issue him an emergency voting form (C19:56-24).
4. The military ballots are opened and counted on election day by the county board of elections in the presence of the commissioner of registration (C19:56-22).
5. All the military ballots shall be kept by the county board for one year (C19:56-23).
6. In the 1952 general election in Morris County there were about 1000 applications for military ballots and 925 votes were cast. There were no rejected ballots.

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#### PARTIAL LIST OF CONTRADICTORY, AMBIGUOUS, AND REPEALED SECTIONS (Title 19)

19:31-5	19:31-15 - p. 119, P. 3
19:31-15	p. 120, last P and p. 121, first P.

19:17-1	19:6-6
19:23-50	19:31-22
	19:31-24

19:14-26	19:31-8 repealed
19:23-37	19:32-9 and 10
	19:18-5

# League of Women Voters of Maryland

# MEMORANDUM

313 ETHAN ALLEN AVENUE, TAKOMA PARK 12, MARYLAND

State Publication #035

September 1953

Price: 2 cent

## THE MARYLAND CORRUPT PRACTICES ACT Unit Discussion Outline

Current Agenda III - Study of the Maryland Corrupt Practices with a view to appropriate action.

I. Definition of "corrupt practices"

Q. How would you define it?

Q. What is the purpose of corrupt practices legislation?

(Topics II, III and IV to be presented briefly by leader or assigned to unit members for presentation at meeting)

II. Maryland League history on election laws and Corrupt Practices Act

III. History of Corrupt Practices legislation

1. In the United States

2. In Maryland

a. when written

b. violations and prosecutions

c. demands for revision

IV. Summary of the provisions of the Maryland Corrupt Practices Act

V. Questions for general discussion

1. Are there any evidences of violations in your community?

2. What is the attitude of your community on campaign abuses?

Are there any groups actively interested in better controls?

3. Why aren't there more prosecutions under the Maryland Corrupt Practices Act?

4. What is the most important function of laws regulating campaign expenditures?

a. to reveal how the money is spent?

b. to reveal where the money comes from?

c. to equalize opportunity among candidates?

5. How can spending be controlled?

a. by ceilings on total costs of elections?

b. by prevention of deficit financing? how?

c. by auditing of reports? by whom? how finance?

d. by pre-election reports as well as post-election reports?

e. by required publication of financial reports?

f. by control of election day expenses?

VI. Suggestions from unit

Have you suggestions for changes in the Md. Corrupt Practices Act?

Send them to your State Program chairman. Since all legislation is the result of compromise, choose a few changes you consider minimum essentials for a good law. Take into consideration:

Which changes are most practical?

Which would receive most public support?



LEAGUE OF WOMEN VOTERS  
OF THE UNITED STATES  
1026 17TH STREET, N. W., WASHINGTON 6, D. C.

November 1, 1954

Mrs. L. W. Loucks  
1734 Stillwater Avenue  
White Bear Lake 10, Minnesota

Dear Mrs. Loucks:

C  
O  
P  
Y

Mrs. Lee has asked me to answer your letter about the preparation of study material on lobbying for members of the Minnesota League. It sounds like an interesting project, but it is one on which we have very little material in this office. However, there is a small but comprehensive book, "Lobbyists In Action," by Franklin L. Burdette, Professor of Government and Politics at the University of Maryland, which should be useful. It was published by the National Capitol Publishers, Inc., in 1950. Their address is given as P.O. Box 7706, Washington 4, D.C. Their office is in Manassa, Va., and since there is no price given in the book itself, I cannot reach them for that information at the moment. However, as it is a paper back, I would guess its cost at a dollar or less.

Some state Leagues in the larger states have had a good deal of experience in lobbying, but we do not know whether they have prepared the kind of material you have in mind. It might be worthwhile for you to write to the presidents of the New York, New Jersey and Illinois state Leagues. Their names and addresses are:

Mrs. Einar Anderson, President  
League of Women Voters of New York  
461 Fourth Avenue  
New York 16, New York

Mrs. Robert J. Phillips, President  
League of Women Voters of Illinois  
225 North Michigan Avenue  
Chicago 1, Illinois

Mrs. J. C. Merrill, President  
League of Women Voters of New Jersey  
53 Washington Street  
Newark 2, New Jersey

Platform authority for working on such an item on the state Agenda would be found chiefly in Principle #1, "The principles of representative government and individual liberty established in the Constitution of the United States." This would seem to cover the right to petition, on which all lobbying rights depend, as set forth in the first amendment to the Constitution.

As you know, the Regulation of Lobbying Act is part of the Legislative Reorganization Act of 1946. The League did some work in this field during 1944-46, but the Act was passed by Congress so promptly and with so little opposition that the Leagues were not called on to do a big action job.

Mrs. L. W. Loucks

LEAGUE OF WOMEN VOTERS  
OF THE UNITED STATES

11/1/54

1026 17TH STREET, N. W., WASHINGTON 6, D. C.

The League registered under the Lobbying Act in 1946, and since that time until October, 1954, filed quarterly reports with the Office of the Secretary of the Senate and the Clerk of the House of Representatives. However, when a court decision handed down last summer seemed to change the interpretation of the criteria for filing, the League attorney decided that it is not now necessary for us to continue to file. We have notified the two offices involved of this decision. There have been proposals for tightening the law and setting up stricter criteria, and if such a law is passed the League will again take legal counsel as to whether or not we should register.

I hope that this is the sort of information you can use. If you have other questions, please write again.

Sincerely,

Mrs. Francis P. Douglas  
Congressional Secretary

BD:etw

C

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Y



PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

FROM  
SEN. HUBERT H. HUMPHREY  
MINNESOTA

Year: 19\_\_\_\_\_

## REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th

(Mark one square only)

NOTE on ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee," state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer," write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

### A. ORGANIZATION OR INDIVIDUAL FILING

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE on ITEM "B".—Reports by Agents or Employees. An employee is to file, each quarter, as many Reports as he has employers; except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) If the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER—State name, address, and nature of business. If there is no employer, write "None."

NOTE on ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302 (c).

(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

### C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

☐

2. State the general legislative interests of the person filing and set forth the specific legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed, in connection with legislative interests, set forth: (a) description, (b) quantity distributed, (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out Items "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report. ←

↓ State or Territory

\_\_\_\_\_ } 657

### AFFIDAVIT

I, the undersigned affiant, being duly sworn, say: (1) That I have examined the attached Report, numbered consecutively from page 1 through page \_\_\_\_\_, and the same is true, correct, and complete as I verily believe. (Be sure to fill in number of last page.)

[ If the Report is for an individual, strike out paragraph "2." ] ←

(2) That I am \_\_\_\_\_ of the above-named organization, for whom this Report is filed, and that I am authorized to make this affidavit for and on behalf of such person.

[Print or type name below signature] (Signed) \_\_\_\_\_

Subscribed and sworn to before me on \_\_\_\_\_, 19\_\_\_\_

[Print or type name below signature] (Signed) \_\_\_\_\_

(Official authorized to administer oaths)



NOTE on ITEM "D."—(a) IN GENERAL. The term "contribution" includes anything of value. When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—§ 302 (a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) In General. Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in connection with legislative interests.

(ii) Receipts of Business Firms and Individuals.—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) Receipts of Multi-purpose Organizations.—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of \$500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) In General. In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) Employer as contributor of \$500 or more.—When your contribution from your employer (in the form of salary, fee, etc.) amounts to \$500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under item "B" on page 1 of this report.

## D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS)

Fill in every blank. If the answer to any numbered item is "None", write "NONE" in the space following the number.

### Receipts (other than loans)

1. \$\_\_\_\_\_ Dues and assessments
2. \$\_\_\_\_\_ Gifts of money or anything of value
3. \$\_\_\_\_\_ Printed or duplicated matter received as a gift
4. \$\_\_\_\_\_ Receipts from sale of printed or duplicated matter
5. \$\_\_\_\_\_ Received for services (e. g., salary, fee, etc.)
6. \$\_\_\_\_\_ TOTAL for this Quarter (Add items "1" through "5")
7. \$\_\_\_\_\_ Received during previous Quarters of calendar year
8. \$\_\_\_\_\_ TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

### Loans Received—"The term 'contribution' includes a... loan..."—§ 302 (a).

9. \$\_\_\_\_\_ TOTAL now owed to others on account of loans
10. \$\_\_\_\_\_ Borrowed from others during this Quarter
11. \$\_\_\_\_\_ Repaid to others during this Quarter
12. \$\_\_\_\_\_ "Expense Money" and Reimbursements received this quarter.

### Contributors of \$500 or More (from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": \_\_\_\_\_ ←

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last day of this Quarter, total \$500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	Name and Address of Contributor
("Period" from Jan. 1 through _____, 19____)	
\$1,500.00	John Doe, 1621 Blank Bldg., New York, N. Y.
1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
\$3,285.00	TOTAL

NOTE on ITEM "E."—(a) IN GENERAL. "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—§ 302 (b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging and entertainment (Item "E 7").

## E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None", write "NONE" in the space following the number.

### Expenditures (other than loans)

1. \$\_\_\_\_\_ Public relations and advertising services
2. \$\_\_\_\_\_ Wages, salaries, fees, commissions (other than Item "1")
3. \$\_\_\_\_\_ Gifts or contributions made during Quarter
4. \$\_\_\_\_\_ Printed or duplicated matter, including distribution cost
5. \$\_\_\_\_\_ Office overhead (rent, supplies, utilities, etc.)
6. \$\_\_\_\_\_ Telephone and telegraph
7. \$\_\_\_\_\_ Travel, food, lodging, and entertainment
8. \$\_\_\_\_\_ All other expenditures
9. \$\_\_\_\_\_ TOTAL for this Quarter (add "1" through "8")
10. \$\_\_\_\_\_ Expended during previous Quarters of calendar year
11. \$\_\_\_\_\_ TOTAL from January 1 through this Quarter (add "9" and "10")

### Loans Made to Others—"The term 'expenditure' includes a... loan..."—§ 302 (b).

12. \$\_\_\_\_\_ TOTAL now owed to person filing
13. \$\_\_\_\_\_ Lent to others during this Quarter
14. \$\_\_\_\_\_ Repayments received during this Quarter

### 15. Recipients of Expenditures of \$10 or More

In the case of expenditures made during this Quarter by, or on behalf of, the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following headings: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	Dates or Dates—Name and Address of Recipient—Purpose
\$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
\$2,400.00	7-15, 8-15, 9-15: Britten & Blatten, 3127 Gremlin Bldg., Washington, D. C.—Public relations service at \$800.00 per month.
\$4,150.00	TOTAL

1954

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A Selected Bibliography on practices  
at Both the Federal and State Levels

NATIONAL

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FROM  
SEN. HUBERT H. HUMPHREY  
MINNESOTA

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[W. Brooke Graves  
and  
Frank J. Bertalan  
Government Division  
June 25, 1954]

Background Information for Discussion of  
MANDATORY STATEWIDE USE OF VOTING MACHINES

Findings in the League's current study have shown one cause of lack of uniformity in our election system to be the difference between voting machine and paper ballot counties, both in provisions of law and privileges to voter and candidate.

Problems arising out of the close vote in the recent election and the recount which followed have stimulated widespread citizen interest.

The confusion, slowness, and expense of the recount have aroused sufficient political interest to prompt the Governor to say that statewide use of voting machines could be the solution and the Republican Senate Majority Leader Wallace to introduce a mandatory voting machine law (S-390). This could result in action on mandatory voting machine legislation by the Legislature. If it is to be effective, the League of Women Voters of New Jersey must give some special consideration to this development.

I. PAST LEAGUE ACTIVITY

The League of Women Voters of New Jersey endorsed the use of voting machines in New Jersey at its State Convention in 1928. An educational campaign was carried out which included over 300 demonstrations from Bergen to Atlantic County. After a thorough and careful study, the case for use of voting machines in all elections was presented to the State Commission for Revision of Election Laws at a hearing on November 22, 1929. The mechanical ballot system was recommended because it provides a quicker method of voting which more accurately expresses the will of the people in the choice of their representatives. The League's goal was statewide use.

As a partial fulfillment of this objective, the League sponsored and worked for the passage of an Enabling Act which would permit the use of voting machines in New Jersey. A former State League President, Olive Sanford, while an Assemblywoman, introduced the bill providing for such use and the League campaigned for and was, according to Governor Hoffman, responsible for its passage in 1935.

II. BACKGROUND MATERIAL

Present Use in N. J.: Today, 9 of 21 counties have voting machines. This represents 77% of the registered voters in the state. Introduction of machines in the remaining 12 counties would give New Jersey a uniform ballot system. The use of voting machines is now mandatory in first and second class counties.

Factors Which May Have Held Back Adoption in the Remaining 12 Counties

1. Problem of cost
2. Sparsely populated areas--few voters per district
3. Lack of public interest and information
  - (a) No promotion on part of civic organizations
  - (b) Little public education on the part of the voting machine companies
4. Political opposition
  - (a) Lower compensation to district boards
  - (b) Less patronage because of fewer district boards
5. Influence of a printers' lobby
  - (a) Less printing required

Use in Other States: Complete mechanical ballot systems exist in at least four states--New York, Connecticut, Rhode Island, Louisiana.

Advantages of the Mechanical over the Paper Ballot System as they Affect the Voter and CandidateA. The Vote

1. No spoiled ballots
  - (a) Voter can change his mind without spoiling his ballot
2. No opportunity for voter to lose his vote by:
  - (a) Using a mark other than required by law; using a distinguishing mark; erasing, changing, misplacing the mark(s) on his ballot
  - (b) Over-voting for an office
  - (c) Voting both "yes" and "no" on a public question
  - (d) Failing to make the "X" mark in addition to writing in or pasting in a personal choice vote.
3. Greater protection to the voter
  - (a) His vote is mechanically added to the count by voter himself.
4. Quicker method of voting

B. The Count

1. Quick returns--unlock counter compartment and read totals
  - (a) Eliminates time consumed in reading and tallying the vote on each ballot; counting the tally and totaling the vote for each candidate and public question
  - (b) Only for personal choice vote, names must be transcribed, the vote tallied and totaled for each candidate by district board.
2. Accurate count--district board needs to check only the transcription of totals with the totals on machine
  - (a) Eliminates opportunity for fraud in handling the ballots
  - (b) Eliminates physical fatigue and human error in reading and tallying the vote on each ballot; counting the tally and totaling the vote for each candidate and public question.
3. No void, partially void, defective, or doubtful ballots  
(Approximately 1,000 paper ballot are rejected in each general election and there is no way of knowing how many ballots were partially void)
  - (a) Eliminates human error in determining the intent of the voter; which ballots are void and which are partially void
  - (b) Eliminates time consumed in making decisions and handling void ballots
4. Eliminates certain types of fraud such as marking of ballots by election board members.

C. The Recount

1. Simpler and less time-consuming
  - (a) Re-check the totals on the machine against the election officers' returns
  - (b) Eliminates re-handling of every ballot and possibility of lost ballots
  - (c) Eliminates decision on disputed ballots and possible referral to a court for decision  
(In the recent recount when one-tenth of the districts in paper ballot counties to be recounted had been completed, a total of 1,251 ballots had already been referred to the courts.)
2. Less expensive--\$2 per machine vs \$25 per district in paper ballot counties

D. Easier to Secure Qualified People to Serve on District Boards

1. Eliminates long hours of tedious work in obtaining the count
  - (a) Makes it possible for teachers, businessmen and other employed persons to serve



III. PROBLEM OF COSTA. Probable Methods of Payment by County

1. Bond issue--outright purchase
2. Rental-purchase plan
  - (a) Could be used where county has reached its borrowing limit

B. Possible Advantages of Purchase from the State

1. State as a bargaining agent may be able to purchase large number of machines at better price and pass savings on to the counties
2. The counties may be able to arrange for a more lenient payment plan
3. Change-over in all counties could be completed in a short time

C. Purchase of Voting Machines Can Be a Sound Investment

(From Report of the Voting Machine Committee, LWV of Morris County, April 1954, p.9)

1. According to the evidence provided by long time users of voting machines, they will not be self-liquidating, (i.e., will not pay for themselves in an amortization period of 15 years) but given time, adequate facilities and efficient management, they can pay for themselves in savings. What makes this possible, apparently, is the fact that voting machines can last indefinitely, retain their usefulness and cost their owners practically nothing in repairs....once voting machines are paid for and a system of economic operation established, they become a financial asset; in addition they provide a superior method of voting.
  - (a) Early purchasers state that machines are still in use, with little or no cost for repairs after 43 years in Rochester, 32 years in San Francisco, 31 years in Grand Rapids.
  - (b) Savings resulting from change from paper ballot system can cover county costs incidental to administration of mechanical system, such as storage, transportation, insurance, and custodial.
    - (1) Lower compensation to existing district boards
    - (2) Fewer districts (where consolidation is possible) and fewer new districts mean:
      - a. Fewer district boards to pay
      - b. Fewer polling places resulting in less rental to pay
      - c. Fewer district registry binders to provide
    - (3) Lower printing costs--only two sets of official general election ballot strips per machine
    - (4) No ballot boxes
    - (5) Lower cost for getting in returns on election night
  - (c) It is possible, by efficient management, to have an annual savings over and above coverage of the administrative items which would make it possible to amortize the machines in 20 to 30 years.

D. Imposed Cost of Voting Machines Under a Mandatory Law Not a "Home Rule" Issue

1. Mandatory election costs already exist
2. Elections to state and federal offices are of statewide concern

E. Savings to the Municipality under Mechanical Ballot System Are Savings to the Taxpayer

1. Lower ballot printing costs
2. No cost for booths and setting them up for election
3. No cost for repair and storage of ballot boxes and storage of ballots

IV. SUMMARY

The League of Women Voters of New Jersey endorses the use of voting machines because machines provide a quicker method of voting which more accurately expresses the will of the people in the choice of their representatives.

Statewide use, the League's goal since 1928, would give New Jersey a uniform ballot system.

The only objection to achieving this goal through mandatory law appears to be the imposed cost.

Existing election costs are mandatory.

The savings resulting from the change from the paper ballot system can cover the costs incidental to the administration of the mechanical ballot system. It is possible by efficient management, to have an annual savings over and above this, which would make it possible to amortize the machines in 20 to 30 years, which is much less than the life time of the machines.

Therefore, the annual election cost to the county need not be increased by the introduction of voting machines.

V. THE QUESTION

Does the League of Women Voters of New Jersey believe that the advantages of the voting machine to the voter, the candidate and to our election system warrant mandatory legislation?

NOTE: A decision on mandatory use of voting machines does not alter the League's stand for a non-partisan system of elections administered by a State Commissioner. Although statewide use of voting machines under the present law would give New Jersey a uniform ballot system, interpretation of the law would still be left to the individual county. Results from the League's 1953-54 study show that variations exist in interpretation and administration among voting machine counties as well as paper ballot counties.)

12/17/54  
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Allan Jackson and the News  
CBS Radio 6-6:15 ET  
June 3, 1955

Let's consider today that peculiar institution known as "the lobby". The Encyclopedia Americana defines the lobby as a class of persons who seek to influence legislation outside of the regular legislature and who have come to be known somewhat derisively in the United States as "the third chamber."

The term "lobby" stems from the name of the waiting rooms of legislative halls and came automatically to be applied to persons using those rooms for the purpose of interviewing legislators in an effort to try to influence their votes. Thus, the lobby and the lobbyists. All large corporations and other groups have regular paid lobbyists in Washington and state capitols where legislation is likely to affect their interest.

The Paid lobbyist, by law must register and report expenses involved in trying to promote his point of view. Such an expense report has been filed for the first three months of this session of Congress and it's interesting to run down the list and see what sort of groups have lobbyists. All <sup>of</sup> the major labor organizations and farm groups, of course and most principal utility firms.

But there's also a wide variety of others...The American Tramp Shipowners Asso, for example; the Committee for Pipeline Companies, and the Committee for Study of Revenue Bond Financing of New York

Others? There's the General Gas Committee of Fort Worth, the Independent Bankers Association of Sauk Center, Minnesota, the national Housing conference, the National Reclamation Association the Nationwide Committee of Industry, Agriculture and Labor.

And these are only some of the larger ones. The full list is very long of lobbies and lobbyists...all representing somebody, but none representing everybody. It's a full time profession in itself.



Jan 6 '55

Dear Luella,

Enclosed is the material on lobby regulation which Elaine Loucks prepared. I am sorry to say I have had it for 3 weeks and should have sent it on before, but I got completely bogged down with company and Christmas. I rather like the approach Elaine has used - I think it needs a little polishing up, perhaps, and a little clarifying in some places. I am also sending her letter to me, as it explains why she wrote what she did. I would especially like Barbara Stuhler to read the material, and she may know who else should read it - Art Naftalin would be excellent but he is probably too busy. If you could type it up and make several copies, then it could be passed around.

The holidays have also delayed the material on  
Leg. Reorg. - <sup>the</sup> Constitutional items. About 2/3 of  
it is ready to be sent to Dr. Short, but there are  
3 committee members who have not sent me their  
material yet, so I am waiting for these and  
hope it will not be too much longer. My hope is  
to get it into a form which will be readable and  
interesting to the members at this time when the  
air is filled with legislative problems.

I can imagine how busy you are with  
the lobbying et al going on. That last batch of  
material made me wonder how you even had time  
to hang up the mistletoe. It was all very excellent.  
If you see Barbara tell her Jet is too busy taking  
care of 7 jet black pups to interrupt speeches  
these days.

I hope to get to the "Coffee Hour" but surely  
to the board meeting.

Best regards,

Jean C.

1734 Stillwater Ave.

Mrs. L. W. Loucks  
White Bear Lake 10, Minn.

December 11, 1954

Dearest Jean,

I feel much like the bad boy what plucked the bestest plum off the tree, and then couldn't eat it all. At any rate, I enjoyed digging into the lobbyist---only hope the pieces I have selected will appeal to the members.

I do not type very well and had planned to take this to a public stenographer. However, on second thought, I decided you were bright eyed and might be able to decipher the conglomeration.

After you have deleted the corn and the libelous portions---why not send it on to Luella (who still has good eyes) and if she has time perhaps she could set it up---that is if they decide to use it.

Much of the material is not relevant to regulatory action. I had some unexplainable purpose for elaborating on some points. Guess I am more interested in pointing up the need for understanding and urging people to lobby than I am in trying to harness the rascals. A sorta 'beat 'em at their own game' attitude.

England has a council arrangement whereby all sides sit down and air their views, but I could find no source that did not ridicule the plan--so didn't mention it. Also I seriously considered including that chart of Belle Zeller's that compares all the state laws--omitted it for the sake of space. Actually I don't think any of the states have a law that is truly desirable. Maybe by waiting Minnesota can learn from their experiences and we will end up with a good one. California's is best and newest( modeled after federal), but after corresponding with the LWV there and talking to a political scientist who worked in that leg.--I get the feeling it is just paper.

I think this request from the delegates is a wonderful opportunity to put out some dope on lobbying---if for no other reason than to create an awareness. It may remove some of the niavety that persists. Wasn't it Louise Young who said that women as citizens were immature. Maybe taking cognizance of the raw facts of political life may help us grow up. I dunno.

Anyhow, thanks loads--and I hope the attached is not too far from what you had in mind. Tried to scratch the surface and arouse interest--There's plenty on controlling that has been saved if some one picks up the spade and wants it on the agenda. They'll find more new to tell.

With best regards,

Elaine Loucks



*Cover letter*

*extra copy  
made for  
Lobbying guide*

The following material, which touches upon the role of lobbyists in representative government and the growing trend to openly recognize and evaluate their existence, is NOT a part of our current state agenda. It is rather, an extracurricular piece prepared at the request of delegates to the State Council meeting last May. After this brief introduction to the subject, it may be that some members will want to consider for the state agenda 'A Legislative Interests Act'. This can be done through our regular program making procedure. Platform authority would be found ~~in~~ chiefly in Principle #1. For this 1955 Legislative session, the LWV of Minnesota is not in a position to support or oppose any *lobby* measures which may be offered for consideration.

However, to understand lobbying is to understand some of the practical side of today's democracy. We may be without authority to act, but we are not without the desire to attempt further understanding of the workings of the government we serve.

It behooves us at this <sup>legislative</sup> timely season to devote a portion of a unit meeting to a discussion of lobbying ~~practices~~. 'Twas Lester Velie who said, "And who shall lobby ~~ing~~ for the people?" And the LWV's purpose answers, "....an informed and participating citizenry." Perhaps through an examination of lobbying we will detect further ways, or a renewed appreciation of our goal, to help others become more effective as citizens. 'Tis a big order, but with a team ~~their~~ work we can make a dent!"

Interesting indeed, is the enmeshing and the entanglements suggested in the attached guide. Your group discussion will wander as civil liberties and party designation (the whole league program, in fact) come to life and undergo an intrigue of sorts at the hands of conflicting pressures.

Ponder the tactics of indirect lobbying--and shudder at the thought--'if

there was no LWV'. League lobbying is based on facts. It is <sup>aimed at</sup> directed to the reasoning process in man---which may be slower than some systems, but surer(we hope).

Contemplate the progress that might be attained if the collective mentality of all who try to run Minnesota could be <sup>such a</sup>channeled or directed in ~~some~~ way as to make better use of the thinking.

Imagine the sincere legislator trying to serve well---. He is beset by swarms of lobbyists simultaneously pushing and pulling, as he faces great numbers of bills which call for thought and action. Some bills are trivial, some important, some cloudy. The machinery and tools of his trade are outmoded, yet complicated; clear, modernization would help. More research facilities and a little assistance are probably his dreams. The bits of encouragement from his constituents are scarce, and he no doubt often wonders if his efforts are appreciated by the people he represents. One thing he does know---the wishes of the lobbies!

Remember too, - legislation is a process. It begins with the recognition of a problem. It moves into a discussion of ways to meet the need. Several solutions are offered, and argumentative discussion follows. An issue is born and public education begins through speeches, press and radio. In time a bill is introduced, debated and voted upon. If it passes, there is a new law. If it fails, it may be revised or reconsidered at a later time. Or it may be dropped, for want of a better solution or because a real need did not exist in the first place. This is the way of government of the people. This is the field in which the lobbyist labors.



## Guide for discussion on lobbying

QUESTION: Is there a need to identify the various pressures that seek to influence legislation in Minnesota?

Is lobbying legal?

The first amendment to the constitution of the United States secures to the people the unhindered right to freedom of speech and press, and the right to petition the government for redress or grievance. Thusly sheltered, no citizen can be restrained from belaboring a governmental body with demands for the passage or defeat of legislation. Some individuals subscribe to the theory that it is the duty of citizens to make their thoughts known to public officials.

Is lobbying very prevalent?

In 1953 there were three registered lobbyists operating in Washington for each duly elected representative. Among the 38 states that require the registration of lobbyists, records reveal the same proportion—3 or 4 influencers to every one vote caster. In California 422 lobbyists registered in 1952. In Kansas 365 legislative agents and 125 legislative counsel registered in 1953. Minnesota is one of ten states that do not regulate lobbyist activities.

Are there any lobbyists operating in Minnesota?

Pressure groups and special interests representing almost every conceivable human endeavor are extremely active at all state legislative chambers. The following is a partial and selected list of some organizations who maintain interest in the proceedings of the legislative session:

1. Labor: Minnesota State Federation of Labor; Minnesota State CIO Council; Legislative Boards of the Railroad Brotherhoods.
2. Employers: Minnesota Employers Association; Associated Industries; Minneapolis and St. Paul Chambers of Commerce
3. Taxpayers: Minnesota Taxpayers Association; Minneapolis Property Owners Association; Minneapolis Real Estate Board.
4. "Good Government" Groups: Minnesota League of Women Voters; Minneapolis Good Government Group; Citizens League of Greater Minneapolis
5. Cooperatives: Minnesota Association of Cooperatives; Farmers Union Grain Terminal Association.
6. Veterans: American Legion; Veterans of Foreign Wars; Disabled American Veterans.
7. Official Governmental Bodies: League of Minnesota Municipalities; Association of Township Officials; organizations of county sheriffs, county attorney, et.
8. Welfare: Social Work Conference; Minnesota Unitarian Conference
9. Farm: Farm Bureau Federation; Farm Union
10. Business trade Associations: Minnesota Cannery Association; Minnesota Bankers; Minnesota Retail Hardware Association; National Association of Manuf.
11. Highways: American Automobile Association; Greater Minneapolis Safety Council
12. Resort Industry: Minnesota Arrowhead Association
13. Liquor: Minnesota Wine and Spirits Institute; Minnesota Temperance Movement
14. Education: Minnesota Educational Association; Parent Teachers Association; Minnesota School Board Association.
15. Conservatio:

Everything has its association except the lobby trade.

Handwritten initials: "MWD"



--2--  
Is lobbying desirable?

~~Services rendered by lobbyists include:~~

1. Lobbyists render a service to legislators and administrators by acting in an advisory capacity--supplying information, facts, viewpoints and counsel that is very often of value.
2. Lobbyists serve as the eyes of the interest they represent. They translate complex governmental questions to simple proportions so that people generally can arrive at decisions. They also show constituents how proposed legislation would affect their interests, and alert voters as to when and where to apply pressure effectively.
3. Lobbying provides the voter with a method of continuous representation in government. Through a lobby the voter finds a way of helping to direct the action of representatives after they are chosen. This method lies open whether or not his vote has helped to elect the representative. Also provides the voter a channel through which he can express his views on new issues that arise after an election.
4. Lobbyists bring the activities of legislators more into the open. Little escapes their attention, for with every important bill there are lobbyists on each side watching all activities. Lobbyists also bring the activities of other lobbyists ~~more into the open~~. Lobbying has replaced 'invisible government' with 'assistant government'.
5. Lobbying, as an avenue of citizen participation, has acquainted those who lobby with the problems of government. They have a front row seat. Many of our public office holders were first motivated to become candidates ~~by~~ when their interests were aroused while lobbying. Oftentimes they encourage others to enter politics.

*Detailed civic*  
Are there undesirable aspects?

The nature of the cause or purpose being promoted could be harmful to the welfare of the state or its ~~people~~ people. The methods used might be unethical, or even corrupt. Evidence presented may be misleading or over emphasized. Some lobbyists might practice deceit or fraud upon their employers by making believe they have influence upon legislators. Others tend to be annoying rather than helpful to the legislators. A few have the attitude the legislature would not know how to act if they were not on hand to tell them. Pressure groups have been thought to become too powerful, overshadow and create an imbalance, and thwart the public will.

Will the enactment of a law eliminate the occasional abuses that arise? Can ingenuity be regulated? Minnesota has statutes prohibiting the giving or receiving of bribes.

What techniques do lobbyists use to influence legislation?

Avenues of approach are both direct and indirect, proper and improper, effective and useless--most are selected to fit the individual legislator or the issue. No attempt has been made to classify or evaluate the following list of examples. Lobbyists:

Influence drafting of party platforms and nominations; support or oppose candidates; sponsor candidates; interview representatives; write letters; make appearances before committees; prepare statements, arguments or briefs; contribute to campaigns; entertain; present gifts; distribute literature; use governmental employees to obtain information; draft legislation; pass pamphleteering; furnish information and facts; interpret the opinion of interest group to legislator; cause newspaper, radio or TV advertising; cooperate

with other lobbies when mutually interested in proposal; cause petitions, telegrams and letters or visits to legislative body in order to bear out grass roots opinion; promise re-election; threaten voter reprisal; reach persons of influence in representatives home sector who will press for measure; prepare research materials, exhibits, charts, and graphs to aid friendly legislators who will ~~convince~~ convince other legislators; etc. When prevention of government action is the aim, attrition and delay at critical spots in the legislative process, are the What type background and knowledge are necessary for one to lobby effectively? tactic employed.

A pleasant personality and a reservoir of human wisdom plus a knowledge of Capitol layout; a complete understanding of the legislative process and its ramifications; a record of the voting habits and attitudes of each legislator plotted against the political interests of his constituents; thorough acquaintance with the pros and cons of his particular proposals plus the ability to advance or eliminate same; time to scrutinize every measure to see whether it affects their vested interest. Lobbying is a technical, and rather secretive profession, that commands a salary usually in excess of that which a legislator receives. (LWV lobbyists both amateurs and volunteers with expense accounts).

Schriftgiesser claims the business lobbyists are the best, not only because they can afford the talent, but they know precisely what they want---freedom from restraint, low taxes, subsidies where possible and opportunity to make profit. This singleness of purpose gives them drive. He contrasts the cause groups, motivated by ideals, as having acquired their techniques by observing the skilled lobbyists.

#### What political climate is favorable to lobbying?

Lobby activities thrive when government becomes too complicated for citizens to readily comprehend its workings. Our necessarily complex structure of government, with its separation of powers, checks and balances, and bicameral legislative system help rather than hinder lobbying. Lobbying flourishes, too, if the executive branch is not strong or if the political parties are decentralized. Pressure groups move in when political parties are unable or unwilling to exercise the power they have earned at the polls. Lack of party discipline enables lobbyists to secure some of the advantages of political power without having to submit to the democratic election process by which their power is usually attained. What effect would party designation ~~XXXXXXXXXX~~ in Minnesota have on this theory? The number of lobbyists increases in direct proportion to the number of specialized interests our citizenry develops.

#### What is contingent fee lobbying?

The contractual arrangements whereby the efforts to influence legislation are compensated on a basis depending upon the passage or defeat of the legislative measure. The Federal Lobbying Act and 22 of the state laws consider this practice improper.

#### What are the general features of laws designed to control lobbying?

1. Clear, specific and meaningful definition as to what constitutes lobbying. The federal statute and seven states limit the definition to persons engaged in attempting to influence legislation 'for pay or for any consideration'. The word lobbyist has an undesirable connotation in some quarters and the prevailing practice is to replace it with such terms as legislative representative, agent, counsel, advocate, etc.

2. Provisions for registering, licensing or certifying those who wish to lobby. Information usually required is name of person and employer or group, terms of



employment; submission of expense account; list of specific legislative interests (name, number and point of view on each bill or resolution); listing of names of newspapers, periodicals, etc. in which he has caused to be published supporting or opposing views on legislative matters. Oftentimes evidence of good moral character is required.

Data relative to organized groups or associations would be a copy of the budget (whole, not just legislative section); bona fide list of total membership; name and address of all substantial contributors; explanation of how the legislative policy is determined and indication of the responsibility the lobbyist has in conveying these views on behalf of membership; by-laws; program and platform showing legislative interests; samples of literature distributed to members.

Six states issue a certificate upon the payment of a fee of from one to ten dollars. In Georgia where the fee is \$250.00 there have been no registrations since 1941.

3.) Designate a governmental agency to handle the registrations. In most states the Secretary of State provides the docket. Kentucky names the attorney-general. Oklahoma and Florida name legislative officers. In three states--Colorado, Iowa and Texas, registration is required exclusively by the rules of the legislature. California has a legislative auditor with this duty.

4.) Provision should be made to classify, organize and disseminate the information gathered. Publishing data in the House and Senate journals is the logical and usual procedure. Some states require a posting by the Clerks of both chambers. It is the availability of this information that makes this type of legislation both meaningful and useful to the legislators and the public.

5.) Penalties for violations consist for the most part of light prison terms and/or the payment of fines. ~~There are~~ Alaska and eight states provide for disbarment of the guilty. A similar provision in the federal law has been declared unconstitutional by the district court on two occasions. This ruling may necessitate revising of statutes that include the disbarment clause.

6.) An enforcement agency should be established either as a special joint committee or as a special division in the office of the state attorney general. This agency should have the power to suspend or revoke lobbyist's certificates of registration, to hold hearings on complaints, to report violations of the law, to examine periodically the administration of the law, and to recommend revisions.

7.) Specify those exempt from registration like the press, radio, TV,; public officials acting in their official capacity; those specifically invited to appear before a committee, or the individual who merely communicates with his elected representative.

The California statute incorporates a code of ethics for lobbyists.

What about legislators themselves who are lobbyists?

In 1945 Michigan enacted legislation making it a felony for legislators to be employed by persons interested in pending bills at higher compensation than non-legislators would receive, or for a legislator to accept payment for services in connection with the passage or defeat of bills. Added since is the regulation requiring any legislative agent who has a financial transaction with a legislator to file a sworn statement explaining the nature of the dealing and to name the legislator.

However, most persons, including legislators, have sets of interests and do develop over a period of time what Justice Holmes once called inarticulate major premises, frames of reference, to legislation about public policies. The interests and backgrounds of law-makers become known to one another and legislators learn to judge the members of their own body. They do not have a like opportunity to become acquainted with the many passing lobbyists and pressures. The intent of lobby regulation is to provide legislators with information upon which they can weigh and evaluate that which is said and written to them. Lobby control acts generally, are not designed to control legislators. This responsibility lies fundamentally with the electors.



SUMMARY OF THE GRAND JURY PRESENTMENTS ON ELECTION IRREGULARITIES  
IN OCEAN, CAPE MAY AND HUDSON COUNTIES

The heaviest opposition to the League proposals for election law change - especially from party people, but also from a few of our own members and some of the general public - centers principally upon the establishment of a Department of Elections on the state level headed by a single State Commissioner and on the county level by single County Supervisors of Elections. Apprehension is felt that the centering of responsibility and authority in the hands of single administrators on these levels would not work - that only by our present system of evenly balanced bipartisan boards can you prevent the manipulation of the election process for partisan purposes. This seems to be the old theory of "set a thief to catch a thief!"

The purpose of the material here gathered together is to prove that the present bipartisan setup does not accomplish what its proponents claim for it - that it does not prevent irregularities and fraud, or the manipulation of the election machinery for partisan or personal advantage. Witness the Grand Jury investigations in Cape May and Ocean Counties in the latter part of 1954 and early 1955, in Hudson County from July to October 1955, and to State Senate Investigation made in Camden. Because specifics are more interesting and enlightening than generalities, we will briefly tell the story of each of these investigations.

Most of the voting fraud complaints in South Jersey, which led the preliminary investigation by the Attorney General and his staff, and the ordering of Grand Jury investigations in Ocean and Cape May Counties, were based on one issue; namely whether an individual who has another home elsewhere, but usually spends part of the year at the shore, is legally entitled to vote in the shore communities elections. The Cape May Grand Jury felt that such voting was a violation of New Jersey election laws and their investigation resulted in a total of 91 indictments against individuals who were charged with voting illegally and 21 indictments against political figures and witnesses, and against the Public Service Co-ordinated Transport for having participated in fraudulent voting (Public Service was charged with renting two buses which were used to transport voters from Philadelphia to Avalon) the Grand Jury investigation in Ocean County resulted in a total of 105 indictments on charges of election fraud, soliciting unlawful registrations and false voting.

The Presentment handed down by the Cape May Grand Jury makes very interesting reading. Probably the most startling portion has to do with the extent of the alleged illegal voting going on. I shall quote only a few examples. An analysis of the 1950 statistic based on voting, registration and census figures for that year and deducting the school enrollment as determined by the similar reports of the State Commissioner of Education, show that Avalon, with a net voting population of 374, had 646 persons registered, or 172 per cent; West Wildwood, with a net population of 189, had 338 registered, or 178 per cent; and Stone Harbor, with a net population of 556 voters, had 556 registered, or exactly 100 per cent. The total net voting population of Cape May County was 30,931, and of these, 23,968 were registered, or 77 per cent, which compares with 57 per cent registered out of the net voting population for the state as a whole. The proportion of votes cast to net voting population was similarly high with Cape May showing a 17 per cent higher voting percentage than New Jersey as a whole. Similar figures compiled for 1953 showed the percentages even better with 87 per cent of the net voting population registered as compared to 64 per cent for the state and 61 per cent voting, as compared with 42 per cent for the state.

The Grand Jury concluded that there were approximately 3,800 unqualified voters on the Cape May registry lists out of a total registration of 23,362 or 14 per cent of the total registration for the year 1954. Since elections are often won or lost by margins of much less than 14 per cent, the effects of such a situation can be easily seen.

Other enlightening information was reported by this Grand Jury. For example, an examination of the County Election Board minutes for the twenty years for which minutes were available, showed an average of less than nine meetings per year with an average of only seven per year for the last six years. General charges against the election officials were further documented by detailed proof of the failure to clear registration lists by means of information readily accessible to them (such as jury questionnaires returned by the post office because of inability to deliver at the address given), failure to obtain legal advice or guidance on problems requiring interpretation of the law, use of inquiry postal cards to check on registration, which did not conform to the law and failed to elicit the really pertinent facts and so forth. In summary, I shall quote two separate paragraphs from the Grand Jury Presentment.

"The testimony adduced before this Grand Jury disclosed that no agenda was prepared for any of the meetings, that the Registrars who were permanent and regular employees of the Board, were not called before the Board for reports on their activities and the problems which daily arose in the administration and the enforcement of the election laws and that the Board generally only considered and acted upon the minimum and absolutely necessary requirements of their offices as County Election Board members. The Board was lax and careless in discharging its duties and responsibilities under the law."

"The members of the Board of Elections in Cape May County should be removed from office. This Grand Jury, after careful and intensive analysis of the testimony of the three members of the Board of Elections who appeared before it as witnesses, has come to the regrettable but inescapable conclusion that all four members of the Board of Elections in Cape May County should be removed from office and have, by their actions, lost the confidence of this Grand Jury as well as the citizens of Cape May County, in the careless and negligent discharge of their official duties in connection with the administration and enforcement of the Election Laws in the County of Cape May."

The question of the removal of members of County Boards of Election from office is a point we will discuss later. At this point, it seems advisable to discuss briefly a matter which inevitably enters into, and colors all these accusations and investigations; namely, the counter charge that all such accusations are politically inspired and that all investigations are politically motivated. Such counter charges seem to be almost universally present. For example, in the Cape May situation the initial investigations of alleged election irregularities were carried out by Attorney General Grover C. Richman, a Democrat, and his staff, with Governor Meyner's backing. Most of the officials indicted by the Grand Jury were Republicans. The Republican State Committee in the public press assailed the Attorney General and his methods, alleging that they harassed and intimidated law abiding citizens for partisan reasons, and at one point called upon the State Senate to investigate the investigators.

The Hudson County probe was even more fraught with political undertones, overtones, and accusations of political motivation. Our purpose here is not to pass upon the truth or falsehood of these charges and counter charges. Our concern - which is great - centers around two points: one - and this comes out especially in the Hudson County investigation - that the patronage aspect involved in control of the election machinery is evidently in some place so important and so open to manipulation by either or both parties; and second, that the very fact that accusations and investigations of election irregularities are open to the charge that they are mainly political manoeuvres, seriously weakens their effectiveness. Even League members sometimes shrug off Grand Jury charges and individuals in their communities and headline stories regarding them as "just another political mess." Perhaps they are, but wouldn't their reaction - and that of a large part of the general public - be the same no matter how serious or how politically pure the situation?



And now to proceed with Hudson County. And here I shall confine my stories solely to facts brought out by the Grand Jury. They have to do mainly with charges of mismanagement of the Hudson Bureau of Election: inefficiency, excessive costs, overstaffing, manipulation of workers and payroll charges between departments and accounts which are by law distinct and separate, employment of "no show" workers, unlawful taking of money by election board members, and so forth. The Grand Jury Presentment runs to fifty full pages, many of them closely packed with statistics and charts. I can point out only a few of the glaring facts contained in them.

Although election costs are paid by the counties, the Election Law of New Jersey prescribes limits on the amount of money which can be spent in counties of the first and second class and further restricts the fee it is to be allocated. For example, beginning with the year 1953, the top limit in first class counties for the Superintendent of Elections was set at \$360,000; for the Commissioner of Registration, \$295,000; and for the "Warehouse Division" or voting machine section, \$120,000. The practice in Hudson seems to have been to stay under the total statutory limit but to over-expend in the Superintendent's and Commissioner's divisions charging the excess at the "Warehouse Division." Over a five year period these over-expenditures amounted to \$172,067 paid out of voting machine funds, but used to pay the salaries of investigators, clerk investigators, lawyers, clerks, and drivers employed by the Superintendent and Commissioners. In addition, several employees with the alleged knowledge and acquiescence of the members of the County Board of Election were placed at the disposal of that board by the voting machine section.

The general charge of wasteful overstaffing of personnel is carefully documented in detailed sections dealing with lawyers, mechanics, watchmen, trucking and investigators. Comparisons were made throughout with election costs in Essex County, also a first class county with a Superintendent of Elections whose comparison to Hudson is shown by the facts in the following table:

	Hudson	Essex
Registered Voters, 1955	325,105	418,397
Election Districts, 1955	663	559
Number of Municipalities	12	22
Number Having Separate Municipal Election	6	9
Voting Machines	690	800
County Land Area in Square Miles	45.03	127.10
Voting Machines Used: primary, 1954	673	674
general, 1954	673	666

A summary of election costs in the two counties is shown by the following figures:

Year	HUDSON COUNTY		ESSEX COUNTY	
	Total Full Time Employees	Total Expenditures	Total Full Time Employees	Total Expenditures
1950	184	\$579,154.60	80	\$262,997.32
1951	202	577,851.49	73	280,394.08
1952	188	572,412.87	71	312,359.45
1953	181	610,180.48	68	297,654.52
1954	188	574,251.11	75	313,211.83
1955	154	650,000.00	70	360,422.77
Totals		\$3,563,850.55		\$1,827,039.97

Excess of Hudson County over Essex County, 1950 to 1955..... \$1,736,810.58



Over the past six years, the Hudson County Board of Elections has thus cost the taxpayers \$1,736,811 more than the similar administration in Essex. The Grand Jury said the number of Hudson Election Board employees has been more than double that of Essex throughout the six years. In their recommended charges, the Grand Jury proposes the elimination of 63 employees and of 148 districts - which would make unnecessary a contemplated purchase of fifty additional voting machines. The annual savings would amount to \$223,700. It was further recommended that the Superintendent and the Freeholders employ efficiency experts to study the operation of the registration office with a view to installing modern office equipment and thus further cutting costs.

A number of further instances of questionable or illegal practice were cited in the Grand Jury Presentment. Investigators have the right and the duty to conduct house to house investigations for the purpose of following up complaints, and forcing the election laws, and ferreting out fraudulent voting and false registrants. Yet, ten of the investigators on the Hudson board had criminal records themselves, and eleven others had been arrested, though not convicted. One investigator was himself ineligible to vote because of the crime which he had committed. No provision has been set up to check the background of the people hired, or even to inquire as to whether they had ever been arrested or convicted.

Special payments to employees of the Superintendent of Elections and the Commissioner of Registration, and to members and employees of the Board of Election for additional services rendered in connection with special local elections were found in many cases to be excessively high and improperly made. For example, all the members of the county board and the assigned clerks of the board were paid \$100 by each municipality as extra compensation for the 1955 local election allowance in West New York, Bayonne, Hoboken, and North Bergen. Although all four elections were held on the same day, each person thus received \$400 extra for that day plus their regular county salary. The same held true in varying amounts for the lawyers (who received \$50 from each of the four towns) and the other election bureau employees. It also seems to have been the usual practice for many years at each primary and general election for the members of the Election Board to present expense vouchers to the Board of Freeholders for \$100 each per election for so-called "extra services." There seems to be no justification for this since the services rendered were the regular ones, incidental to their office. Since Board of Election members in Hudson had been receiving the maximum salary allowed by law since 1951, \$200 extra was not only excessive, but illegal.

The Grand Jury summed up the appraisal of the operation of the Hudson County Board of Election with the words "inefficient, uneconomical and wasteful of manpower and money" and stated that "their removal would be in the public interest." However, they realized - as the Cape May Grand Jurors had not - that the governor has no power to remove the members of county boards from office. He commissions them - on the recommendation of the state chairmen of the two national political parties - but the law gave no power of removal allowed to him or to anyone else. They can be gotten out only through failure of their respective chairmen to renominate them for appointment when their term expires.

9/4/56

eb

T 5/8/58

# Two Groups Endorse Code for Politicians

By FRANK WRIGHT

Minneapolis Tribune  
Staff Writer

Two Minneapolis civic organizations Wednesday approved a code of campaign ethics, but plans for enforcing it suffered a setback.



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Date: April 24, 1958

Subject: Personnel - Ethics

DECLARATION OF PRINCIPLES OF APPROVED CONDUCT

Los Angeles City Council Resolution, Pending in April 1958

WHEREAS, the Council of the City of Los Angeles, as the agency elected by the citizens to be the governing body of this City, is in a position well suited to present to the officers and employees of city government a guide to the standards of loyalty to the public service which the people have a right to expect, and at the same time to present to the public a statement of the principles by which the officers and employees of the City of Los Angeles seek to provide public service which meets those standards; and

WHEREAS, those standards have been widely followed and recognized, but have never been reduced to written form or promulgated officially by this Council; and

WHEREAS, a written statement, in the form of a declaration of principles of approved conduct, would be desirable both as an assurance to the people of this City that their servants are conscious of their responsibilities, and as an aid to officers and employees of this City for the purpose of:

1. Setting forth general principles of conduct for persons in the public service and clarifying what constitutes conflict between their private interests and the public interest.
2. Assisting persons in the public service to determine before engaging in any outside employments, activities, or enterprises whether they are consistent or compatible with their responsibilities as persons in the service of the City of Los Angeles.
3. Acquainting persons newly in the public service with the standards of conduct to which they shall be expected to adhere.
4. Providing departments with general principles to be used as a guide in developing more specific rules regarding activities of persons under their jurisdiction which may conflict with the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Los Angeles does hereby declare the following to be a

STATEMENT OF APPROVED PRINCIPLES FOR PUBLIC SERVICE IN THE GOVERNMENT  
OF THE CITY OF LOS ANGELES

I

General Rule With Respect to Conflicts of Interest.

Persons in the public service shall not engage in, nor shall they have any interest, direct or indirect, in any business of transaction, nor incur any obligation which is in substantial conflict with the proper discharge of their

official duties in the public interest or which impairs their independence of judgement in the discharge of such duties.

## II

### Actions and Conduct Designed to Build Public Confidence.

Persons in the public service shall not only be impartial and devoted to the best interests of the City, but also shall so act and conduct themselves, both inside and outside the City's service, as not to give occasion for distrust of their impartiality or of their devotion to the City's best interests.

## III

### Acceptance of Favors and Gratuities.

Persons in the public service shall not accept money or other consideration or favors from anyone other than the City for the performance of an act which they would be required or expected to perform in the regular course of their duties; nor shall such persons accept any gifts, gratuities or favors of any kind which might reasonably be interpreted as an attempt to influence their actions with respect to city business.

## IV

### Use of Confidential Information.

Persons in the public service shall not disclose confidential information acquired by or available to them in the course of their employment with the City, or use such information for speculation or personal gain.

## V

### Use of City Employment and Facilities for Private Gain.

Persons in the public service shall not use, for private gain or advantage, their city time or the City's facilities, equipment or supplies, nor shall they use or attempt to use their position to secure unwarranted privileges or exemptions for themselves or others.

## VI

### Contracts With the City.

Persons in the Public service shall not exercise any discretionary powers for, or make any recommendations on behalf of or to the City or any department or officer thereof with respect to any contract or sale to which the City or any department thereof is a party and in which such persons shall knowingly be directly or indirectly financially interested.

## VII

### Outside Employment Impairing Service to the City.

Persons in the public service shall not engage in outside employment or business activity which involves such hours of work or physical effort that it



would or could be reasonably expected to substantially reduce the quality or quantity of such persons' services to the City.

### VIII

#### Outside Employment Incompatible With Official Duties.

Persons in the public service shall not engage in any outside employment which involves the performance by them of any work which will come before them as officers or employees of the City, or under their supervision, for approval or inspection; provided that nothing in this paragraph shall be taken to limit in any manner the outside employment of such persons where the interests of the City are protected under Section 28.1 of the Charter and ordinances adopted thereunder.

### IX

#### Personal Investments.

Persons in the public service shall not make personal investments in enterprises which they have reason to believe may be involved in decisions or recommendations to be made by them, or under their supervision, or which will otherwise create a substantial conflict between their private interests and the public interest. If, however, a person in the public service has a financial interest in a matter coming before him or before the department in which he is employed, he shall disqualify himself from any participation therein.

### X

#### Discussion of Future Employment.

Persons in the public service shall not negotiate for future employment outside the city service with any person, firm, or organization known by such persons to be dealing with the City concerning matters within such persons' areas of responsibility or upon which they must act or make a recommendation.

BE IT FURTHER RESOLVED, this Council further recognizes that the above Statement of Approved Principles is cast in general terms which do not necessarily meet the special needs of each department of city government, and hereby requests the head of each department, including those departments which under the Charter have control of their own definite revenues or funds, to determine and prescribe rules regarding those activities for persons under his jurisdiction which will be considered inconsistent, incompatible, or in conflict with their duties as persons in the public service of the City of Los Angeles. Such rules shall be made in accordance with the Statement of Approved Principles contained in this Resolution and copies of all rules shall be filed with the City Administrative Officer.

Each appointing authority shall be diligent in and responsible for seeing that the principles herein set forth and departmental rules pertaining thereto are enforced, including appropriate disciplinary action where violations of these principles occur.

In order that all persons in the public service may have notice of the general standards of conduct which are expected of them, the Civil Service Department is directed to distribute a copy of this Resolution to all persons presently in the employ of the City and to every new employee.





## AMERICAN MUNICIPAL ASSOCIATION

1313 EAST 60TH STREET - CHICAGO 37, ILLINOIS

## INFORMATION MEMORANDUM

Date: April 6, 1954

Subject: Personnel Ethics

### DRAFT OF "CODE OF LEGISLATIVE ETHICS"

Under Consideration in New Mexico. Document supplied by Council of State Governments.

#### PRIMARY PRINCIPLES

##### A. Legislative Responsibility.

Upon the legislature as a governing body lies the primary responsibility for maintaining a high level of ethics among its members. The Constitution and statutes of New Mexico have provided the legislature with ample power to protect its integrity from any reprehensible conduct on the part of its members.

##### Party Responsibility.

- B. Majority and minority parties within the legislature are the agencies which direct and use the facilities and offices of the legislature. The parties can meet their obligations and perform their duties only if they actively enforce ethical standards.

#### ETHICAL CODE FOR LEGISLATORS

1. I will work for the common good of the people of the state and of my district. I will strive to distinguish between those proposals intended to advance private interests at the expense of the public good and those which truly promote the best interests of the public.
2. I will not use my position as a legislator to further my own private interest, the interests of relatives, friends, or other persons to whom I am financially or otherwise obligated at the expense of the public good.
3. In any legislation conferring benefits or imposing obligations, I will strive to distribute benefits and burdens on an equitable basis for the common good.
4. Before introducing a bill or voting on a bill I shall attempt to learn the objectives and purposes sought so that my action will be based upon accurate and defensible information.
5. I will fully attend to my duties by devoting all my efforts to the work of the legislature and the committees upon which I serve.
6. I will bring to the attention of officers of the legislature and my party within the legislature all information I may possess concerning breach of trust or dishonest attempts to influence legislation.
7. Regardless of consequences to myself I will vote to censure, discipline or expel any member who has violated or ignored the standards of legislative conduct.

8. I will file with the secretary of state a sworn statement setting forth the names of any organizations to which I belong, any business interests, and the names of any of my clients in the event that any of these three are interested in matters before the legislature. I will keep the registration of my interests up to date.

#### MEANS OF PROMOTING ETHICAL LEGISLATIVE PRACTICES.

1. No legislation should be introduced or admitted which is not thoroughly identified as to source. Any bill introduced by request should identify and describe the source of the bill.
2. No legislation should be introduced or admitted which is not thoroughly explained and its purposes made clear.
3. Committees should function throughout the session. All proposals before any committee for which a hearing is sought should be given a thorough review and public hearing.
4. Ample notice to the legislature and the public should be provided of committee hearings and other related actions pertaining to legislation.
5. Legislators should provide opportunity for a full and courteous hearing to all citizens interested in legislation before any committee.
6. Each committee chairman should require from each group representative or delegation appearing before his committee a complete statement describing the specific legislative interests of the group. Such statements should be documents of public record if presented in public hearing.
7. No individuals other than legislators, officers and employees of the legislature, and authorized representatives of the press, radio and television, should be permitted access to the floor. A convenient public meeting place or commons room should be provided for the use of citizens interested in pending legislation.
8. To avoid a congestion of bills at the end of a session and to reduce the possibility of hasty action, legislative officials should use all disciplinary means at their disposal to require committee meetings addressed to proposed legislation to meet, consider, and report at definite dates. Failure of a committee to perform its functions should be grounds for its dissolution by the chair or for the removal of bills from it.
9. All members of the legislature should file with the secretary of state a sworn statement of public record setting forth the names of any organizations to which they belong, any interests they represent, and the names of any clients in the event that any of the three are interested



in matters before the legislature. Any change in a member's status or interest should also be reported.

10. All legislative representatives or counsels (lobbyists) should also file a sworn statement with the secretary of state setting forth the names and objectives of interests they represent and their relation to those interests. At stated intervals they should amend and bring up to date their declaration. Failure of the lobbyist to meet these requirements should be grounds for barring such agents from any committee meetings, hearings and the commons room of the legislature.





# AMERICAN MUNICIPAL ASSOCIATION

1313 EAST 60TH STREET - CHICAGO 37, ILLINOIS

## INFORMATION MEMORANDUM

Date: March 27, 1958

Subject: Personnel - Ethics

### RECENT TRENDS IN THE UNITED STATES TOWARD RELAXATION OF "CONFLICT OF INTEREST" STATUTES

#### In 1955 State Legislatures

"At least six states relaxed somewhat their restrictions upon the private interest city officials may have in city contracts. California law provides that there is no prohibited interest if the only interest is ownership of less than 3 per cent of the shares of a profit corporation or is that of a nonsalaried officer of a nonprofit corporation. South Dakota exempts from prohibited interest any contract with a firm, association, corporation or cooperative for which bidding is not required, unless a majority of the governing body are members or stockholders or any one of them is an officer or manager."

"Washington authorized deposit of municipal funds in banks where a municipal official is also an officer, employee or stockholder, and Oregon enacted a statute authorizing officers, agents and employees of the state or any political subdivision to contract with the state or subdivision if (1) he is not authorized by law to participate in making the award, (2) the contract is made on competitive bidding, and (3) all bids received and documents pertaining to the contract award are held available for public inspection for at least three months following the award."

#### In 1957 State Legislatures

"Significant enactments were made in several states for relaxation of unduly restrictive "conflict of interest" statutes. In Nebraska, the fact that a municipal officer is also an officer of a bank will no longer prohibit selection of the bank as a municipal depository. In New York, under a new law, such a bank may be designated as a village depository if it is the only bank in the village; Minnesota, already having such a provision applicable to any political subdivision, enlarged it by permitting designation of such a bank if the subdivision has no bank at all and the particular bank is the only one in an adjoining unit - providing the selection is by unanimous vote of the governing body."

"California passed a comprehensive new act which exempts from statutory prohibitions interests of an officer in contracts let by a body or board of which he is a member when the interest is "remote" and is disclosed. "Remote interests" are defined to include (a) ownership of less than five percent of shares of a corporation for profit, (b) non-salaried office in a non-profit corporation, (c) reimbursement for actual and necessary expenses of performing official duty, (d) employment by a contracting party having ten or more other employees if the officer was so employed at least three years prior to accepting public office, (e) a parent's interest in the earnings of a minor child for personal services,

(f) a landlord or tenant of the contracting party, and (g) an attorney of the contracting party. Willful failure of an officer to disclose the fact of his interest is expressly made punishable as a misdemeanor.

"Other relaxations of conflict of interest statutes were made by Minnesota, for municipalities and school districts under 2,500 population when annual amounts involved are less than \$250 for merchandise or \$100 for services; in Nebraska, for municipalities when the consideration involved is under \$500 in a year; and in North Dakota, where townships and municipalities under 3,000 population may permit a contract of purchase or employment with one of its officers when the consideration does not exceed \$500 in a year, and when unanimously approved by the rest of the governing body upon a finding unanimously adopted to the effect that such services or property is not otherwise obtainable at equal cost."

SOURCE: Biennial articles by John R. Kerstetter, Associate Director, American Municipal Association, written for Public Management and other journals.

The Cuyahoga County Mayors and City Managers Association held their meeting April 6 at the Parkbrook Motel in the Village of Brook Park. William H. Edwards, Managing Editor of *Ohio Cities and Villages*, and your Director were in attendance. The association adopted resolutions supporting the action of the League Board of Trustees in urging the Governor to call a special session of the general assembly for the purpose of adopting necessary legislation to protect local government finances.

## CREDO FOR THE CLEVELAND MUNICIPAL EMPLOYEE

Joseph H. Crowley, chief counsel for the City of Cleveland, has written a *Credo for the Cleveland Municipal Employee* which will be included in future editions of the city employees' handbook. The credo reads as follows:

**I BELIEVE** — That our Government finds its source, authority and strength in an omnipotent God and a free people;

That the City of Cleveland is a self-disciplined community, dedicated to the loftiest ideals of service to its citizens, and that it is a privilege to be called to its service;

That public office is a public trust and that public service is a high and honorable calling;

That the great edifice of public service has been builded and maintained by the faithful and devoted service of those who have preceded me;

That as no man walks alone so I shall toil with others and what I do will add to or subtract from their efforts

to be true to our noble calling and our civic heritage;

That I owe to the service upon which I have entered my unwavering loyalty, unflagging diligence, uncompromising integrity, unimpeachable honesty, utmost courage and unquestioning unselfishness, therefore:

**I SHALL NOT** engage in any activity which conflicts with the proper discharge of my duties or which might impair the independence of my judgment in relation to them, or which lends credence to the impression that my official actions can be influenced improperly, or that I conduct myself in disregard of my public trust;

**I SHALL NOT** disclose confidential information obtained by reason of my employment, and

**I SHALL NOT** use or attempt to use my official position to secure unwarranted privileges or exemptions for myself or others; in fine

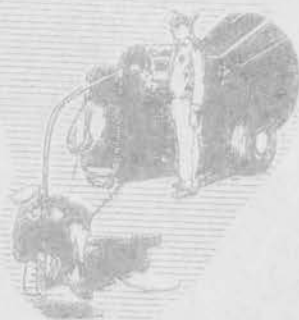
**I SHALL STRIVE**, in humble acknowledgement of my dependence upon the Ruler of the Universe, and grateful for His ever present help, to conduct myself in all my relations with others in accordance with the Golden Rule; to be courteous to the public, to give ready and cheerful cooperation to my superiors, kindness and consideration to my associates, and to acquire an attitude of genuine helpfulness sustained by a right judgment of the eternal fitness of things and blessed by a sense of humor that will permit me to take my job seriously but not myself.

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*Ohio Cities - Villages (May 1956)*

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# Tax Proposals on Lobbying Create Stir

Trade groups fear members would be discouraged from making contributions financing organizational activities

By CONGRESSIONAL QUARTERLY  
*Washington.*

Newly proposed tax rules regarding lobbying are sending shivers through national trade organizations. They fear that the internal revenue service proposals would discourage members from making the contributions which finance organizational activities.





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This may be  
altered a bit before  
it gets sent. If so, I'll  
let you know. All

JUL 23 1959

Office

Mr. John C. McDonald  
Minneapolis Tribune Staff Writer  
425 Portland Avenue  
Minneapolis, Minnesota

July 26, 1959

Dear Mr. McDonald:

We would like reprints - maybe 500 or 1,000 - of your "Ethics in Government" series of 6 articles which appeared in the Minneapolis Tribune starting March 24, 1958. The May 1959 State Convention adopted the following program of work for the next two years:

"The League of Women Voters of Minnesota will support improvements in Minnesota election laws and in the related area of ethics in government, and will promote party designation."

The ethics phase of this is new for us. As you know, decisions for legislative action in the league are determined by the members only after careful study of all the related facts and much discussion on all sides of the issue. This is where your series of articles can be of great help to us. Those, in addition to other information we can gather, might form the basis for informed study and discussion in our units.

As usual, we are limited financially. Most of our money is spent - as well as raised - by the local leagues in their own communities rather than on resource information such as your articles. May I please put in a small plea for economy, hoping that the Tribune might view this as a public service. To quote the editorial of March 30, 1958:

"The surest way to improve ethics in government is to focus public attention on the problem. The Tribune feels that it has helped do this by publishing John C. McDonald's series of articles..."

-We offer you careful study of the problem by 5,300 earnest and dedicated women in 56 leagues throughout the entire state.

Sincerely yours,

Mrs. Nicholas E. Ruff, Public  
Relations Chairman, LWV of Minn.

P.S. If you could easily pull off the top of your head, so to speak, other state-wide organizations which have made similar requests to you on this ethics item, I'd be most appreciative.



Sept 1957

STATEMENT BY GOVERNOR ORVILLE L. FREEMAN  
IN APPOINTING A COMMITTEE  
ON  
ETHICS IN GOVERNMENT

High ethical and moral standards are essential to good and effective government. Minnesota does have high standards, and, as a whole, government at all levels in our state is carried on with a keen awareness of the public interest and the recognition that self-interest must at all times be subordinated to the public well being.

But government in Minnesota is not perfect. It is my conviction that despite the progress we have made and the high standards generally held, there is much room for improvement in both the administrative and legislative branches of government in terms of eliminating or minimizing the effect of self-interest on decision making.

It is easy to talk in general terms about ethical and moral standards and the elimination of self-interest in making government decisions. It is, however, often extremely difficult to apply these standards in specific instances. Countless situations arise in which honest public officials, sincerely devoted to the public interest, face real dilemmas in deciding on the right course of action. To the extent that prevailing practices and methods, - rather than individual qualities, - create or encourage such situations, a sincere effort to change such practices could materially improve standards of action.

It is my conviction that a careful examination of the whole area of ethical and moral standards in government by a non-partisan committee of leading citizens could contribute enormously to improving our practices in the State of Minnesota. I am therefore appointing such a committee, selected on a completely non-partisan basis, and including members who have knowledge, experience, and understanding in different areas of government, as well as well-known scholars and religious leaders.

I am asking this committee to study the problems involved in achieving higher ethical standards in government in Minnesota, not from the point of view of investigating and exposing, but from the point of view of making recommendations that would result in greater integrity in public office, - with consequent better service to,

and representation of, the interests of the people. I am suggesting to the committee that particular attention should be given to those factors that could militate against the highest observance of the public interest.

There are two areas in which such factors arise: - those relating to lobbies and those relating to personal conflicts of interest. I am submitting certain suggestions in regard to these areas to the committee, as a guide to their study and deliberation. I believe that recommendations in these areas, would in themselves constitute major steps forward in improving the principles and standards of government in Minnesota.

#### LOBBYING

The "public interest" in our society, is made up of many group interests; - and under our system of government such interests are represented by lobbies - by whatever term they may be called. In the vastly complicated fields in which modern legislative and administrative action take place, lobbies fulfill a most essential function. They present information and points of view that legislative and administrative bodies should hear. Governmental processes today involve weighing the arguments on one side in balance with the arguments on the other, and lobbies fill a useful and necessary function in presenting such arguments.

But there exist serious problems relating to lobbying. The strength and effectiveness of a lobby may be all out of proportion to the numbers of people it represents. It may use methods of persuasion other than a presentation of the arguments. And it may even conceal its existence by failing to openly state what and whom it represents.

Legislation affecting lobby registration and control has been enforced in the Federal Government for some years. Some states also have legislation on this subject. The committee could inquire into the practical results of such legislation, and make suggestions for effective laws to regulate lobbying in Minnesota.

In addition, the problem of lobbyists dealing with the administrative branch of the government should be considered.

THE AREA OF CONFLICT OF INTEREST IN BOTH THE ADMINISTRATIVE  
AND THE LEGISLATIVE BRANCHES OF GOVERNMENT

Conflicts of interest present difficult and complicated problems for which satisfactory solutions have not been reached on either state or federal levels. In the final analysis, the existence of such a conflict involves the personal standards and integrity of each individual concerned. I nevertheless feel that there are legal restrictions that should be enacted, and that an ethical code might be adopted. Such a code would constitute a standard which administrators would be required to follow and to which legislators and administrators would be asked to conform.

There is general agreement on the principle that no legislator, administrator, quasi-judicial or judicial official should act on a matter where he has a direct financial interest peculiar to himself. Once we leave this simple statement, the problem of conflict of interest grows increasingly complex. In the administrative branch, there is the question of what should be the administrator's relationship with people he is bound by law to regulate. How is a determination made as to the propriety of accepting a business-luncheon engagement or a weekend fishing invitation? What gifts and gratuities may properly be accepted at holiday seasons and when does the gift involve a courtesy and when does it become an obligation? These questions should be explored at length.

The problem of a legislator's relationship to the public at large and to special pleaders is also an extremely complex and difficult one. What about the legislator whose occupation may mean a conflict of interest in certain legislation? For instance, many legislators represent trade associations, such as insurance councils, savings and loan associations, bar associations and various economic groups. Other legislators are intimately involved with farm organizations in which they may own stock or hold office; likewise, unions are represented in the Legislature by employees, officers and members. In addition, there is the more specific question of propriety when legislators are retained and paid fees by corporations, associations, private businesses and other interests with the resulting difficulty of knowing whether they are representing



their legislative districts or a particular economic or financial interest, when they act and vote on certain legislation.

## LOOKING TOWARD SOLUTIONS

### 1. Legal Restrictions

- a. Minnesota and other states have the problem of legislator lawyers representing clients before administrative agencies in state government. The Federal government prohibits by law any Representative or Senator from representing a private interest before the United States Government. I believe we should have similar legislation in the State of Minnesota which would prohibit lawyer legislators from representing private clients before any state agency whose actions might be directly or indirectly influenced by the fact that he was a member of the legislature.
- b. It is obvious that legislation cannot be enacted that will take care of every specific instance in violation of public trust. However, I think at a minimum, effective legislation can be introduced dealing with lobby regulation and direct conflict of interest.
- c. On occasion, it has been recommended that all public employees in the unclassified service and all legislators should make available to public inspection their private financial circumstances. This would mean that the income tax filed by such officials would become a matter of public record. It is recognized that such a requirement might constitute invasion of personal privacy. On the other hand, it might well be the greatest deterrent towards accepting income from sources which otherwise could be very subtly related to legislation, but could not be discovered without the initial information as to the receipt of the funds in question.

### 2. A Code of Conduct

Equally, if not more, important than laws would be the development of a practical, workable code of conduct for public officials. I believe such a code

of conduct might be developed to include general propositions with specific examples explaining agreed-upon principles. I believe such a code, thoughtfully and carefully developed, would command wide public support. It would help the conscientious public servant to resist the argument, "Every one does it," or "It is part of the process," which is made again and again to justify questionable conduct. In addition, it would provide clear criteria by which the public could measure and compare the conduct of public officials.

The Attorney General of Minnesota, the Honorable Miles Lord, has agreed to serve in an official advisory capacity and make available to this committee general information and legal interpretations for their guidance.

## *Good Government By Exhortation*

Editorial from:

Hartford Courant

Hartford, Connecticut

August 18, 1959

Every American city of any size has a citizens' group that keeps an eye on municipal government. It's a tough job. Read Lincoln Steffens for the basic lesson in how politicians and leading citizens between them, without anybody really intending it that way make city government stray from the straight and narrow path. Cleveland has had such a watchdog group, the Citizens League of Greater Cleveland, since 1896. Now the League has produced a code of ethics that, instead of as usual calling only on public officials and employes to be good boys, stresses "the coequal responsibility of citizens . . . for the standards of ethics in the conduct of public business." To give meaning to its point it has published this set of Principles of Good Citizenship and Public Service:





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### CODE FOR THE CONDUCT OF PUBLIC BUSINESS

#### Preamble

Good government results from efficient organization, able, elected and appointed officials -- but most important, Good Citizens.

The official conduct and general deportment of public officials and employees reflect the standard of ethics accepted and practiced by the entire community.

#### Principles of Good Public Service and Citizenship

1. Keep informed on community and governmental affairs.
2. Vote at every election.
3. Abide by the spirit as well as the letter of the law.
4. Neither seek nor grant special favors.
5. Act to bring honor and credit to the community.
6. Transmit to the next generation a better government.

#### General Conduct

Public officials and employees have a duty to maintain the highest standard of ethics in the conduct of public business. Citizens have an equal duty, in their dealings with public officials and employees, to refrain from conduct which may undermine these standards. All relations between citizens and public officials should be on a basis which recognizes and respects the special trust and unique responsibilities of public service.

1. Obligations of Citizens to Public Officials and Employees

No person or group should seek special consideration, treatment or advantage beyond that which is available to every other citizen or group. In dealings with public officials and employees citizens should conduct themselves so as to avoid any suspicion of unethical practices. Citizens should judge public officials and employees on the basis of their performance and not upon rumors, distortions or opinions of special interest groups. Citizens should extend the same courtesy and consideration to public officials and employees which is commonly accepted in all other social contacts.

2. Obligations of Public Officials and Employees to Citizens

No public official or employee should grant special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen or group. Public officials and employees shall at all times conscientiously and faithfully perform their duty. They should be tactful, patient and courteous in answering all inquiries. The guiding rule should be:

"What is done for one is done for all -- in the same kind, in the same amount and in the same manner."

3. Public Service and Outside Employment

Outside employment is generally incompatible with full time public service. No public servant should engage in any outside employment which will impair the performance of his duties or be detrimental to the public service.

Citizens should recognize that full time service cannot be expected unless compensation consistent with full time employment is provided.

4. Use of Public Property

No citizen, public official or employee should request or permit the use



of government-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally.

Publicly-owned vehicles, equipment and materials should be conspicuously marked for identification, except where their confidential use otherwise warrants.

5. Reporting Violations

Every citizen, as well as every public official and employee, has the duty to report to the proper authorities any evidence of fraud, theft or attempts to exercise improper influence in the conduct of public business.

6. Soliciting, Selling and Canvassing

No citizen, public official or employee should be permitted to conduct a solicitation or canvass in any public office for memberships, tickets, articles, prizes, advertising or services, without prior written official approval, or in any manner or by any method which would imply official sanction where none has been obtained.

7. Political Activity and Assessment

All citizens, public officials and employees should inform themselves as to the merits of all candidates and issues and should vote at every election, but classified Civil Service employees should not be requested, required or permitted to take an active part in or contribute to political campaigns for candidates. This is necessary to assure their continued ability to serve effectively no matter which candidates are elected. Other public officials and employees may participate actively in political management and campaigns, provided it does not interfere with the efficient performance of their work.

## 8. Gifts

No citizen should offer, directly or indirectly, any gift, or special service or privilege, to public officials or employees with whom he transacts or expects to transact any public business. Conversely, no public official or employee should solicit or accept any such gift, or special service or privilege.

Expressions of appreciation of the conduct of public officials and employees should preferably take the form of letters of commendation to the official's or employee's superior, or by means of news releases, or public meetings held for that purpose.

## 9. Conflicts of Interest

In the conduct of public business, citizens, public officials and employees should avoid even the appearance of conflict between their private interest and the public welfare.

No public official or employee should act privately as agent, attorney or advisor in any manner adverse to the public jurisdiction in which he is employed.

No public official or employee should participate in any transaction with the public jurisdiction by which he is employed, or in the result of which he has any direct or indirect financial interest unless the transaction has first been determined lawful after full public disclosure.

The Citizens League of Greater Cleveland  
The Committee to Develop  
A Code of Ethics For The Conduct of Public Business  
April, 1959

Chairman, John H. Ritter

Secretary, Blair R. Kost

Ken Armstrong  
Morris Berke  
J. W. Blunt, Jr., M.D.  
Hon. Albina R. Cermak  
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Barring Coughlin

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Joseph W. Kovach  
Arthur H. Kruse

Robert Lang  
R. Wells Ruby  
Frank J. Schwemler  
Rabbi Myron Silverman  
Herbert Strawbridge  
Ben D. Zevin

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MODEL ELECTION ADMINISTRATION SYSTEM

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the Secretary of State, Oregon

Third Draft  
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NATIONAL MUNICIPAL LEAGUE  
Carl H. Pforzheimer Building  
47 East 68th Street  
New York 21, N. Y.





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