



League of Women Voters of Minnesota Records

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Minnesota League of Women Voters
838 Chamber Exchange Building
Minneapolis 1, Minnesota

SYLLABUS FOR DETAILED STUDY OF MINNESOTA GOVERNMENT
1947-1948

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1. POPULATION, RESOURCES

References:

Kise and Sjoselius, "Minnesota, the State and Its Government", Chapter 1.
Reports of the Minnesota Resources Commission
Reports of the Minnesota Conservation Commission

2. CONSTITUTION

Amendment and revision procedure
Obsolete provisions
Inflexible provisions

References:

Kise and Sjoselius, "Minnesota, the State and Its Government", Chapter 1.
Minn. Institute of Governmental Research Bulletin No. 20
Legislative Interim Committee, appointed 1947
Anderson and Lobb, "A History of the Minnesota Constitution"

3. LEGISLATURE

Organization
Need for redistricting
Revision of Committee procedure

References:

Kise and Sjoselius, "Minnesota, the State and Its Government", Chapter 2
Minn. Institute of Governmental Research Bulletin No. 20

4. EXECUTIVE DEPARTMENTS (ESPECIALLY THE REORGANIZATION ACT OF 1939)

References:

Kise and Sjoselius, "Minnesota, the State and Its Government", Chapter 3
Minn. Institute of Governmental Research Bulletin No. 20
Hinderaker, "Administrative Districts and Field Offices of the Minn.
State Government".

5. LAW ENFORCEMENT

Structure
Proposals for revising state court system

References:

Kise and Sjoselius, "Minnesota, the State and Its Government", Chapter 4
Anderson, Chapter 14

6.

6. PROTECTION OF LIFE AND PROPERTY

References:

Kise and Sjoselius, "Minnesota, the State and Its Government", Chapter 6
Anderson, "Local Government and Finance in Minnesota"
Report of Department of Conservation

7. STATE SOCIAL WELFARE SERVICES

References:

Kise and Sjoselius, "Minnesota, the State and Its Government",
Chapter 7
Hinderaker, "Administrative Districts and Field Offices of the Minne-
sota State Government"
Anderson, "Local Government and Finance in Minnesota"
Minnesota Institute of Governmental Research Bulletin No. 19
Reports of the Department, including monthly bulletins

8. INDUSTRY AND LABOR (ESPECIALLY WOMEN AND CHILDREN IN INDUSTRY)

References:

Kise and Sjoselius, "Minnesota, The State and Its Government",
Chapter 8
Hinderaker, "Administrative Districts and Field Offices of the Minne-
sota State Government"
Reports of the Industrial Commission

9. LOCAL GOVERNMENT

General survey of local units

Emphasize unit in which you are most interested

References:

General

Anderson, "Local Government and Finance in Minnesota"
Kise and Sjoselius, "Minnesota, The State and Its Government",
Chapter 5
Anderson, "The Units of Government in the United States"

FINANCING THE STATE AND LOCAL UNITS

1. STATE NON-TAX REVENUES

Borrowed money
Interest on investments, trust funds, ore leases
Rent, licenses
Fines, fees
Departmental earnings
Aid from the federal government
Welfare, Education, Health, Highways
Sale of timber, etc.

References:

Inspector's Reports
Public Examiner Reports
Minnesota Institute of Governmental Research Bulletins 17-20

2. STATE AND LOCAL TAXES

For each tax, study the following:

Where and how levied (administration)
Who pays it?
How large proceeds are
 (a) in dollars
 (b) as per cent of total revenue
Where proceeds go (distribution)
 To state
 General fund
 Allocated to special purpose
 To local units
 How distributed?
 Population?
 Percentage of amount paid in

3. PROPERTY TAXES

State levy
Amount
Purposes

Local
County
City or Village
Township
Schools

Problems

Assessed Valuation
Functions of County Supervisor
Department of Taxation (Equalization)
Reassessment
Forest Lands
Utilities

References:

Blakey, "Taxation in Minnesota"
Minn. Institute of Governmental Research Bulletin No. 21

References (cont)

Department of Taxation Biennial Reports
Anderson, "Local Government and Finance in Minnesota", Chapter 7

4. INCOME TAXES

Individuals
Corporations (excluding Railroads, Mining Companies)

5. INHERITANCE AND GIFT TAXES

6. GROSS EARNINGS TAXES

Railroad
Telephone
Telegraph
Sleeping Cars
Freight lines
Express

References:

Blakey, "Taxation in Minnesota"

7. MOTOR VEHICLE TAXES

Drivers Fees
Licenses

8. MOTOR FUEL TAXES

Excise -- Refunds
Inspection fee

References:

Blakey, "Taxation in Minnesota"
Minnesota Institute of Governmental Research Bulletin No. 21
Report of Motor Vehicle Division, Secretary of State
Report of Department of Highways
"Highway Facts" 1941
Biennial Report, Department of Taxation
Report of Division of Petroleum

9. TAXES ON CONSUMPTION

Alcoholic Beverages
Licenses (State - Local)
Excise
Profits of Municipal Liquor Stores
Cigarettes

10. TAXES ON OTHER BUSINESS

Insurance
Premium tax
Fire Marshall tax
Dealers in grain
Banks
Mining
Occupation - Royalty

References:

Blakey, "Taxation in Minnesota"
Blakey and Johnson, "Problems of Iron Ore Valuation" in Minnesota

References (cont.)

Municipalities, May 1941
Report of Interim Commission on Iron Ore Taxation (1941)

STATE GRANTS IN AID TO LOCAL UNITS OF GOVERNMENT

1. GENERAL PRINCIPLES, FEDERAL AID TO THE STATE
2. DISTRIBUTION BY JURISDICTION

County
School Districts
Township
City or Village

References:

V. O. Key, "Administration of Federal Grants to States"
H. J. Bittermann, "State and Federal Grants in Aid"
Minnesota Institute of Governmental Research Bulletins 18, 19, 20.

3. DISTRIBUTION BY PURPOSE

Welfare
Highways
Education
Health
Miscellaneous

References:

Same as above

Minnesota League of Women Voters
830 Gumber Exchange Building
Minneapolis 1, Minnesota

LIST OF REFERENCES

***MINNESOTA STATE GOVERNMENT - STRUCTURAL ORGANIZATION CHART**

Prepared by Division of Administrative Management. Department of Administration Sept. 1, 1944. Available in two sizes - small (8 x 11) - large (48" x 60")

May be obtained without charge by writing to Mr. E. I. Berg, Commissioner of Administration, State Capitol, St. Paul, Minn.

WILLIAM ANDERSON, "The Units of Government in the United States", Chicago, Public Administration Service, Publication No. 83 (1942). \$1.00

WILLIAM ANDERSON AND A. J. LOBB, "A History of the Minnesota Constitution", University of Minnesota (1921). \$1.75

HAROLD F. KUMM, "Constitution of Minnesota Annotated", University of Minnesota Press. \$2.25

***IVAN HINDERAKER**, "Administrative Districts and Field Offices of the Minnesota State Government", University of Minnesota Press (1943). \$3.00

***ROY G. BLAKEY**, "Taxation in Minnesota", University of Minnesota Press (1934)

***MINNESOTA INSTITUTE OF GOVERNMENTAL RESEARCH BULLETIN** 18, 19, 20, 21.

***WILLIAM ANDERSON**, "Local Government and Finance in Minnesota", University of Minnesota Press (1935)

OSCAR JESNESS AND RENOLDS I. NOWELL, "Program for Land Use in Northern Minnesota", University of Minnesota Press (1935) - available on loan from State Library

***JOSEPH KISE AND GEORGE B. SJOSELIUS**, "Minnesota, The State and Its Government", Melberg Press, Moorhead, Minn. (1944). \$1.50

REPORT OF MINNESOTA INTERIM COMMITTEE ON IRON ORE TAXATION (1941).

REPORTS OF STATE ADMINISTRATIVE AGENCIES (mostly biennial):

Auditor

***Department of Taxation**

Motor Vehicle Division of the Office of Secretary of State

Liquor Control Commissioner

Unemployment Insurance Division

***Department of Education**

***Department of Conservation**

***Minnesota Resources Commission**

Department of Highways

Division of Social Welfare (Monthly Bulletin)

***Department of Health**

Department of Agriculture, Dairy and Foods

Aeronautics Commission

Motor Fuel Division of Department of Taxation (Annual)

***Revenues of State local units, Public Examiner (Annual)**

Public Examiner

KNOW YOUR STATE

(I. Constitution, p. 7)

The last time our State Constitution was amended was in 1943. This amendment permitted the state to construct, operate and to assist in constructing and operating airports and other air navigation facilities.

The two methods to secure changes in our State Constitution are: 1) adoption of an entirely new constitution, or 2) individual amendments in sufficient numbers to remedy the ills. A majority of all votes cast at an election are required to amend it. Seventy-three amendments have been adopted, nearly half of which have dealt with state finances; 70 amendments have been rejected. Many people who vote for officials do not vote on the amendments. Such a vote is counted opposed to the amendment. This largely explains the failure to secure enough votes to ratify needed amendments under our present law.

The only Constitutional Convention ever held in Minnesota was in 1857, ninety years ago. Since then changes have been made piecemeal.

Many of the Constitution's provisions are now circumvented, ignored or violated outright.

The Constitution is not primarily a statement of basic principles and broad outlines of public policy but contains excessive detailed legislation. It contains many obsolete and unenforceable provisions. We need a Constitutional Convention to reconsider the whole document. (See Minnesota Law Review, Feb. 1927, "Need for Constitutional Revision.")

The 1947 Legislature passed an act (S.F. 868) "creating an interim commission to make a study of the constitution of the State of Minnesota; propose amendments thereto; requiring the commission to make a report of its recommended amendment to and revisions of the constitution to the next regular session of the Legislature; and appropriating money therefor." Dr. Lloyd Short, Director of the Public Administration Center at the University of Minnesota, is Chairman of the Minnesota Constitutional Commission; Senator Gordon Rosenmeier of Little Falls is Vice-chairman.

(Three copies of a Model State Constitution published by the National Municipal League, are available in the League office for use in comparing it with ours.)

May 20, 1948

KNOW YOUR STATE

(II. Political Parties and Elections, p 8)

A political party is an organization of voters who hold practically the same views with regard to the functions of government and who propose a program for advancing the welfare of the general public. The party is organized for the purpose of securing the election of persons to office who will work for the adoption of the party program. Issues between parties are only superficially different. Both represent a "compromise" position reflecting the conflicting views among the different elements that make up each party.

I. ORGANIZATIONAL STRUCTURE OF MAJOR PARTIES

In order of rank, the following levels are to be noted with respect to each major party in Minnesota:

- (1) State Convention - when in session, the controlling body.
- (2) State Central Committee - large body made up of County leaders and State party officials. Takes precedence over all other levels, except State Convention.
- (3) State Executive Committee - a smaller body, usually made up of District officers and other leaders elected by the State Convention. A governing body subject to instructions of the Central Committee.
- (4) The State Chairman - Chief administrative official for all party affairs. Serves subject to instructions of Central and Executive Committees.
- (5) District Organization - Committees maintained at Congressional level, largely for purpose of directing Congressional election campaign.
- (6) County Committee
- (7) Ward Committee
- (8) Precinct Committee

Party leadership is presumably chosen by expression of the participants in each of the committees at the various levels. In practice, party leadership is frequently determined by leading candidates for public office who recommend their choices.

Policy decisions are made at various levels - actually by candidates for office.

Both parties attempt recruitment of younger people.

For state laws controlling party operations, see 1946 Election Laws (202.11, 202.12, 202.13, 202.14, 202.18, Minnesota Statutes).

II. PRIMARY ELECTIONS

A primary election may be said to be an election within the party. It is an election at which each party selects its nominees for office. In the case of a non-partisan primary, the people nominate the two or more candidates who will oppose each other at the general election. The primary election is so called because it is the first step taken by the voters in the process of choosing public officials.

Nominations are made in direct primary for ALL state positions. No nominations by convention. Nomination by petition is permitted for independent candidates (for state office 2,000 signers; congressional, 500; or 5% of vote cast for office in last election, whichever is smaller).

In Minnesota the primary election is held the second Tuesday in September preceding the general election and seven weeks preceding a city election in cities of the first and second class.

III. SECRECY OF VOTING

Assured by Australian ballot, used except where there are voting machines. The consolidated primary ballot also contributes to secrecy.

Minnesota law permits voting machines - although St. Paul is the only place at present where they are in use.

IV. OFFICES FILLED BY STATE BALLOT

Governor	Clerk of Supreme Court
Lieutenant-Governor	Justices of Supreme Court
Secretary of State	Railroad and Warehouse Commissioners
State Auditor	
State Treasurer	Also U. S. Senators and Congressmen.
Attorney-General	

Some people feel the State Ballot is too long.

V. NO INITIATIVE OR REFERENDUM.

The movement for them is no longer current, as where they were adopted they have not proved especially important or effective. However, Initiatives and Referendums do permit the voters to express themselves on key questions. By definition, in a representative system of government the body of citizens are always better informed than the fewer in number who represent the citizens in the legislature.

VI. QUALIFICATIONS FOR VOTING IN MINNESOTA

- (1) Voter must be at least 21 years of age
- (2) Voter must have been a citizen of the United States at least three months prior to the election.
- (3) Voter must have been a resident of the state for six months prior to the election, and a resident of the election district (town, village, or city precinct) for thirty days.

There is no conspicuous effort to deprive anyone of right to vote in

Minnesota (e.g., in most places, Indians are permitted to vote without much question.) Indians living on a reservation, and wards of the federal government, are not entitled to vote. The following persons are also disqualified from voting: (1) Persons who have been convicted of treason or any felony unless restored to civil rights; (2) Persons under guardianship; (3) Persons who are mentally unsound or insane.

Exact procedures to be observed by Election Officials are prescribed by law. See Minnesota Election Laws.

VII. REGISTRATION

(1) Rural Communities In rural communities, in small cities, villages, and towns where people are all well acquainted with each other, voters are not required to register previous to election day.

(2) Urban Centers

A State law requires permanent registration in

a. Cities of more than 10,000 inhabitants

b. Municipalities having more than 7,000 and less than 10,000 inhabitants and an assessed valuation of more than \$8,000,000

~~xxxMunicipalities having less than 10,000 inhabitants~~

VIII. GENERAL ELECTIONS

General elections are held in each even-numbered year on the Tuesday after the first Monday in November. On this same date, the other states, except Maine, hold their general elections. The voters elect at this time: officials for county, state and national offices. Since some of the officers have 4 and 6 year terms, not all of them are elected every two years.

KNOW YOUR STATE

(III. Legislature, pp. 9-11)

There are 67 legislative districts in Minnesota; total in legislature - 198.

Senate

67 Senators; salary \$4000 for four-year term; Minnesota has largest senate body of the 48 states.

Qualifications: 21 years or older; state resident for 1 year; resident of district six months.

Powers of the Senate:

- a. To judge election returns and eligibility of its own members.
- b. To determine its own rules of procedure.
- c. To elect its own officers except presiding officer who is the Lieutenant Governor of state.
- d. To amend bills of revenue which originate in the lower house.
- e. To try impeachment cases presented by the lower house.
- f. To reject or approve certain appointments made by the Governor.
- g. To punish its members for disorderly conduct and with the approval of 2/3, to expel a member.
- h. To enact laws for the government of the people.

House of Representatives

131 Representatives; salary \$2000 for two-year term; average lower house in the United States about 100.

Qualifications: Same as those listed for Senators.

Powers of the House of Representatives:

- a. May judge the election returns and eligibility of its own members.
- b. May determine its own rules of procedure. (See Legislative Manual)
- c. May elect the Speaker of the House and its other officers.
- d. May initiate impeachment proceedings against any civil officer.
- e. May punish its own members for disorderly conduct and with the approval of 2/3 of its membership, may expel a member.
- f. All revenue bills must originate in the House of Representatives, but may be amended in the Senate.
- g. As indicated above, the House of Representatives has co-ordinate power with the Senate to enact laws for the government of the people.

The State Constitution limits the legislative session to 90 days. There has been a legislative jam at the end of the last three sessions which required the turning back of the official clock for as much as three days. Often the bulk of the key bills are passed during the final hours of a session.

The Constitution calls for redistricting of legislative districts after every federal census so as to recognize the shifts in population and the varying rates of population growth in different sections of the state. The last reapportionment of the legislative body in Minnesota was enacted by the 1913 Legislature, based on the 1910 census. Since that time the population has increased by 34.5%. As a result no one can contend that equal representation exists in Minnesota's legislature today. Based on the present membership of the legislature and the 1940 census there should be one representative for each 21,315 inhabitants. Actually the population per representative district varies from 7,254 (40th district, St. Paul) to 128,501 (33rd district, Minneapolis). In this particular case the larger district (33rd) has two representatives or 64,250 persons per representative, while the smaller (40th) has one representative for 7,254 persons. Variation for House of Representative districts by counties is shown in State Research Bulletin No. 20, Appendix Table V.

Ideally, there should be one senator for each 41,676 inhabitants but at present the number of inhabitants per senator range from 17,653 (Wabasha County) to 128,501 (33rd district, Minneapolis). Twenty-four senatorial districts are under-represented by percentages ranging from 8/10 of 1% to 208.3%; over-representation in the remaining senatorial districts ranges from $\frac{1}{2}$ of 1% to 57.6%. Variation in Senatorial districts by counties is shown in State Governmental Research Bulletin No. 20, Appendix Table VI.

The legislature has full responsibility for legislative reapportionment.

Committees

Much of the work of the legislature is done by committee. The Committee system in this state is very similar to that of the U. S. Congress (House committees 19; Senate committees 15; Congressmen are limited to one committee assignment; Senators to two committees). In Minnesota there are 35 standing committees in the House with membership varying from 3 to 29 members, committee membership of most committees being 13, 15 or 17 members. The Senate has 42 standing committees varying from 5 to 28 members. Large committees automatically require that members serve on 8 or 10 committees. This in turn results in hearings of the various committees conflicting with each other.

In the Senate the committees are appointed by the Committee on Committees (named by caucus of the majority group). The Speaker of the House (elected by the majority vote of the House) appoints the committees of the House of Representatives.

The 1947 Legislature created a Legislative Research Council. Report of this council is given on another sheet.

Minnesota has a bill-drafting agency. A legislative reference library is in the process of being built up.

For steps in procedure of passing a bill, see "Ninety Days of Law Making." Each group received a copy last year.

KNOW YOUR STATE
(IV. The Governor, pp. 12-13)

(Reference: Kise and Sjoselius, Minnesota--The State and Its Government, Chap. III)

Term of office - 2 years; salary - \$12,000

Qualifications - 25 years or older; resident of state for 1 year; U. S. citizen.

Powers and Duties:

I. Executive

- a. Responsible for executing laws of the state.
- b. Commander-in-chief of State Militia.
- c. Appoints (with advice and consent of the Senate) the following department heads:
 1. Department of Administration - 2 year term.
 2. " " Aeronautics - 4 year term.
 3. " " Agriculture, Dairy, Food - 4 year term.
 4. " " Civil Service - 6 year term.
 5. " " Commerce (3 Division heads) - 6 year term.
 - (a) Banking
 - (b) Insurance
 - (c) Securities
 6. Department of Conservation - 6 year term.
 7. Bureau of Criminal Apprehension - 2 year term.
 8. Department of Education - 6 year term.
 9. " " Health - 3 year term.
 10. " " Highways - 3 year term.
 11. Commissioner of Iron Range Resources and Rehabilitation - 2 year term.
 12. Department of Labor and Industry - 6 year term.
 13. Division of Labor Conciliation (created under Labor Dept., operates independently) - 4 year term.
 14. Office of Liquor Control - 4 year term.
 15. Livestock and Sanitary Board (Executive Secretary) - no term.
 16. Department of Military and Naval Affairs - no term.
 17. Public Examiner - 6 year term.
 18. Rural Credit - 6 year term.
 19. Social Security (3 Division heads) - 4 year term.
 - (a) Division of Social Welfare
 - (b) " " Public Institutions
 - (c) " " Employment and Security
 20. Soldiers Home (Commandant) - 4 year term.
 21. State Teachers Colleges (Administration head) - 4 year term.
 22. Office of Surveyor General of Logs and Lumber - 2 year term.
 23. Department of Taxation - 6 year term.
 24. " " Veterans Affairs - 4 year term.

See Minnesota State Government Structural Organization Chart in League office for names of other commissions and examining boards appointed by the Governor.

"Administrative Districts and Field Offices of the Minnesota State Government" by Ivan Hinderaker.

II. Legislative Powers of Governor

1. Governor's message - gives him opportunity to outline a program he should like to see the Legislature follow. Effectiveness depends upon his influence with the Legislature. In 1937, e.g., we had a Farmer-Labor Governor and a conservative Legislature. For further information, See reference at beginning of this section.
2. Special sessions- Governor has authority to call special sessions - any legislation may be considered. Primary attention naturally given to program recommended by Governor. (Only 7 extra have been called)
3. Veto power - Governor has power (unlike the President of U.S.) to veto special items in appropriation bills.

III. Judicial Powers of Governor.

The governor, attorney general and chief justice of supreme court constitute a board of pardons. This board may "grant reprieves and pardons after convictions for offences against the state except in cases of impeachment." This board does not grant paroles.

See Minnesota Constitution Article XIII Impeachment

KNOW YOUR STATE
(V. State Administration, pp. 14-15)

The administrative affairs of the state are conducted by the Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, Attorney General, Railroad and Warehouse Commissioners, various boards and commissions, and appointive officials. All of the above-named officers are elected and are not therefore subject to the Governor's control. The Governor exercises supervision over many other state and local officials through his powers of appointment and removal.

The Report of the Interim Committee of the House of Representatives to the State Legislature in 1945 has this to say: "Modern democratic government recognizes executive responsibility and the fact that full authority must be given the executive department to properly carry out its functions....Too many state agencies hamper administrative control, impair efficiency, create duplication of plant, equipment and effort, and waste taxpayers money. The remedy is consolidation in a few major departments....Boards and Commissions impede administration." Except in cases where a board's responsibility is quasi-judicial or quasi-legislative it should serve only in an advisory or policy-making capacity. Departments directly under the control of the Governor are more easily held responsible for results than the multiple executives of a board or commission.

It is desirable to share decision-making powers between an administrator and a board in determining matters of policy and making the rules to carry out the purposes of legislation. A board may be particularly helpful in dealing with problems of newly created agencies, promoting public understanding of controversial issues, etc. When the public has come to "accept" the new ideas the work can best be carried forward by a single administrator. The jurisdiction of boards can and should be separated from the routine of administration so that the advantages of each type of authority can be realized.

The Reorganization Act of 1939 (See Kise and Sjoselius, Minnesota--The State and Its Government, pp. 39-42) has resulted in sweeping changes. Some provisions of this Act have not been fully carried out. (See State Governmental Research Bulletin No. 20, p. 19.)

For a list of state government agencies, see Structural Organization Chart in the League office. Intensive research (and some courage) would be needed to determine which agencies are well or poorly administered. Deficiencies may be due to inadequate law to cover the situation, poor execution of the law, or insufficient appropriations to do a good job.

Our State Legislature has not been guilty of granting too much administrative authority with insufficient direction about what is to be done. It has probably granted too little because of lack of confidence in administrative officials or departments.

The Legislature passed an act in 1945 prescribing some general procedures to be followed by administrative bodies. It does not cover procedures for hearings. It requires agencies to clear with the Attorney General's office to make sure the rules they propose to issue are within their statutory power. (See p. 151, Book of States 1945-46, on Federal Law of 1945.)

We do not have a strictly state planning agency responsible to the Governor. A new Department of Business Research and Development was created by this session of the legislature at the request of the Governor. The department is headed by James C. Clark, appointed by the Governor for a 4-year term. Its function is to conduct research, prepare business statistics and seek out markets for the purpose of promoting commerce and industry in the state. Our State Department of Administration has responsibility for coordinating functions of state agencies.

KNOW YOUR STATE

(VI. Merit System, pp. 16-17)

Do you have a civil service or merit system law upon which appointments in the state service are based? Yes.

Is your system operating as it was intended when the law was passed or are its principles being evaded? The principles are not being evaded but it was impossible to carry out a complete program during the war and some of the program will be held in abeyance until the present extensive examination program is completed.

How many of the state employees come under the system? All employees in the classified service are under civil service.

What agencies are excluded? None.

What was the provisional employment period? The provisional employment period went into effect on April 23, 1945 and ended on June 1, 1947. During this period all vacancies were filled on a temporary basis so that returning veterans might compete.

How many temporary or provisional employees are there? On May 1, 1946, about 4,000, or 44%, of the workers in the classified service were provisional employees. This number has been constantly reduced by examinations held since the provisional employment period ended last May. The department expects to complete this phase of its examination program by July 1948.

Do you have a civil service commission heading your personnel agency? We have a civil service board. The three members are appointed by the Governor with the consent of the Senate for a term of six years.

Are its activities confined to questions of policy, with an administrator of personnel directly under the Governor to carry on the operation of the agency? The activities of the board are confined to questions of policy. The director of personnel is directly under the board, being appointed by it as a result of a nationwide examination.

Are appropriations for the agency adequate? Yes; they receive \$13.50 per employee, the budget being divided as to salaries and supplies.

Do you limit veterans preference to appointment or do you extend it to promotions and layoffs? The preference applies only to appointments and promotions. Seniority governs layoff, layoff being in the reverse order of seniority.

What preference does the veteran get? The law states: "There shall be added to the examination rating of a disabled veteran a credit of ten points, and if such augmented rating gives to such disabled veteran a passing grade and such disabled veteran is able to perform the duties of the position sought with reasonable efficiency, his name shall be placed at the head of the eligible list for such position.

"There shall be added to the examination rating of all other veterans a credit of five points, and if such augmented rating gives to such veteran a passing grade and if such veteran is able to perform the duties of the position with reasonable efficiency, his name shall be placed on the list of eligibles with the names of other eligible persons. The name of a veteran with such augmented rating shall be entered ahead of a non-veteran when their ratings are the same.

"Such preference is hereby extended to the widows of deceased veterans and to the spouse of a disabled veteran, who because of such disability is unable to qualify."

Since the rule of three is used in the state civil service, the appointing officer chooses from the three highest eligibles. In the event of the rejection by the appointing officer of a veteran when certified for a promotion or a new position, the appointing officer must file in writing with the director the reason for the rejection.

The above law applies only to employees in the classified service of the state. (Minneapolis has absolute veterans preference and because the rule of one is used, any veteran who gets a passing mark of seventy in an examination has his name placed at the top of the eligible list.)

A non-veteran has little or no chance for promotion if veterans are taking the same examination.

What other limitations prevent employing the best qualified person for each job? There are no other limitations.

Is it necessary to fill high positions by persons resident of your state? The director can recommend to the board that the examinations be open to non-residents. This has been done when specialists were needed for unusual positions.

Does this limit your choice of competent specialists? No.

Does your state provide equal employment opportunity for all qualified applicants without regard to race, sex, or religion? Yes.

Does your personnel agency carry on a modern personnel system including the following essentials?

- a. An up-to-date classification system outlining the duties and responsibilities of each position? Yes.
- b. A sound pay plan providing equal pay for equal work? Yes. The pay plan is tied to the cost of living, with one adjustment a year.
- c. Positive recruitment which seeks out qualified applicants rather than waiting for them to apply for positions? Yes.
- d. Selection by competitive examinations, including objective type tests for positions for which this is possible and sound evaluation of background and experience for the higher position? Yes.
- e. An effective training and promotion system? Yes. More is being done along this line all the time. A training program for hospital attendants in state institutions was started last July. Many programs are being carried out under the G. I. bill.
- f. Provision for employee counseling, health and safety programs? There is not a great deal being done at present about health and safety. The department expects to have a more extensive health program soon.
- g. A sound retirement or pension system? Yes. The retirement age is 70. Employees are eligible for a pension if they have twenty or more years of service at age of sixty-five, or thirty-five years of service if under sixty-five. Since July 1, 1945, members of the retirement fund pay five percent of their salary into the fund. No deductions are made from salaries on any amount in excess of \$300 a month. If the department is self-sustaining it pays a sum equal to fifty percent of the amount paid in annuities to the employees. A 3/10 of a mill tax is also levied for the pension fund. No annuity paid shall exceed the sum of \$100 per month.

Note: The research staff of the Legislative Research Council is making an analytical study of the veterans preference law and copies of the report will be available some time in February.

KNOW YOUR STATE

(VII. Fiscal Management, pp. 18-19)

For more complete analysis of state finances, See the following references:
Comments on Minnesota's Income and Expenditures for Fiscal Year 1943-44, prepared by Commissioner of Administration, April, 1945.

State Governmental Research Bulletin No. 20, April, 1947, "Ten Year Analysis of State Expenditures."

State Governmental Research Bulletin No. 21, December, 1947, "The Record of the 1947 State Legislature."

The following table will give you a general picture of state appropriations for the fiscal year 1946-47, the funds from which they come, and the amounts of federal aid. The footnotes will explain the nature of the general and special funds.

EXPENDITURES FOR STATE GOVERNMENT - FEDERAL AID AND STATE APPROPRIATION*1946-47

<u>Purpose</u>	<u>General Fund **</u>	<u>Special Taxes or Funds</u>	<u>Total State</u>	<u>Federal Aid</u>	<u>Total State & Federal</u>
State Depts.					
Governor		Income Tax (2)			
Legislature		Gasoline Tax (1,3,9)			
Courts		Game & Fish Fees (4)			
Executive Depts.		Occupation Tax (5)			
Highways		Rural Credit (6)			
Taxation					
Liquor					
Agriculture					
R.R. & Warehouse					
Others					
TOTAL	\$11,155,416	\$2,250,767	\$13,406,183	\$7,850,137	\$21,256,320
Education					
University		5,610,000(2,6)			
Aid to Schools	284,500	11,248,500 (2)			
Teachers Colleges	404,600				
Vocational Trg.	50,000	1,287,760			
Library & other	198,480				
TOTAL.....	\$ 937,580	\$18,146,260	\$ 19,083,840	\$1,254,947	\$20,338,787
Social Welfare	12,300,100		12,300,100	15,761,206	28,061,306
Institutions	7,503,868	2,000(7)	7,505,868		7,505,868
Semi-State & Misc.					
Old Soldiers Home	(8)				
Minn. Historical Soc.					
State Agricul. Soc.					
Youth Conservation					
TOTAL	\$ 655,083	\$ 25,000(4)	\$ 680,083		\$ 680,083
GRAND TOTAL..	32,552,047	20,424,027	52,976,074	24,866,290	77,842,364

(See next page for footnotes.)

* From State Governmental Research Bulletin No. 17, pp. 20-22.

** From taxes on iron ore, inheritance, liquor, gross earnings of railroad and express companies, state property levy, insurance, oil inspection fees, and earnings of departments not reallocated to departments.

- (1) Highway Fund (gasoline taxes) for Motor Vehicles Division of Secretary of State.
- (2) Income Tax for Department of Taxation administration and for Education.
- (3) Gasoline Tax Fund for Petroleum Division of Department of Taxation.
- (4) Game and Fish Fund for Forestry, Conservation, Water Resources, etc.
- (5) Iron Range Resources Fund from Occupation Tax for Division of Lands and Minerals.
- (6) Rural Credit Fund (loan).
- (7) Prison Revolving Fund
- (8) Soldiers Home Relief Fund (state property levy).
- (9) Road and Bridge Fund (property tax and gasoline tax).

The state's income is divided into dedicated and non-dedicated funds. E.g., for the fiscal year 1943-44, 76% was dedicated (25.5% by the Constitution, 14% by agreements with the federal government, 36.5% by legislative action) and 24% was non-dedicated. The practice of "ear-marking" or "dedicating" sources of income for specific purposes is undesirable because it (1) results in a rigid financial structure which makes economic and well-balanced operation of public affairs of the state impossible; (2) only a fraction of the state's total revenue is available for general appropriations; (3) the privileged and protected departments tend to expand unduly in times of prosperity and to enlarge their expenditures without legislative decision, while in times of depression pressure groups behind these activities seek relief from the necessity of economizing or reducing expenditures by demanding higher tax rates or new allocations of revenue; (4) the creation of an excessive number of "funds" has accounted in large part for the lack of a simple and understandable accounting system.

The tax assessment procedure throughout the state does not assure equality of treatment. To say, however, that any particular economic group or groups are more heavily burdened than others would invite endless controversy. The 1947 Legislature took a long step forward to improve the local tax assessing system of the state (Minn. State Laws 1947, Chap. 531). This legislation does not abolish the town or local assessor but does give the county boards authority to improve the assessing system either by the appointment of a supervisor of assessors or a full time county assessor. In other words, the counties must adopt one or the other system. (Ramsey County and City of Minneapolis are excepted.)

Two groups, one official-- the Tax Commission, and one unofficial--the Citizens Tax Conference, over a period of years have conducted comprehensive studies of our state tax system. These studies contributed in large part to the adoption of the 1939 Reorganization Act which resulted in sweeping reorganization of state administration. While much has been accomplished under the Act by way of establishing a single tax collection agency, some taxes are still collected by separate departments, e.g., the motor vehicle tax. (See Kise & Sjoselius, Minnesota--The State and Its Government, pp. 38-42.

The 1939 Reorganization Act provided for a fairly effective executive budget system. It created a Commissioner of Administration who has planned and managed Minnesota state government in a manner similar to successful large scale private corporations. One of his duties is to prepare the biennial budget. This function he performs in cooperation with the Governor who is required to submit a budget to the Legislature within three weeks after his inauguration. The Legislature has the responsibility of consideration and final action on the budget. The 1945 House Appropriation Committee permitted the Commissioner and his various budget aides to sit in on all committee hearings and defend the Governor's budget recommendations. Department heads are permitted to justify their estimates of expenditures. (See Book of States 1945, 46, p. 153) Six major appropriation and 20 miscellaneous laws which authorized spending, passed by the 1947 Legislature, are analyzed in the State Governmental Research Bulletin No. 21.

Among the duties delegated to the Department of Administration are:

1. To purchase supplies, materials, and equipment needed by the state and its institutions. The University of Minnesota does not come under the act. The Commissioner also makes all contracts for the construction and improvement of all buildings needed by the state institutions.
2. To have care and custody of all state property.
3. To appoint a state printer to supervise the printing and advertising for state departments.

One of the objects of the Reorganization Act creating this department was to centralize control of purchasing and thereby to save the state money. However, some provisions of the Act have not been fully carried out.

In the past, payment of interest and principal on the state debt has constituted a large part of our expenditures. From June, 1939, to June, 1946, however, our indebtedness decreased from \$134,155,892 to \$66,066,143. In the ten-year period 1936-46 revenue receipts for state government derived from taxes, departmental earnings and federal grants increased 31.6%. Factors largely responsible for the increase were a far higher level of economic activity during the war and upward revision of tax rates, particularly on liquor, iron ore, gasoline, gross earnings and incomes. Four new taxes also were adopted: cooperative rural electric, bank excise, aviation gas fuel, and air carriers' flight property tax. Some of this increased revenue has been used to reduce the state debt.

Appropriations authorized by the 1947 Legislature for the next biennium from current receipts, surplus funds and from borrowing were 27.2% higher than those authorized two years ago. Total appropriations for current operation other than borrowing (for building program) increased 31.4%. (See State Governmental Research Bulletin No. 21, p. 4) Many activities were expanded and an unusually large number of new functions of government was assumed by the state.

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KNOW YOUR STATE

(VIII. State-Local Relations, pp. 20-21)

Article IV of the State Constitution deals with provisions governing relations between state and local governments (See Sec. 33, 34, 35). "Any city or village in this state may frame a charter for its own government consistent with and subject to the laws of this state." The legislature may provide general laws relating to affairs of the city. An amendment adopted in 1892, "one of the most drastic provisions of its kind to be found among American state constitutions," forbids special legislation. (Minnesota Law Review, Feb. 1927, pp. 206-9.) However, the legislature has frequently violated this provision by enacting legislation for cities or counties classified in terms of population. Any city is allowed to choose the kind of charter it wishes. Since municipal corporations are granted their powers and rights by the legislature, they may also be deprived of them by the legislature. The Minnesota Constitution authorizes the legislature to "prescribe by law the several limits under which (home rule) charters shall be framed." In this state general laws of local concern supercede local rules only when the legislature specifically provides that they shall. (State-Local Relations, Report of the Committee on State-Local Relations of Council of State Governments, 1947.)

Cities, through home rule charters, have wide control over local affairs. Counties have much less.

Cities are classified in terms of population:	First Class	over 50,000
	Second Class ...	20,000 to 50,000
Special legislation, however, may be made to apply to only one city.	Third Class	10,000 to 20,000
	Fourth Class ...	10,000 or less

Cities, by drafting their own charters, may choose among several types of municipal charters.

There is a tendency for more functions to be carried on at the state level. (See State-Local Relations, same as above.) Local units may perform some functions jointly or cooperatively.

Supervision of local activities by state authorities is exercised chiefly in the fields of Public Health (including sanitation, sewer and water systems), Welfare, Education, Property Tax System (by equalization of assessed valuations) and to some extent in Law Enforcement. The state provides some in-service training by assisting in Civil Service examinations, in police and fire departments, training assessors, and in the field of Public Welfare. It assists in establishing local merit systems.

The 1947 Reorganization Law aims to reduce the number of school districts which are too small for efficient administration, e.g.

Approximately 30% of the state budget consists of revenue which is collected by the state and then returned to local governments to which certain "strings" may be attached. E.g., welfare funds must be spent in conformity to standards of the Social Security System. The County's 1/3 of the Gasoline Tax must be used for highways, Income Tax for education, etc. The new Liquor and Cigarette Taxes are shared on a population basis with no strings attached.

The legislature has conferred on local governments little enabling taxing authority other than the property tax. Under the provisions of home rule charters cities may take such authority themselves, but few do so. (St. Paul recently has.) Consequently sufficient funds are not available for providing needed services. (See Minnesota Municipalities, Oct. 1946, p. 341, and Nov. 1946, p. 381.) This situation may be remedied by state aid, state-collected taxes distributed where collected or on population basis, or by the legislature granting broad tax enabling authority to local governments.

There are several groups at the state level who are constantly reexamining the problems of state-local relationship, e.g., the Legislative Council, the Interim Committees, and the Institute of Governmental Research.

KNOW YOUR STATE

(IX. Education, pp. 22-25)

All references given below may be found in pamphlets in the League office.

I. Education as a Public Responsibility

1. Why is education a public responsibility? The stability of a republican form of government depending mainly upon the intelligence of the people, it shall be the duty of the legislature to establish a general and uniform system of public schools. Reference: Constitution of the State of Minnesota, Art. VIII, Sec. 1.
2. What powers over education are there in your state constitution? Reference: Constitution of the State of Minnesota, Art. VIII, Sees. 2-8.
3. Have any powers relating to education been added to the State Constitution in recent years? No changes relating to education have been made in the state constitution. The last legislature authorized the appointment of a committee to study the state constitution.
4. Do you think the state should assume more or less responsibility for education? Reference: Equality of Educational Opportunity : Can It Be Attained, State Department of Education, 1947.

II. Types of School Districts Established by State Law

1. Common school district, Special school district, Independent school district, Consolidated school district, Joint school district, County school district, Ten-or-more-township district, Unorganized Territory.
2. Which kind of school district is yours?

References: Laws Relating to the Minnesota Public School System, Minnesota State Department of Education 1946, Chap. 122, p. 33.

Minnesota, The State and Its Government, by Joseph Kise and George Sjoselius, p. 90 & 91.

III. Relation Between Size of Local School Administrative Units and Adequacy of Educational Opportunities

1. Has there been a reorganization of school districts in Minnesota in recent years?
2. Does Minnesota need a reorganization of school districts? Why?
3. Did the 1947 legislature take any steps in the direction of reapportionment?

References: Equality of Educational Opportunity: Can it be Attained? State Department of Education, 1947.

Laws 1947, Chap. 421, H. F. 1125 (This is a copy of the bill)

Manual for County School Survey Committee, State Department of Education, 1947.

IV. Commissioner of Education, Chief State School Officer

1. Is he elected or appointed?
2. Are professional qualifications required?

References: Laws Relating to the Minnesota Public School System, Minnesota State Department of Education, 1947, p. 21.

V. State Board of Education

1. How are its members selected? For what terms?
2. What are the functions and powers of the State Board of Education?

References: Laws Relating to the Minnesota Public School System, Minnesota State Department of Education, 1947, p. 20, 22, and 23.

VI. What Regulatory Functions over Education are Performed by the State?

1. Accrediting Teachers, Reference: Laws Relating to the Minnesota Public School System, State Department of Education, 1946, p. 92-96.
2. Tenure, Same as above, p. 97, 98, and 99.
3. Curriculum, Same as above, p. 22, subd. 7.
4. Supervision of teaching program, Same reference, p. 94, 130.09 and p. 30, 120.01.
5. Accrediting of schools, Manual for Graded Elementary and Secondary Schools, Minnesota State Department of Education, Aug. 1945, Chap. IV, p. 20 & 21.
6. Buildings and Grounds, The State Department makes suggestions in its Manual for buildings and grounds, but it requires no uniformity. See Manual for Graded Elementary and Secondary Schools, State of Minnesota, p. 15, 16, & 17.
7. Health, See Manual for Graded Elementary and Secondary Schools, State of Minnesota, Aug. 1945, p. 79 & 80; also p. 97, sec. d.

VII. Is the State Taking Leadership in Improving Education?

The professional staff of the State Department of Education, with the help of professional people in their various fields in the state, are continually working on manuals and courses of study for elementary and secondary schools. The last manual was published in 1945, but a new manual is practically completed. All standards are compiled by the professional staff, submitted to people in the field for suggestions, submitted to the State Board of Education for approval; the State Board holds a hearing to which anyone may come. After the hearing, the standards are submitted to the attorney general and finally filed in the office of the secretary of state. They are then put into circulation for the use of the schools.

VIII. Special Fields in Which the State Offers Financial Help.

The references here in this section are all from the pamphlet--Laws Relating to the Minnesota Public School System, Minnesota State Department of Education 1946.

1. School Libraries, p. 82
2. Vocational Education, p. 84
3. Special Classes for Handicapped Children, p. 84
4. Evening Schools, p. 85
5. Teacher Training, p. 85
6. Home Economics, p. 84

See also for reference: Manual for Graded and Secondary Schools, State Department of Education, 1946, p. 54 & 55.

IX. Equality of Educational Opportunity as to Availability and Amount Spent

White and Negro, Rural and Urban, Handicapped Children, and Higher Education.

There is no distinction in opportunities between White and Negro; the amount spent for schools depends to a considerable extent upon local wealth, but attempts are being made to equalize for all school districts, both rural and urban; isolated handicapped children through the state are poorly cared for; Junior Colleges have helped the higher education situation as to availability but still wide differences as to availability of higher education exist.

X. Responsibility of State for Preparing Teachers.

1. State Teachers' Colleges: References: Laws Relating to the Minnesota Public School System, State Department of Education, 1946, Chap. 136, p.130
2. Teacher Training Departments in High Schools: Reference: Same as above, p. 85, para. 128,15.
3. In-service training--Offered in the Graduate School of the University of Minnesota, in the Extension Courses of the University, and in workshops under the supervision of the Minneapolis Public Schools.

XI. Financing Schools

1. What are the sources of funds for the state budget?

Reference: Comments on Minnesota's Income and Expenditures for the fiscal year 1943-44, prepared by Commissioner of Administration, State of Minnesota, April, 1945. Also--Constitution of State of Minnesota, Article VIII, Section 2 & 5.

2. What are some of the things accomplished by the passage of the New State Aid Law?

Reference: The New State Aid Law passed by the 1947 Legislature, Edited by Dean M. Schweickhard, Commissioner of Education.

MINNESOTA STATUTES

202.11 - Delegate Convention May Nominate Certain Officers. Candidates whose nominations are not required to be made by a primary election may be nominated by a delegate convention called for the purpose. The authorized county or city committee of any political party, at least 20 days before the time fixed for the election of delegates, shall give two weeks' published and at least six days' posted notice of primaries for the purpose of electing the number of delegates to which each district is entitled, and of the offices for which nominations are to be made. Except as otherwise especially provided, such primaries shall be conducted in accordance with the provisions of this act relating to primary elections in so far as the same can be applied. All such primaries shall be held at the regular polling places, and those of each county on the same day, at an hour thereof between 2:00 and 9:00 p.m. appointed by the committee calling the convention, and shall be kept open for at least one hour.

202.12 - State and District Conventions. When the delegates so chosen are to form a convention for the election of delegates to a state convention or to that of a district of the state larger than a county, the political party convention of the several counties shall be held on the same day. Such state or district convention shall be called by the authorized political party committee of such state or district, substantially as prescribed in Laws 1913, Section 362, and the day for holding the county conventions shall be named in the call.

202.13 - OFFICERS OF CONVENTIONS. AT THE HOUR APPOINTED FOR HOLDING SUCH PRIMARIES THE CHAIRMAN OR SECRETARY OF THE PARTY COMMITTEE OF THE DISTRICT, OR IF NEITHER IS PRESENT, SOME MEMBER OF THE PARTY WHO IS A VOTER IN THE DISTRICT, SHALL CALL THE MEETING TO ORDER. THOSE PRESENT AND QUALIFIED TO VOTE AT SUCH ELECTION SHALL CHOOSE FROM THEIR NUMBER, VIVA VOCE, A CHAIRMAN, CLERK AND TWO JUDGES OF THE ELECTION. THE DELEGATES SHALL BE CHOSEN BY BALLOT, AND EACH MAY CONTAIN AS MANY NAMES AS THERE ARE DELEGATES TO BE ELECTED FROM THE DISTRICT. IF MORE BE PLACED THEREON, THE BALLOT SHALL BE VOID. THOSE RECEIVING THE HIGHEST NUMBER OF VOTES SHALL BE DECLARED ELECTED, AND IF THERE BE A TIE, THE JUDGES AND CLERK SHALL DETERMINE IT BY LOT.

202.14 CONDUCT OF CONVENTIONS. THE CHAIRMAN SHALL PRESIDE, AND MAY ADMINISTER THE OATH TO THE JUDGES AND CLERK AND TO THOSE WHOSE RIGHT TO VOTE IS CHALLENGED. ONLY THOSE SHALL VOTE AT THE PRIMARY WHO AFFILIATED WITH SUCH POLITICAL PARTY AT THE PRECEDING GENERAL ELECTION BUT IF ANY VOTER OF THE DISTRICT SHALL SATISFY THE JUDGES BY HIS OATH THAT HE DID NOT VOTE AT THE LAST GENERAL ELECTION OR VOTED AND AFFILIATED WITH THE POLITICAL PARTY HOLDING SUCH PRIMARIES AT THE LAST GENERAL ELECTION AND INTENDS TO SO VOTE AND AFFILIATE AT THE ENSUING ELECTION, HIS VOTE SHALL BE RECEIVED. NO PERSON SHALL VOTE FOR THE DELEGATES OF MORE THAN ONE POLITICAL PARTY IN ANY CALENDAR YEAR.

202.18 CERTIFICATES OF NOMINATION. THE CERTIFICATES OF NOMINATION OF A CANDIDATE SELECTED BY CONVENTION SHALL BE SIGNED AND CERTIFIED BY THE PRESIDING OFFICER AND SECRETARY THEREOF, WHO SHALL ALSO TAKE AND SUBSCRIBE AN OATH THAT THE SECRETARY'S FACTS STATED IN THE CERTIFICATE ARE TRUE, AND THE SECRETARY SHALL IMMEDIATELY DELIVER SUCH CERTIFICATE OF NOMINATION TO THE OFFICER CHARGED WITH DIRECTING THE PRINTING OF THE BALLOTS UPON WHICH THE NAME IS TO BE PLACED, AND IN CASE HE SHALL NEGLECT TO DO SO, HE SHALL BE GUILTY OF A MISDEMEANOR.

KNOW YOUR STATE

(X. Public Welfare, pp. 26-28)

Organization

Practically all state welfare activities are under the Division of Social Welfare.

- Department of Social Security =
1. Division of Social Welfare
 2. Division of Public Institutions
 3. Division of Employment and Security

No welfare activities are carried on by the State Department of Health. There is a Director of the Division of Social Welfare appointed by the Governor.

There is no advisory or administrative board (a serious defect in the opinion of some experts).

Welfare programs carried on by local units (County Welfare Boards):

1. General relief
2. Child welfare
3. Aid to Dependent Children
4. Old Age Assistance
5. Aid to Blind
6. Veteran's Relief
7. Aid to Feeble-minded
8. Aid to Deaf

Welfare programs administered at state level:

1. Crippled Children's Services

The Division of Social Welfare sets standards for welfare activities to be carried on in local units.

There are no district or regional offices but state is covered by Field Supervisors who visit each county welfare office at fairly regular intervals (once a month).

Programs

Programs in addition to federally assisted programs:

1. Veteran's welfare
2. Tuberculosis

All assistance programs are available in every political unit. Theoretically all applicants are treated equally; policies depend upon local boards and administrators.

Abolishing residence requirements has been discussed but legislature is opposed.

Children's Services: To be eligible for Aid to Dependent Children, need must be established; father must be dead, incapacitated (3 months or more), in an institution, or have abandoned family (away 3 months). Maximum amounts: \$50, first child; \$20, second child; \$15, others. Amounts are determined according to budgetary standards. If maximum is not sufficient it may be supplemented with general relief. health

Maternal and child/care services are administered in the State Department of Health. Each county welfare office has a child welfare worker to assist in care of dependent, neglected children, and those in danger of becoming delinquent. This worker is carefully supervised by the Division of Social Welfare.

Most counties have local foster homes that can be used for children who cannot have care in their own homes. The state Division of Social Welfare uses foster homes widely for children in need of special care.

State institutions for dependent children: Since school at Owatonna was closed there is a small receiving home (not over 35 children) in Prospect Park, Minneapolis. Children are kept in their own homes more than formerly and foster homes are used more widely and with better results.

Delinquent children: A program is being worked out by the State Youth Conservation Commission.

Handicapped children:

1. Minnesota Braille and Sight Saving School at Faribault.
2. Deaf School at Faribault.
3. Gillette State Hospital, St. Paul, for orthopedically handicapped children.
4. School for Feeble-minded at Faribault.

Aid to Blind: Must qualify under a technical definition of blindness; be over 18 years and under 65 years of age; be resident of state (2 years). There is no maximum amount of assistance. Amount is determined by budget. County makes recommendations but contributes no funds. State and federal funds only are used in this service. There is quite a program of services to the blind--home teachers, re-training out of home, and employment. Braille is taught at home; Braille books and magazines are furnished; assistance is given in setting up shops such as newsstand in Post Office and Court House; Talking Books are furnished.

Old-Age Assistance: To qualify--must be 65 years of age; must be citizen of state (9 years); must be in need. Efforts are always made to have relatives contribute as much as possible to the care of these persons. Some county welfare offices work harder at this than others. Inadequate Old-Age Assistance funds can always be supplemented with general relief funds. Non-citizens are eligible if they have lived 25 years in the state. Lien Law provides for recovering assistance paid from the estate of recipients after death.

Medical care: Furnished to recipients of assistance programs and others who are in need and apply. May be given locally or at University Hospitals. Program includes services of an M.D. at his office or in home of recipient.

Tuberculosis--State sanatorium and some local sanatoria.

Chronically Ill--No facilities, and they are desperately needed.

Mentally Ill--About six mental hospitals in the state, all crowded.

Institutions are all under the Division of Public Institutions; the University Hospital is under the University of Minnesota. The State Division of Social Welfare has a medical unit which is supposed to set standards for medical care in counties. Bureau for Crippled Children and State Sanatorium are under this medical unit (includes orthopedic cases, cardiacs, spastics).

General Assistance: Comes from county and township funds; no state funds except in about ten counties which are designated as needing special assistance.

Financing

Of 31 millions of non-dedicated funds distributed by the 1943 Legislature, 22% or 7 millions went for public institutions; this met only 65% of the need; 27% or a little over 8 millions went to non-institutional welfare programs; this met only 30% of the need.

Of 18½ millions contributed to public welfare programs by the federal government, a little over 10 millions went to Old-Age Assistance; a little over 1 million went to Aid to Dependent Children (we are told this program is in danger at this time).

KNOW YOUR STATE

(XI. The System of Courts, pp. 29-31)

Our system of courts was established by Article VI of the Constitution of the State of Minnesota which provided that the judicial power of the State was to be vested in the Supreme Court, district courts, courts of probate, justices of the peace and such other courts, inferior to the Supreme Court, as the legislature may from time to time establish by a two-thirds vote. Further provisions regarding our Courts are to be found in the state statutes.

The Constitution provided that the Supreme Court should consist of one chief justice and six associate justices to be elected at large on a non-partisan basis. The Chief Justice now receives an annual salary of \$12,000, and the associate justices \$11,000, their term being for six years. The Court now consists of Chief Justice Charles Loring and Associate Justices Frank and Thomas Gallagher, C. R. Magney, Leroy E. Matson, Julius J. Olson and Harry H. Peterson. The Court was granted original or trial jurisdiction in such remedial cases as may be prescribed by law, and appellate or reviewing jurisdiction in all cases both in law and equity. In addition, the Court reviews directly the decisions of such administrative and quasi-judicial bodies as the Industrial Commission and the Board of Tax Appeals. The Chief Justice also serves as a member of the State Pardon Board. The justices have supervision of the State Library which is maintained at the State Capitol and also appoint the Revisor of Statutes whose duty it is to revise and codify state statutes.

The Constitution also provided that the state should be divided into judicial districts composed of contiguous territory, bounded by county lines and containing as nearly equal populations as practicable. There are now 51 judges in 19 districts. The judges of these courts must be residents of their districts and are elected by vote of the electorate of the district on a non-partisan basis for a six-year term. These judges now receive an annual salary of \$7000 from the state and \$1500 from each county in their district having a population of 75,000 or more and \$300 additional in each judicial district having an area of over 15,000 square miles, payable monthly, from the counties comprising such judicial district in such proportion as the assessed valuation of each county bears to the total assessed valuation of such judicial district. If there is more than one judge in a district the one with the longest service presides over the bench. These courts establish their own rules of practice. They possess original jurisdiction in all civil cases both in law and equity where the amount in controversy exceeds one hundred dollars, and in all criminal cases where the punishment exceeds three months' imprisonment and a fine of more than one hundred dollars. They also possess such appellate jurisdiction as may be prescribed by law. Consequently they have become the courts to which appeals are taken from justice, probate and some municipal courts. A division of the District Court has jurisdiction of juvenile delinquents in counties having a population of more than 100,000.

Probate Courts were established in each county in the State under the Constitutional provision. These courts are presided over by one judge who is a resident of the county elected by the voters of the county for a four-year term. The probate courts have jurisdiction over the estates of deceased persons and persons under guardianship and serve as juvenile courts in counties of less than 100,000 population. The salary of the probate judges is paid by the county.

The Constitution also provided for the election of justices of the peace in each county in the state. There are two justices for each election district and since each town, village, or city ward is the equivalent of an election district there are a very large number of these officials throughout the state. There are over

forty of such officials in rural Hennepin County alone. These officials possess county-wide jurisdiction and are paid on a fee basis with the result that there is a great deal of competition among them for the business. The Constitution limits the jurisdiction of the justices of peace to civil actions where the amount in controversy does not exceed one hundred dollars and to criminal actions where the punishment does not exceed three months' imprisonment or a fine of one hundred dollars. These officials may not try any action involving title to real estate.

The legislature has also provided by statute for municipal courts for every city or incorporated village of one thousand inhabitants or more, or with an assessed valuation of at least four million dollars, regardless of population. The judges of the municipal courts must be residents of their city or village and are elected at the regular city or village elections for a four-year term. No justice of the peace has jurisdiction for offenses committed in any city or village wherein a municipal court is organized and existing. Municipal courts have jurisdiction concurrently with the justices over offenses committed elsewhere in the county.

Some municipal courts have jurisdiction in civil matters where the amount involved does not exceed five hundred dollars, others where the amount involved does not exceed one thousand dollars. They do not have jurisdiction in cases involving title to real estate except in cases of unlawful detainer and forcible entry. They likewise do not have jurisdiction in divorce cases, actions for false imprisonment, libel, slander, malicious prosecution, criminal conversation, seduction, breach of promise, or any case where equitable relief is sought. These courts also possess all of the powers of justices of the peace. There are now more than eighty municipal courts in the State. Some municipal judges are paid by salary and some on a fee basis.

The legislature has also empowered the governing body of any city to establish a conciliation court where it deems expedient. These courts are for the inexpensive adjustment of small controversies without the employment of lawyers.

The legislature also has power to provide for the election of one person in each organized county in the state to be known as a court commissioner. The legislature may, however, confer such power and jurisdiction upon the judge of probate instead of providing for such elections. Such court commissioners possess the power and jurisdiction of a judge of the district court in chambers but are particularly charged with the examination and commitment of the mentally ill.

Jury service is open to both men and women in Minnesota.

As the courts are now constituted, laymen, if elected, may serve on all but the district and supreme courts. Vacancies in the Supreme, District, probate, municipal and justice courts are filled by the Governor. The State Bar Association conducts a poll of its members throughout the state for the purpose of furnishing the Governor with a list of qualified persons for appointment as such vacancies arise. These polls are purely advisory in character, however, the final decision resting with the Governor alone.

A Judicial Council has now been set up by the legislature for the continuous study of the organization, rules and methods of procedure and practice of the judicial system of the state. This council is composed of the Chief Justice of the Supreme Court, two judges of district courts, one judge of probate, one municipal judge and seven others appointed by the Governor, of whom not less than four must be attorneys. The members of the council serve without compensation for three-year terms.