Chapter Two

Charters, Laws and Founding Documents

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Photo by David Oakes, Photographer, MN Senate

State Capitol

In honor of Gary Arne, Army
Hometown: Cannon Falls, Minnesota
Submitted by Sandy Komis, October 31, 2008

I will vote in honor of all Veterans and active- duty service members.
I am grateful for all who serve for us.

THE DECLARATION OF INDEPENDENCE

Secretary of State's Note: Drafted by Thomas Jefferson and adopted by the Continental Congress on July 4, 1776, the Declaration of Independence outlined American colonial grievances suffered under British rule. The Declaration formally proclaimed the 13 American colonies independent from Great Britain. The document is commonly referred to as America's birth certificate.

THE DECLARATION OF INDEPENDENCE

WHEN in the Course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to the Separation.

WE hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient Causes; and accordingly all Experience hath shewn, that Mankind are more disposed to suffer, while Evils are sufferable, than to right themselves by abolishing the Forms to which they are accustomed. But when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security. Such has been the patient Sufferance of these Colonies; and such is now the Necessity which constrains them to alter their former Systems of Government. The History of the present King of Great-Britain is a History of repeated Injuries and Usurpations, all having in direct Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid World.

HE has refused his Assent to Laws, the most wholesome and necessary for the public Good.

HE has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

HE has refused to pass other Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right of Representation in the Legislature, a Right inestimable to them, and formidable to Tyrants only.

HE has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them into Compliance with his Measures.

HE has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.

HE has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of the Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the Dangers of Invasion from without, and the Convulsions within.

HE has endeavoured to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migrations hither, and raising the Conditions of new Appropriations of Lands.

HE has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

HE has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

HE has erected a Multitude of new Offices, and sent hither Swarms of Officers to harrass our People, and eat out their Substance.

HE has kept among us, in Times of Peace, Standing Armies, without the consent of our Legislatures.

HE has affected to render the Military independent of and superior to the Civil Power.

HE has combined with others to subject us to a Jurisdiction foreign to our Constitution, and unacknowledged by our Laws; giving his Assent to their Acts of pretended Legislation:

FOR quartering large Bodies of Armed Troops among us;

FOR protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

FOR cutting off our Trade with all Parts of the World:

FOR imposing Taxes on us without our Consent:

FOR depriving us, in many Cases, of the Benefits of Trial by Jury:

FOR transporting us beyond Seas to be tried for pretended Offences:

FOR abolishing the free System of English Laws in a neighbouring Province, establishing therein an arbitrary Government, and enlarging its Boundaries, so as to render it at once an Example and fit Instrument for introducing the same absolute Rules into these Colonies:

FOR taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

FOR suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all Cases whatsoever.

HE has abdicated Government here, by declaring us out of his Protection and waging War against us.

HE has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.

HE is, at this Time, transporting large Armies of foreign Mercenaries to compleat the Works of Death, Desolation, and Tyranny, already begun with circumstances of Cruelty and Perfidy, scarcely paralleled in the most barbarous Ages, and totally unworthy the Head of a civilized Nation.

HE has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the Executioners of their Friends and Brethren, or to fall themselves by their Hands.

HE has excited domestic Insurrections amongst us, and has endeavoured to bring on the Inhabitants of our Frontiers, the merciless Indian Savages, whose known Rule of Warfare, is an undistinguished Destruction, of all Ages, Sexes and Conditions.

IN every stage of these Oppressions we have Petitioned for Redress in the most humble Terms: Our repeated Petitions have been answered only by repeated Injury. A Prince, whose Character is thus marked by every act which may define a Tyrant, is unfit to be the Ruler of a free People.

Chapter Two Charters, Laws and Founding Documents

NOR have we been wanting in Attentions to our British Brethren. We have warned them from Time to Time of Attempts by their Legislature to extend an unwarrantable Jurisdiction over us. We have reminded them of the Circumstances of our Emigration and Settlement here. We have appealed to their native Justice and Magnanimity, and we have conjured them by the Ties of our common Kindred to disavow these Usurpations, which, would inevitably interrupt our Connections and Correspondence. They too have been deaf to the Voice of Justice and of Consanguinity. We must, therefore, acquiesce in the Necessity, which denounces our Separation, and hold them, as we hold the rest of Mankind, Enemies in War, in Peace, Friends.

WE, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the World for the Rectitude of our Intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly Publish and Declare, That these United Colonies are, and of Right ought to be, Free and Independent States; that they are absolved from all Allegiance to the British Crown, and that all political Connection between them and the State of Great-Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm Reliance on the Protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Georgia, Button Gwinnett, Lyman Hall, George Walton.
North-Carolina, William Hooper, Joseph Hewes, John Penn.
South-Carolina, Edward Rutledge, Thomas Heyward, Jr., Thomas Lynch, Jr., Arthur Middleton.
Maryland, Samuel Chase, William Paca, Thomas Stone, Charles Carroll, of Carrollton.
Virginia, George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, Jr., Francis Lightfoot Lee, Carter Braxton.
Pennsylvania, Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Ross.
Delaware, Caesar Rodney, George Read.
New-York, William Floyd, Phillip Livingston, Frank Lewis, Lewis Morris.
New-Jersey, Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, Abraham Clark.
New-Hampshire, Josiah Bartlett, William Whipple, Matthew Thornton.
Massachusetts-Bay, Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry, John Hancock.
Rholde-Island and Providence, C. Stephen Hopkins, William Ellery.
Connecticut, Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott.

In honor of Leonard Riley, Army—Served in World War II
Hometown: Denison, Texas
Submitted by Cindy Fredrickson, November 4, 2008

Leonard Riley is one of the bravest people I know. He served in WWII as a paratrooper in the 101st Airborne. He jumped behind enemy lines into Normandy. He had many narrow escapes. Some he speaks of, others he never mentions. He has shared some war stories with his two grandsons, who are now the same ages he was when he enlisted and when he left the military after the War was over. It is hard for him to realize that these boys, who mean so much to him, could be in the same situation that he was in with just a slight change in circumstance. He was young and invincible and feared nothing then. But, now he can spend time worrying about his grandson's everyday travels and activities. Time has changed his perspective on many things. One thing that is very clear to my family is that we are extremely proud of his service, his continuing dedication to honoring his flag and country and his certainty in that he did the right things at that particular time.

THE CONSTITUTION OF THE UNITED STATES OF AMERICA

Secretary of State's Note: In 1787, 12 of the 13 original states, with the exception of Rhode Island, appointed 70 men as delegates to the Constitutional Convention in Philadelphia. These delegates, or "framers" as they came to be known, worked to construct a document to provide for a stronger central government than the Articles of Confederation had allowed while not infringing on the sovereignty of states and preserving individual rights consistent with the principles of the Declaration of Independence.

On September 17, 1787, a Constitution was adopted consisting of a preamble and seven subsequent articles outlining a framework for a new federal government. The document established three separate but equal branches of government: executive, legislative, and judicial. Borne from their experience under British monarchial rule, the framers created a series of "checks and balances" devised to ensure that one branch of government could not dominate another.

Over the next three years, states held conventions to ratify the Constitution on the following dates: Delaware, December 7, 1787; Pennsylvania, December 12, 1787; New Jersey, December 18, 1787; Georgia, January 2, 1788; Connecticut, January 9, 1788; Massachusetts, February 6, 1788; Maryland, April 28, 1788; South Carolina, May 23, 1788; New Hampshire, June 21, 1788; Virginia, June 26, 1788; New York, July 26, 1788; North Carolina, November 21, 1789; and Rhode Island, May 29, 1790.

Since its inception, the U.S. Constitution has been amended 27 times. The first 10 amendments—also known as the Bill of Rights—were proposed during the first session of First Congress of the United States, on September 25, 1789. These amendments outlined fundamental individual rights and liberties, which could not be infringed upon by the central government. The Bill of Rights was ratified by the required number of states December 15, 1791. While guaranteeing the right to liberty for some, the Constitution was not amended until 1865 to abolish slavery. In addition, voting rights were not extended to women until the Twentieth Century.

Effective dates for constitutional amendments:

The 11th Amendment	February 7, 1795
The 12th Amendment	June 15, 1804
The 13th Amendment	December 18, 1865
The 14th Amendment	July 28, 1868
The 15th Amendment	March 30, 1870
The 16th Amendment	February 25, 1913
The 17th Amendment	May 31, 1913
The 18th Amendment	January 29, 1920
The 19th Amendment	August 27, 1920
The 20th Amendment	February 6, 1933
The 21th Amendment	December 5, 1933
The 22nd Amendment	March 1, 1951
The 23rd Amendment	April 3, 1961
The 24th Amendment	February 4, 1964
The 25th Amendment	February 23, 1967
The 26th Amendment	July 5, 1971
The 27th Amendment	May 18, 1992

THE CONSTITUTION OF THE UNITED STATES OF AMERICA

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I

Section 1. All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a senate and a house of representatives.

Sec. 2. The house of representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen. Representatives and direct taxes shall be apportioned among the several states which may be included within this Union according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every 30,000, but each state shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose 3; Massachusetts, 8; Rhode Island and Providence Plantations, 1; Connecticut, 5; New York, 6; New Jersey, 4; Pennsylvania, 8; Delaware, 1; Maryland, 6; Virginia, 10; North Carolina, 5; South Carolina, 5; Georgia, 3.

When vacancies happen in the representation from any state the executive authority thereof shall issue writs of election to fill such vacancies.

The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

Sec. 3. The Senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year; and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year. When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The vice president of the United States shall be president of the senate, but shall have no vote unless they be equally divided.

The senate shall choose their own officers, and also a president pro tempore, in the absence of the vice president, or when he shall exercise the office of president of the United States. The senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to law.

Sec. 4. The times, places and manner of holding elections for senators and representatives shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

The Congress shall assemble at least once in every year, and such meetings shall be on the first Monday in December, unless they shall, by law, appoint a different day.

Sec. 5. Each house shall be the judge of the election returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same; excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Sec. 6. The senators and representatives shall receive a compensation for their services, to be ascertained by law and paid out of the treasury of the United States. They shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

Sec. 7. All bills for raising revenue shall originate in the house of representatives, but the senate may propose or concur with amendments, as on other bills.

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Every bill which shall have passed the house of representatives and the senate shall, before it becomes a law, be presented to the president of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and, if approved by two-thirds of that house, it shall become a law. But in all cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress by their adjournment prevent its return; in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States, and, before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

Sec. 8. The Congress shall have power: To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform through the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

To establish a uniform rule of naturalization and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the supreme court;

To define and punish piracies and felonies committed on the high seas, and offenses, against the laws of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the Service of the United States, reserving to the states, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular states and the acceptance of Congress, become the seat of the government of the United States; and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock yards, and other needful buildings; and To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Sec. 9. The migration or importation of such persons as any of the states now existing shall think proper to admit shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended unless when, in case of rebellion or invasion, the public safety may require it.

No bill of attainder, or ex post facto law, shall be passed.

No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any state.

No preference shall be given, by any regulation of commerce or revenue, to the ports of one state over those of another; nor shall vessels bound to or from one state be obliged to enter, clear or pay duties in another.

No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States, and no person holding any office of profit and trust under them shall, without the consent of the Congress, accept of any present, emolument, office or title of any kind whatever, from any king, prince or foreign state.

Sec. 10. No state shall enter into any treaty, alliance or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts or grant any title of nobility.

No state shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any state on imports or exports shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No state shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state or with a foreign power, or engage in war, unless actually invaded or in such imminent danger as will not admit of delay.

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ARTICLE II

Section 1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice president, chosen for the same term, be elected as follows: Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of senators and representatives to which the state may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.
The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and the number of votes for each; which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates; and the votes shall then be counted. The person having the greatest number of votes shall be appointed, if such a number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose, by ballot, one of them for president; and if no person have a majority, then from the five highest on the list the said house shall, in like manner, choose the president. But in choosing the president the vote shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case after the choice of the president, the person having the greatest number of votes of the electors shall be the vice president. But if there should remain two or more who have equal votes, the senate shall choose from them, by ballot, the vice president.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years and been fourteen years a resident within the United States.

In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice president; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the president and vice president, declaring what officer shall then act as president, and such officer shall act accordingly until the disability be removed, or a president shall be elected.

The president shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office he shall take the following oath or affirmation:

“I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will, to the best of my ability, preserve, protect and defend the Constitution of the United States.”

Sec. 2. The president shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.
He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur, and he shall nominate, and by and with the advice and consent of the senate shall appoint ambassadors, other public ministers, and consuls, judges of the supreme court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers as they think proper in the president alone, in the courts of law, or in the heads of departments.

The president shall have power to fill all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

Sec. 3. He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. He may, on extraordinary occasions, convene both houses, or either of them; and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers. He shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Sec. 4. The president, vice president, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III

Section 1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

Sec. 2. The judicial power shall extend to all cases in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and
maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state or the citizens thereof add foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Sec. 3. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attained.

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ARTICLE IV

Section 1. Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Sec. 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labor in one state under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Sec. 3. New states may be admitted by the Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states or parts of states, without the consent of the legislatures of the states concerned, as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular state.

Sec. 4. The United States shall guarantee to every state in the Union a republican form of government; and shall protect each of them against invasion, and, on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

ARTICLE V

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid, to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the congress; provided, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

ARTICLE VI

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding.

The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this Constitution, but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII

The ratification of the conventions of nine states shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

AMENDMENT I
Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, or to petition the government for a redress of grievances.

AMENDMENT II
A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

AMENDMENT III
No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

AMENDMENT IV
The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

AMENDMENT V
No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war and public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be witness against himself; nor be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation.

AMENDMENT VI
In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

AMENDMENT VII
In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court in the United States than according to the rules of the common law.

AMENDMENT VIII
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

AMENDMENT IX
The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

AMENDMENT X
The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states, respectively, or to the people.

Chapter Two Charters, Laws and Founding Documents

AMENDMENT XI
The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

AMENDMENT XII
The electors shall meet in their respective states, and vote by ballot for president and vice president, one of whom at least shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as president, and in distinct ballot the person voted for as vice president; and they shall make distinct lists of all persons voted for as president and of all persons voted for as vice president, and of the number of votes for each; which lists they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the president of the senate; the president of the senate shall, in presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for president shall be the president; if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president the vote shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states; and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice president shall act as president, as in the case of the death or other constitutional disability of the president.

The person having the greatest number of votes as vice president shall be the vice president, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then, from the two highest numbers on the list, the senate shall choose the vice president; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

But no person constitutionally ineligible to the office of president shall be eligible to that of vice president of the United States.

AMENDMENT XIII
Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XIV
Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Sec. 2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for president and vice president of the United States, representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Sec. 3. No person shall be a senator or representative in Congress or elector of president and vice president, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each house remove such disability.

Sec. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Sec. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

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

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XVI
The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.

AMENDMENT XVII
The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, that the legislature of any state may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

AMENDMENT XVIII
Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Sec. 2. The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

AMENDMENT XIX
Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or any state on account of sex.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

Chapter Two Charters, Laws and Founding Documents

AMENDMENT XX
Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Sec. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

Sec. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Sec. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Sec. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

AMENDMENT XXI
Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Sec. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

AMENDMENT XXII
Section 1. No person shall be elected to the office of President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President, or acting as President, during the remainder of such term.

AMENDMENT XXIII
Section 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the states, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXIV
Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXV
Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Sec. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Sec. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as acting President.

Sec. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

AMENDMENT XXVI
Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXVII
No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

In honor of Sergeant Fred Wagner, US Army—Served in the Korean War
Hometown: Chicago, Illinois
Submitted by Paul Wagner, September 18, 2008
My father Fred served two tours in Korea. He had 3 of 9 kids while sending that small check back to the states. He is your classic "Do not make a fuss" servant. He is truly a great American veteran!

In honor of PFC Kenneth Johnson, U.S. Army—Served in World War II
Hometown: Duluth, Minnesota
Submitted by Jack Johnson, November 4, 2008
My vote today was a salute to my father. He died many years ago, but no day passes without a thought of him, however, fleeting. He was a member of the "greatest generation" and except for the years spent overseas during World War Two, he lived his entire life in Duluth—the only place he ever wanted to live. He landed at Normandy, fought his way through the fields and hedgerows of France with the 90th Division, and got a Purple Heart before returning to Duluth in the fall of 1945.

One of my earliest memories is the night we waited for him to "come home from the war" and when he finally came in the door he was wearing his uniform. He lifted me over his head, swung me around, hugged me tight, and held me on his lap for the longest time. I was 2-1/2. When he finally got home, Dad's goal was to put the war behind him and get on with his life—which he did, but he had experienced terrible things and the war never really left him. In that respect he was like millions of other veterans. Thanks, dad, for all you gave and thanks, too, to all our veterans whose sacrifices made it possible for me and my younger sister to cast our votes today.

In honor of Scott and Steve Peterson, Army National Guard—Served in Iraq
Hometown: Gaylord, Minnesota
Submitted by Eunie Peterson, November 4, 2008
Scott and Steve are my sons who have served with the National Guard in Scania, Iraq. I cast my vote in honor of them and their service to our country. It is because of them that we have the right to vote. Thanks guys. We are proud of you. MOM

In honor of Corporal William Thomas, Marine Corps—Served in World War II
Hometown: Bridgeport, Connecticut
Submitted by Peg Thomas, October 31, 2008
This is to my Dad, William, who died when I was 9 years old--he was 37. I don't remember much about him; my mother quickly married because there were 4 girls and no income. That wasn't such a great decision for me. So my dad was always my secret dad. And even after almost everything about him was put away, the things that seemed to come seeping out were photos from the Marines, pictures of China on very tiny sepia photos, Walnuts with thousands of people carved into them, and iron lion bookends. My father was born in Wales, arrived from Wales to Ellis Island at a young age, and died at 37. And so I guess it is fitting that his most documented and memorable years were from when he was in the Marines having adventures and protecting us all. Thanks dad for being valiant.

In honor of Travis Grimm, Marine Corps
Submitted by Peg Chemberlin, October 31, 2008
As Travis gets ready for his third tour of duty in Iraq we will vote, in order that democracy is never taken for granted and we will vote that this soldier's service is also not taken for granted.

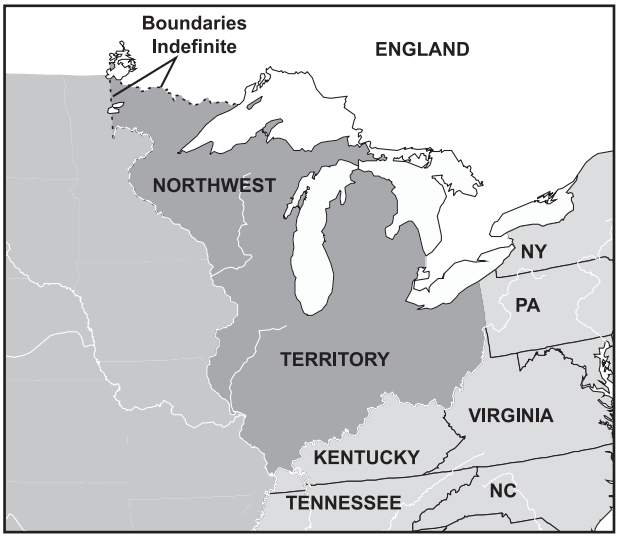
THE NORTHWEST ORDINANCE OF 1787

Secretary of State's Note: Enacted by the Continental Congress on July 13, 1787, this act organized the Northwest Territory, a tract of land extending north of the Ohio River and west from the Appalachian Mountains to the Mississippi River. The act established a territorial government, provided for the Congressional appointment of a governor and secretary, and called for the formation of not less than three, but no more than five new states.

The act is considered one of the most important legislative acts passed by the Continental Congress, second only to the Declaration of Independence. Among its lasting legacies, it set a precedent that westward expansion of the United States would occur through the admission of new states rather than by the extension of existing states' boundaries. In addition, new states were to be admitted into the Union on equal footing with states previously established.

The act included civil rights provisions, which were precursors to the Bill of Rights in the U.S. Constitution. It included freedom of religion, the rights of *habeas corpus* and a trial by jury. It banned slavery in the territory, excessive fines, *ex post facto* laws, cruel and unusual punishment, and encouraged public education.

By May 1848, five states were carved from the Northwest Territory: Ohio, Indiana, Illinois, Michigan, and Wisconsin. Minnesota would incorporate the remaining territorial land west of the St. Croix River.



The Northwest Territory 1787

NORTHWEST ORDINANCE 1787

[Act of Congress, July 13, 1787]

An Ordinance for the government of the territory of the United States northwest of the river Ohio.

1. Be it ordained by the United States, in Congress assembled, That the said territory, for the purpose of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Chapter Two Charters, Laws and Founding Documents

2. Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said territory, dying intestate, shall descend to, and be distributed among, their children and the descendants of a deceased child in equal parts, the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them; and where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parent's share; and there shall, in no case, be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate her third part of the real estate for life, and one-third part of the personal estate; and this law, relative to descents and dower, shall remain in full force until altered by the Legislature of the district. And until the Governor and judges shall adopt laws, as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be, (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers, shall be appointed for that purpose; and personal property may be transferred by delivery, saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskies, Saint Vincents, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance of property.

3. Be it ordained by the authority aforesaid, That there shall be appointed, from time to time, by Congress, a Governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in 1,000 acres of land, while in the exercise of his office.

4. There shall be appointed from time to time, by Congress, a Secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the Acts and laws passed by the Legislature, and the public records of the district, and the proceedings of the Governor in his executive department, and transmit authentic copies of such Acts and proceedings every six months, to the Secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in five hundred acres of land, while in the exercise of their offices; and their commission shall continue in force during good behavior.

5. The Governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to Congress from time to time, which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterwards the Legislature shall have authority to alter them as they shall think fit.

6. The Governor, for the time being, shall be commander-in-chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

7. Previous to the organization of the general assembly, the Governor shall appoint such magistrates, and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same. After the General Assembly shall be organized the powers and duties of magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the Governor.

8. For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the Governor shall make proper divisions thereof; and he shall proceed, from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the Legislature.

9. So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the Governor, they shall receive authority, with the time and place, to elect Representatives from their counties or townships, to represent them in the General Assembly: Provided, that for every five hundred free male inhabitants there shall be one Representative, and so on, progressively, with the number of free male inhabitants, shall the right of representation increase, until the number of Representatives shall amount to twenty-five; after which the number and proportion of Representatives shall be regulated by the legislature: Provided, that no person be eligible or qualified to act as a Representative, unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same: Provided also, that a freehold in fifty acres of land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold and two years' residence in the district, shall be necessary to qualify a man as an elector of a Representative.

10. The Representatives thus elected shall serve for the term of two years; and in case of the death of a Representative, or removal from office, the Governor shall issue a writ to the county or township, for which he was a member, to elect another in his stead, to serve for the residue of the term.

11. The General Assembly, or Legislature, shall consist of the Governor, Legislative Council, and a House of Representatives. The Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum; and the members of the council shall be nominated and appointed in the following manner, to wit: As soon as Representatives shall be elected the Governor shall appoint a time and place for them to meet together, and when met they shall nominate ten persons, resident in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress, five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the Council, by death or removal from office, the House of Representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress, one of whom Congress shall appoint and commission for the residue of the term; and every five years, four months at least before the expiration of the time of service of the members of the Council, the said House shall nominate ten persons, qualified as aforesaid, and return their names to Congress, five of whom Congress shall appoint and commission to serve as members of the Council five years, unless sooner removed. And the Governor, Legislative Council, and House of Representatives shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this Ordinance established and declared. And all bills, having passed by a majority in the House, and by a majority in the Council, shall be referred to the Governor for his assent; but no bill or legislative Act whatever shall be of any force without his assent. The Governor shall have power to convene, prorogue, and dissolve the General Assembly when, in his opinion, it shall be expedient.

12. The Governor, judges, Legislative Council, Secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity, and of office; the Governor before the President of Congress, and all other officers before the Governor. As soon as a legislature shall be formed in the district, the Council and House assembled, in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting, during this temporary government.

13. And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and Constitutions, are erected; to fix and establish those principles as the basis of all laws, Constitutions, and governments, which forever hereafter shall be formed in the said territory; to provide, also, for the establishment of States, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest.

14. It is hereby ordained and declared, by the authority aforesaid, that the following articles shall be considered as articles of compact, between the original States and the people and States in the said territory, and forever remain unalterable, unless by common consent, to wit:

Article I. No person demeaning himself in a peaceable and orderly manner shall ever be molested on account of his mode of worship, or religious sentiments in the said territories.

Art. II. The inhabitants of the said territory shall always be entitled to the benefits of the writs of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the Legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate, and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers, or the law of the land, and should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared that no law ought ever to be made or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts, or engagements bona fide and without fraud previously formed.

Art. III. Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

Art. IV. The said territory, and the States which may be formed therein, shall forever remain a part of this Confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the Acts and Ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts, contracted, or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the Legislatures of the district, or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The Legislatures of those districts, or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall nonresident proprietors be taxed higher than residents. The

navigable waters leading into the Mississippi and Saint Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the Confederacy, without any tax, impost, or duty therefor.

Art. V. There shall be formed in the said territory not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her Act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State, in the said territory, shall be bounded by the Mississippi, the Ohio, and the Wabash rivers; a direct line drawn from the Wabash and Post Vincents, due north, to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle States shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, and it is further understood and declared, that the boundaries of these three States, shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States, in all respects whatever; and shall be at liberty to form a permanent Constitution and State government: Provided, the Constitution and government, so to be formed, shall be republican, and in conformity to the principles contained in these Articles, and, so far as it can be consistent with the general interest of the Confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

Art. VI. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: Provided always, that any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid.

Be it ordained by the authority aforesaid, That the resolutions of the 23rd of April, 1784, relative to the subject of this Ordinance, be, and the same are hereby, repealed, and declared null and void.

Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the 12th.

In honor of Stan Lacina, US Army—Served in World War II
Hometown: Canby, Minnesota
Submitted by Roxane Zych, August 25, 2008
Thank you dad, for all you did for us. Now that I have a 17 year old son, I see how big of a sacrifice you made giving up a portion of your young adulthood to leave your home and travel to another continent by ship and fight in a war. After living the majority of your childhood during the Great Depression as well.

In honor of Lt. John Sandstrom, Navy—Served in World War II
Hometown: Rockford, Illinois
Submitted by Lars Sandstrom, October 31, 2008
My dad served as a lieutenant on two destroyers, the USS Bristol and the USS Kendrick. His ship provided battleship escort in the Mediterranean Sea during WW II, primarily off the coast of Italy and Africa. He continued his service to our country by serving on the Rockford, Illinois draft board during the Vietnam War era.

THE ORGANIC ACT OF 1849

Secretary of State's Note: On March 3, 1849, Congress passed the organic act creating the Territory of Minnesota. The northern, southern, and eastern boundaries of the territory formed the familiar border of the state of Minnesota we know today. However, the territory's western border extended into present day North and South Dakota to the White Earth and Missouri Rivers.

The movement to create a territorial government arose following the formation of the states of Iowa and Wisconsin, which left expanses of land without a formal government. Elected as a delegate to Congress from the area, Henry H. Sibley worked with U.S. Senator Stephen A. Douglas, chairman of the senate committee on territories, to pass legislation establishing a government for the Minnesota Territory.

The act provided for a governor, secretary, judicial system, legislative assembly, and delegate to Congress. The governor, secretary, chief justice and associate justices, attorney, and marshal of the territory were to be appointed by the president with the consent of the U.S. Senate. Legislators and congressional delegates were to be elected by eligible voters (free, white male inhabitants of the territory above the age of 21).

The territorial legislature's first session convened on September 3, 1849 in the Central House at the corner of Bench and Minnesota Streets in St. Paul. The legislative assembly consisted of two houses; a council of nine members and a house of representatives composed of 18 members. The act allowed for the number of councilors and representatives to increase proportionately as the population grew.

The act strongly recognized the importance of education by requiring that specific land sections in each township be reserved for schools.

AN ACT TO ESTABLISH THE TERRITORIAL GOVERNMENT OF MINNESOTA

[Passed March 3, 1849]

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passage of this act, all that part of the territory of the United States which lies within the following limits, to-wit: Beginning in the Mississippi river at the point where the line of forty-three degrees and thirty minutes of north latitude crosses the same; thence running due west on said line, which is the northern boundary of the state of Iowa, to the northwest corner of the said state of Iowa; thence southerly along the western boundary of said state to the point where said boundary strikes the Missouri river; thence up the middle of the main channel of the Missouri river to the mouth of White Earth river; thence up the middle of the main channel of the White Earth river to the boundary line between the possessions of the United States and Great Britain, thence east and south of east along the boundary line between the possessions of the United States and Great Britain to Lake Superior; thence in a straight line to the northernmost point of the state of Wisconsin in Lake Superior; thence along the western boundary line of said state of Wisconsin to the Mississippi river; thence down the main channel of said river to the place of beginning, be and the same is hereby erected into a temporary government by the name of the Territory of Minnesota; provided, that nothing in this act contained shall be construed to inhibit the government of the United States from dividing said Territory into two or more territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other state or territory of the United States.

Sec. 2. *And be it further enacted*, That the executive power and authority in and over said Territory of Minnesota shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the president of the United States. The governor shall reside within said Territory; shall be commander-in-chief of the militia thereof; shall perform the duties and receive the emoluments of superintendent of Indian affairs. He may grant pardons for offenses against the law of said Territory, and reprieves for offenses against the laws of the United States until the decision of the president can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

Sec. 3. *And be it further enacted*, That there shall be a secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the president of the United States; he shall record and preserve all the laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor in his executive department; he shall transmit one copy of the laws and one copy of the executive proceedings, on or before the first day of December in each year, to the president of the United States, and at the same time two copies of the laws to the speaker of the house of representatives, and the president of the senate for the use of Congress. And in case of the death, removal, resignation, or necessary absence of the governor from the Territory, the secretary shall be and he is hereby authorized and required to execute and perform all the powers and the duties of the governor during such vacancy or necessary absence or until another governor shall be duly appointed to fill such vacancy.

Sec. 4. *And be it further enacted*, That the legislative power and authority of said Territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of nine members having the qualifications of voters, as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall, at its first session, consist of eighteen members, possessing the same qualifications as prescribed for members of the council, and whose term of service shall continue one year. The number of councilors and representatives may be increased by the legislative assembly, from time to time, in proportion to the increase of population; provided, that the whole number shall never exceed fifteen councilors and thirty-nine representatives. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts for the election of the council and representatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the members of the council and of the house of representatives shall reside in and be inhabitants of the districts for which they may be elected, respectively. Previous to the first election, the governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken, and the first election shall be held at such times and places and be conducted in such manner as the governor shall appoint and direct, and he shall, at the same time, declare the number of members of the council and house of representatives to which each of the counties and districts shall be entitled under this act. The number of persons authorized to be elected having the highest number of votes, in each of said council districts for members of the council, shall be declared by the governor to be duly elected to the council, and the person or persons authorized to be elected, having the greatest number of votes for the house of representatives, equal to the number to which each county or district shall be entitled, shall also be declared by the governor to be duly elected members of the house of representatives; provided, that in case of a tie between two or more persons voted for, the governor shall order a new election to supply the vacancy made by such tie. And the persons thus elected to the legislative assembly shall meet at such place on such day as the governor shall appoint, but thereafter the time, place and manner of holding and conducting all elections by the people, and the apportioning of the representation in the several counties or districts to the council and house of representatives, according to the population, shall be prescribed by laws, as well as the day of the commencement of the regular session of the legislative assembly; provided, that no one session shall exceed the term of sixty days.

Sec. 5. *And be it further enacted*, That every free white male inhabitant above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and of holding office at all subsequent elections shall be such as shall be prescribed by the legislative assembly; provided, that the right of suffrage and of holding office shall be exercised only by citizens of the United States and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the constitution of the United States and the provisions of this act.

Chapter Two Charters, Laws and Founding Documents

Sec. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation, consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. All the laws passed by the legislative assembly and governor shall be submitted to the Congress of the United States, and if disapproved shall be null and of no effect.

Sec. 7. *And be it further enacted*, That all township, district and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory of Minnesota. The governor shall nominate and, by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for, and, in the first instance, the governor alone may appoint all said officers, who shall hold their offices until the end of the next session of the legislative assembly.

Sec. 8. *And be it further enacted*, That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

Sec. 9. *And be it further enacted*, That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually; and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court, at such time and places as may be prescribed by law; and the said judges shall, after their appointment, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of probate courts and justices of the peace, shall be as limited by law; provided, that the justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common law jurisdiction. Each district court, or the judges thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception and appeals shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law, but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said supreme court shall be allowed, and may be taken to the supreme court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the constitution and laws of the United States, as is vested in the circuit and district courts of the United States; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws; and writs of error and appeal in all such cases shall be made to the supreme court of said Territory, the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of the late Wisconsin Territory received for similar services.

Sec. 10. *And be it further enacted*, That there shall be appointed an attorney for said Territory, who shall continue in office for four years, unless sooner removed by the president, and who shall receive the same fees and salary as the attorney of the United States for the late Territory of Wisconsin received. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the president, and who shall hold his office for four years, unless sooner removed by the president, and who shall execute all processes issuing from the said courts, when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees as the marshal of the district court of the United States for the late Territory of Wisconsin; and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

Sec. 11. *And be it further enacted*, That the governor, secretary, chief justice and associate justices, attorney and marshal, shall be nominated and by and with the advice and consent of the senate, appointed by the president of the United States. The governor and secretary to be appointed as aforesaid shall, before they act as such, respectively, take an oath or affirmation, before the district judge, or some justice of the peace in the limits of said Territory, duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice, or some associate justice of the supreme court of the United States, to support the constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken, and such certificates shall be received and recorded by the said secretary among the executive proceedings; and the chief justice and associate justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation, before the said governor or secretary, or some judge or justice of the peace of the Territory, who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted, by the person taking the same, to the secretary, to be by him recorded as aforesaid; and afterwards, the like oath or affirmation shall be taken, certified and recorded in such manner and form as may be prescribed by law. The governor shall receive an annual salary of $1,500 as governor, and $1,000 as superintendent of Indian affairs. The chief justice and associate justice shall each receive an annual salary of $1,800. The secretary shall receive an annual salary of $1,800. The said salaries shall be paid quarter-yearly, at the treasury of the United States. The members of the legislative assembly shall be entitled to receive three dollars each per day during their attendance at the session thereof, and three dollars each for every twenty miles traveled in going to and returning from the said sessions, estimated according to the nearest usually traveled route. There shall be appropriated, annually, the sum of $1,000, to be expended by the governor to defray the contingent expenses of the Territory; and there shall also be appropriated, annually, a sufficient sum to be expended by the secretary of the Territory, and upon an estimate to be made by the secretary of the treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses, and the secretary of the Territory shall annually account to the secretary of the treasury of the United States for the manner in which the aforesaid sum shall have been expended.

Sec. 12. *And be it further enacted*, That the inhabitants of the said Territory shall be entitled to all the rights, privileges and immunities heretofore granted and secured to the Territory of Wisconsin and to its inhabitants; and the laws in force in the Territory of Wisconsin at the date of the admission of the State of Wisconsin shall continue to be valid and operative therein, so far as the same be not incompatible with the provisions of this act, subject, nevertheless, to be altered, modified or repealed by the governor and legislative assembly of the said Territory of Minnesota; and the laws of the United States are hereby extended over and declared to be in force in said Territory, so far as the same, or any provision thereof, may be applicable.

Sec. 13. *And be it further enacted*, That the legislative assembly of the Territory of Minnesota shall hold its first session in St. Paul; and at said first session the governor and legislative assembly shall locate and establish a temporary seat of government for said Territory, at such place as they may deem eligible; and shall at such time as they shall see proper prescribe by law the manner of locating the permanent seat of government of said Territory by a vote of the people. And the sum of twenty thousand dollars, out of any money in the treasury not otherwise appropriated, is hereby appropriated and granted to said Territory of Minnesota, to be applied by the governor and legislative assembly to the erection of suitable public buildings at the seat of government.

Chapter Two Charters, Laws and Founding Documents

Sec. 14. *And be it further enacted*, That a delegate of the house of representatives of the United States, to serve for the term of two years, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other territories of the United States to the said house of representatives. The first election shall be held at such time and places and be conducted in such manner as the governor shall appoint and direct; and at all subsequent elections the times, places and manner of holding. the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly.

Sec. 15. *And be it further enacted*, That all suits, process and proceedings, civil and criminal, at law or in chancery, and all indictments and information, which shall be pending and undetermined in the courts of the Territory of Wisconsin, within the limits of said Territory of Minnesota, when this act shall take effect, shall be transferred to be heard, tried, prosecuted and determined in the district courts hereby established, which may include the counties or districts where any such proceedings may be pending. All bonds, recognizances, and obligations of every kind whatsoever, valid under the existing laws, within the limits of said Territory, shall be valid under this act; and all crimes and misdemeanors against the laws, in force within said limits, may be prosecuted, tried, and punished in the courts established by this act; and all penalties, forfeitures, actions and causes of action may be recovered under this act the same as they would have been under the laws in force within the limits composing said Territory at the time this act shall go into operation.

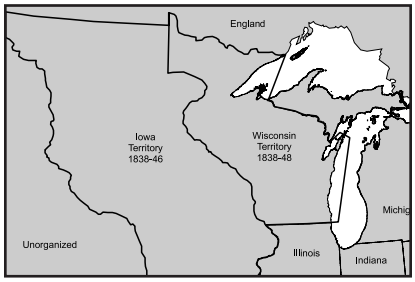
Sec. 16. *And be it further enacted*, That all justices of the peace, constables, sheriffs, and all other judicial and ministerial officers, who shall be in office within the limits of said Territory, when this act shall take effect, shall be and they are hereby authorized and required to continue to exercise and perform the duties of their respective offices as officers of the Territory of Minnesota, temporarily, and until they or others shall be duly appointed and qualified to fill their places, in the manner herein directed, or until their offices shall be abolished.

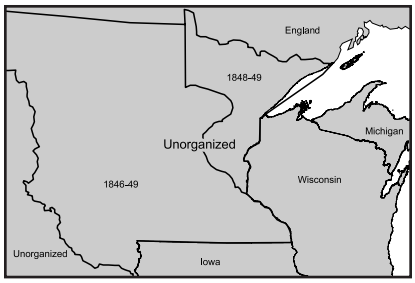
Sec. 17. *And be it further enacted*, That the sum of $5,000 be and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to be expended by and under the direction of the said governor of the Territory of Minnesota, in the purchase of a library, to be kept at the seat of government for the use of the governor, legislative assembly, judges of the supreme court, secretary, marshal, and attorneys of said Territory, and such other persons and under such regulations as shall be prescribed by law.

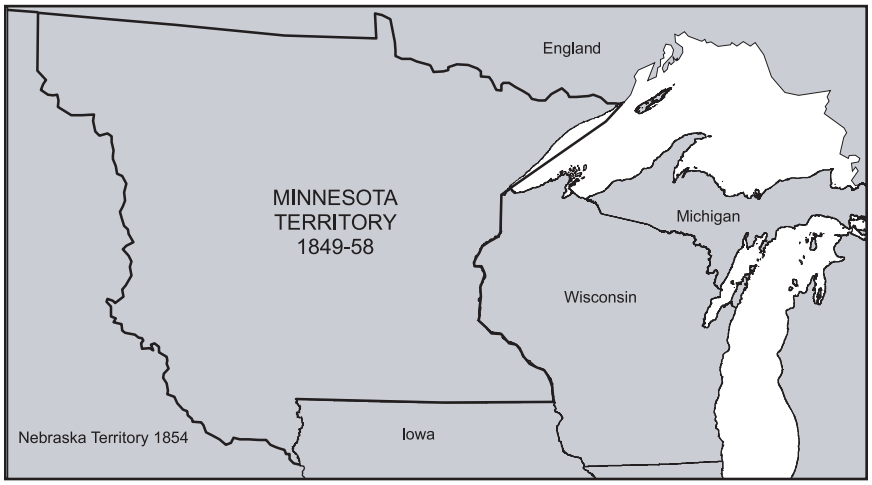
Sec. 18. *And be it further enacted*, That when the lands in said Territory shall be surveyed under the direction of the government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be and the same are hereby reserved for the purpose of being applied to schools in said Territory, and in the state and territories hereafter to be erected out of the same.

Sec. 19. *And be it further enacted*, That temporarily, and until otherwise provided by law, the governor of said territory may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts, by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

Sec. 20. *And be it further enacted*, That every bill which shall or may pass the council and house of representatives, shall, before it becomes a law, be presented to the governor of the Territory; if he approve, he shall sign it; but if not he shall return it, with his objections, to the house in which it originated; which shall cause the objections to be entered at large upon their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall also be reconsidered, and if approved by two-thirds of that house it shall become a law; but in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered on the journal of each house, respectively. If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislative assembly, by adjournment, prevent it, in which case it shall not become a law.







In honor of Spc Sarah Hangaard, Army National Guard—Served in Iraq
Hometown: Elk River, Minnesota
Submitted by Mike Hangaard, October 1, 2008
Sarah served in Iraq for 22 months in 2006-2007. She did it without complaint and the Red Bulls accomplished much in getting Iraq's infrastructure back in place. She's headed back this next year to again help the Iraqi people. Well Done!

ACT AUTHORIZING A STATE GOVERNMENT FOR MINNESOTA

Secretary of State's Note: During the opening of Congress in December of 1856, Henry Rice, delegate to Congress from the territory of Minnesota, introduced an act authorizing a state government for Minnesota. The enabling act passed Congress and was approved on February 26, 1857.

Considerable controversy had arisen in the territory over proposed boundaries for the state of Minnesota. There were two general groups, the east and west group and the north and south group. The east and west group proposed the Missouri River as the western boundary, and a point just north of St. Paul as the northern boundary. The Rice bill followed the proposal of the north and south group. The Rice bill proposed that the northern, southern, and eastern boundaries of Minnesota be continued, and that the western boundary be established as a line beginning at a point in the center of the main channel of the Red River of the North at the Canadian border and running south through Lake Traverse, through Big Stone Lake, to the Big Sioux River, and to the northwestern corner of Iowa. In place of the Big Sioux River, Congress substituted a line from the outlet of Big Stone Lake due south to the Iowa border.

In addition to establishing state boundaries, the enabling act provided for a constitutional convention and election of delegates to that convention. It further stipulated that the constitutional convention consider the following proposals: setting aside 72 sections of land for a state university; granting ten sections of land to the state to complete and erect public buildings at the capitol; granting the state the exclusive rights to use all salt springs; and allocating five percent of the proceeds from the sale of public lands lying within the state by Congress to be used to build roads.

The enabling act authorized the state of Minnesota to have one representative in Congress and such additional representatives as the ratio for representation allowed. To determine the population of the territory, the act authorized a census to be taken by the United States marshal. The census was completed in October of 1857; the population of the territory was 150,037.

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In honor of Donald Peterson, Air Force—Served in World War II
Hometown: Hutchinson, Minnesota
Submitted by Sonja (Peterson) Muellerleile, September 15, 2008
I am honoring my late grandpa, Don Peterson, who was a gunner in World War II in the Army Air Force. He never spoke of the war, and I am just now discovering information on his service. I honor him today and every day for the dedication and sacrifice he gave. I love and miss you, grandpa!

In honor of SPC Patrick Woodgate, Army National Guard—Serving in the Sandbox
Hometown: Bloomington, Minnesota
Submitted by Trish Woodgate, October 1, 2008
To my husband Patrick, who is currently serving overseas.

ACT AUTHORIZING A STATE GOVERNMENT (ENABLING ACT)

[Passed February 26, 1857]

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America*, in Congress assembled, That the inhabitants of that portion of the Territory of Minnesota which is embraced within the following limits, to-wit: Beginning at the point in the center of the main channel of the Red River of the North, where the boundary line between the United States and the British Possessions crosses the same; thence up the main channel of said river to that of the Bois de Sioux river; thence up the main channel of said river to Lake Traverse; thence up the center of said lake to the southern extremity thereof, thence in a direct line to the head of Big Stone lake; thence through its center to its outlet; thence by a due south line to the north line of the State of Iowa; thence along the northern boundary of said state to the main channel of the Mississippi river; thence up the main channel of said river, and following the boundary line of the State of Wisconsin, until the same intersects with the St. Louis river; thence down the said river to and through Lake Superior, on the boundary line of Wisconsin and Michigan, until it intersects the dividing line between the United States and the British Possessions; thence up Pigeon river and following said dividing line to the place of beginning, be and they hereby are authorized to form for themselves a constitution and state government by the name of the State of Minnesota, and to come into the Union on an equal footing with the original states, according to the Federal Constitution.

Sec. 2. *And be it further enacted*, That the State of Minnesota shall have concurrent jurisdiction on the Mississippi and all other rivers and waters bordering on the said State of Minnesota, so far as the same shall form a common boundary to said state and any state or states now or hereafter to be formed or bounded by the same; and said river or waters leading into the same shall be common highways, and forever free, as well to the inhabitants of said state as to all other citizens of the United States, without any tax, duty, impost, or toll therefor.

Sec. 3. *And be it further enacted*, That on the first Monday in June next, the legal voters in each representative district then existing within the limits of the proposed state, are hereby authorized to elect two delegates for each representative to which said district shall be entitled according to the apportionment for representatives to the territorial legislature; which election for delegates shall be held and conducted, and the returns made, in all respects in conformity with the laws of said Territory regulating the election of representatives, and the delegates so elected shall assemble at the capitol of said Territory on the second Monday in July next, and first determine by a vote whether it is the wish of the people of the proposed State to be admitted into the Union at that time; and if so, shall proceed to form a constitution, and take all necessary steps for the establishment of a state government, in conformity with the Federal Constitution, subject to the approval and ratification of the people of the proposed State.

Sec. 4. *And be it further enacted*, That in the event said convention shall decide in favor of the immediate admission of the proposed State into the Union, it shall be the duty of the United States marshal for said Territory to proceed to take a census or enumeration of the inhabitants within the limits of the proposed State, under such rules and regulations as shall be prescribed by the secretary of the interior, with the view of ascertaining the number of representatives to which said State may be entitled in the Congress of the United States. And said State shall be entitled to one representative, and such additional representatives as the population of the State shall, according to the census, show it would be entitled to according to the present ratio of representation.

Chapter Two Charters, Laws and Founding Documents

Sec. 5. *And be it further enacted*, That the following propositions be and the same are hereby offered to the said convention of the people of Minnesota for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory on the United States, and upon the said State of Minnesota, to-wit:

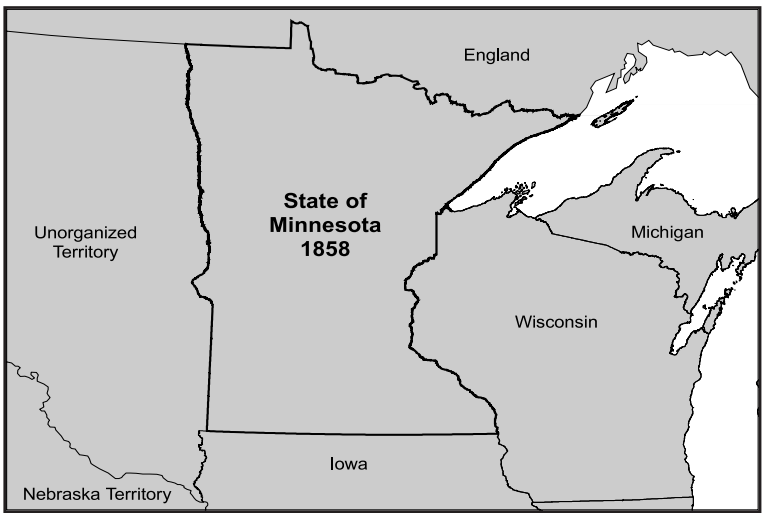
First: That sections numbered sixteen and thirty-six in every township of public lands in said State, and where either of said sections, or any part thereof, has been sold or otherwise been disposed of, other lands, equivalent thereto, and as contiguous as may be, shall be granted to said State for the use of schools.

Second: That seventy-two sections of land shall be set apart and reserved for the use and support of a state university, to be selected by the governor of said State, subject to the approval of the commissioner at the general land office, and to be appropriated and applied in such manner as the legislature of said State may prescribe; for the purpose aforesaid, but for not other purpose.

Third: Ten entire sections of land to be selected by the governor of said State, in legal subdivisions, shall be granted to said State for the purpose of completing the public buildings, or for the erection of others at the seat of government, under the direction of the legislature thereof.

Fourth: That all salt springs within said State, not exceeding twelve in number, with six sections of land adjoining or as contiguous as may be to each, shall be granted to said State for its use; and the same to be selected by the governor thereof within one year after the admission of said State, and, when so selected, to be used or disposed of on such terms, conditions and regulations as the legislature shall direct; provided, that no salt spring or land the right whereof is now vested in any individual or individuals, or which may be hereafter confirmed or adjudged to any individual or individuals, shall by this article be granted to said State.

Fifth: That five per centum of the net proceeds of sales of all public lands lying within said State, which shall be sold by Congress after the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to said State for the purpose of making public roads and internal improvements as the legislature shall direct; provided, the foregoing propositions herein offered are on the condition that the said convention which shall form the constitution of said State shall provide, by a clause in said constitution, or an ordinance, irrevocable without the consent of the United States, that said State shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations Congress may find necessary for securing the title in said soil to bona fide purchasers thereof; and that no tax shall be imposed on lands belonging to the United States, and that in no case shall nonresident proprietors be taxed higher than residents.



CONGRESSIONAL ACT: ADMISSION OF MINNESOTA INTO THE UNION

Secretary of State's Note: By the time a bill to admit Minnesota into the union was submitted to Congress in Decembr 1857, this territory had been under the dominion of four nations: France, Spain, Great Britain, and the United States and under nine territories; Northwest, Indiana, Illinois, Michigan, Wisconsin, Louisiana, Missouri, Iowa, and Minnesota. Citizens were interested in controlling their own destiny and wanted to actively pursue the many advantages of organizing as a state rather than a territory.

Legislation for statehood encountered several obstacles that delayed passage including the politics of slavery. To preserve the balance of power in Congress it was customary to admit states: one free and one slave. The Minnesota bill was paired with the bill for admission of the state of Kansas. Minnesota would prohibit slavery while Kansas would be admitted as a slave state. Due to a controversay regarding the Kansas Constitution, legislation admitting both states was delayed. Minnesota's admission into the Union was also opposed by congressmen from southern slave states.

On May 11, 1858, Minnesota entered the Union as the thirty-second state when this act was adopted by Congress and signed by President James Buchanan. Because Minnesota had no telegraph lines or railroad, it took almost two weeks for news of the passage of the legislation to reach St. Paul. A telegram was sent to Prairie du Chien, Wisconsin, and sent up the Mississippi River to St. Paul by steamboat. State officers were officially sworn in on May 24, 1858.

CONGRESSIONAL ACT FOR THE ADMISSION OF MINNESOTA INTO THE UNION

[Passed May 11, 1858]

Whereas, An act of Congress was passed February twenty-sixth, eighteen hundred and fifty-seven, entitled "An act to authorize the people of the Territory of Minnesota to form a constitution and state government preparatory to their admission into the Union on an equal footing with the original states"; and, whereas, the people of said Territory did, on the twenty-ninth day of August, eighteen hundred and fifty-seven, by delegates elected for that purpose, form for themselves a constitution and state government, which is republican in form, and was ratified and adopted by the people at an election held on the thirteenth day of October, eighteen hundred and fifty-seven, for that purpose; therefore,

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the State of Minnesota shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original states in all respects whatever.

Sec. 2. *And be it further enacted,* That said State shall be entitled to two representatives in Congress, until the next apportionment of representatives among the several states.

Chapter Two Charters, Laws and Founding Documents

Sec. 3. *And be it further enacted,* That from and after the admission of the State of Minnesota, as hereinbefore provided, all the laws of the United States which are not locally inapplicable shall have the same force and effect within that State as in other States of the Union; and the said State is hereby constituted a judicial district of the United States, within which a district court, with like powers and jurisdiction as the district court of the United States for the district of Iowa, shall be established; the judge, attorney and marshal of the United States of the said district of Minnesota shall reside within the same, and shall be entitled to the same compensation as the judge, attorney and marshal of the district of Iowa; and in all cases of appeal or writ of error heretofore prosecuted and now pending in the supreme court of the United States, upon any record from the supreme court of Minnesota Territory, the mandate of execution or order of further proceedings shall be directed by the supreme court of the United States to the district court of the United States for the district of Minnesota, or to the supreme court of the State of Minnesota, as the nature of such appeal or writ of error may require; and each of those courts shall be the successor of the supreme court of Minnesota Territory, as to all such cases, with full power to hear and determine the same, and to award mesne or final process therein.

The United States of America, 1858.

In honor of Private First Class John Messinger, Marine Corps - Served in World War II
Hometown: Palmerton, PA
Submitted by Michael Messinger, October 20, 2008
I'm proudly casting my vote this year in honor of my grandfather, PFC John Messinger. "Pop-pop," as my brother and I called him, joined the Marine Corps and served as an anti-aircraft gunner on the USS Houston (CL-81) during World War Two. The Houston was torpedoed by Japanese bombers and nearly sank in October of 1944. He was forced to abandon ship. A star athlete before the war, he became a teacher and coach after he returned. Fiercely loyal, incredibly devoted, and filled with love. John was a role model to all of us. He passed away in early 2000, but the memory of him, his service, and all we owe to him, lives on.

THE CONSTITUTION OF THE STATE OF MINNESOTA

Secretary of State's Note: In accordance with the enabling act of February 26, 1857, an election was held on June 1, 1857, at which Republican and Democratic delegates were elected to the constitutional convention. When these delegates assembled in St. Paul on July 13, 1857 to draft the Minnesota Constitution, bitterness between the two parties was so intense that Republican delegates and Democratic delegates refused to meet in the same convention. As a result, each party held
separate sessions in different rooms of the first capitol building.

The Democratic convention was presided over by Henry H. Sibley, later elected first governor of Minnesota. The Republican convention was presided over first by John W. North, and later by St. Andrew D. Balcombe.

The political discord was so great that the two bodies never acted in joint meeting during the entire constitutional convention which lasted from July 13 to August 29, 1857. The final work was done through a conference committee composed of five conferees from each of the conventions. The conferees, by reporting to and receiving advice from their respective conventions, were able to draft a constitution that would be acceptable to both bodies. On August 28, 1857, in spite of numerous protests by delegates, the report of the conference committee was adopted without amendment by both the Republican and Democratic conventions.

However, when it came time to sign the constitution, emotions were still so intense that Democrats would not sign a document that bore Republican signatures, and the Republicans objected to signing a document that bore the signatures of Democrats. The solution to this impasse: two constitutions. One constitution was written on white paper and signed by only Republicans. The other constitution was written on blue-tinted paper and signed by only Democrats.

Therefore, on the 29th day of August, after seven weeks of political dispute and disagreement, the two conventions adjourned after as many members as could bring themselves to do so signed the copy of the constitution enrolled for their particular convention.

The constitution provided for an election to be held on October 13, 1857. At this election the voters were to accept or reject the constitution. The ballots used for this purpose were printed to provide for only affirmative votes. A voter who wished to reject the constitution had to alter his ballot and write in a negative vote. The result: 30,055 for acceptance and 571 for rejection.

The procedure for acquiring statehood not only requires a constitution to be approved by the voters of the proposed state, but also that the constitution be approved by Congress. In December of 1857, the Minnesota Constitution was submitted to the United States Senate for ratification.

A certified copy of the Democratic constitution was transmitted to the Senate by the territorial secretary. This copy was attached to the bill for the admission of Minnesota into the Union. However, when the bill was reported back from the Senate, historians report that the Republican constitution was attached. In any event, there is substantial authority that both constitutions were before Congress when Minnesota was admitted to the Union on May 11, 1858. It appears that the constitution Congress approved on May 11, 1858, was an amended constitution, not the original adopted by the constitutional convention and approved by the voters in 1857.

In the election of October 13, 1857, in addition to voting on the constitution, the voters elected executive, legislative and judicial officers. The executive and judicial officers were content to wait for an act from Congress before assuming office. But the Legislature took the opposite view and convened on December 3, 1857, believing that under the enabling act, the statehood of Minnesota began when the voters approved the constitution. Even though the Legislature convened under an incorrect interpretation of the enabling act, they proceeded to enact laws which have remained undisturbed by the courts.

Chapter Two Charters, Laws and Founding Documents

The first two acts passed by the Legislature were proposed amendments to the constitution. One amendment authorized a loan to railroads of $5 million and the other related to the term of office of the first state officers. These amendments were ratified by the voters at a special election held April 15, 1858. It appears that the constitution Congress approved on May 11, 1858 included these amendments.

The Minnesota Legislature in 1971 established a constitutional study commission to review the constitution and make recommendations to maintain its utility. After two years of study, the commission recommended that an amendment be prepared to restructure the constitution for easy reference and to rewrite it in modern language.

The amendment was introduced and passed in both houses, signed by the governor, and approved by the voters on November 5, 1974. The previous wording of the constitution is printed, with all the amendments approved by voters since its adoption in 1857, in the *Minnesota Legislative Manual 1973–74*, pages 445–484. The amendment approved in 1974 did not alter the meaning of the constitution. In cases of constitutional law, the original document remains the final authority.

CONSTITUTION OF THE STATE OF MINNESOTA

[Generally Revised November 5, 1974]

Preamble

We, the people of the state of Minnesota, grateful to God for our civil and religious liberty, and desiring to perpetuate its blessings and secure the same to ourselves and our posterity, do ordain and establish this Constitution.

ARTICLE I
BILL OF RIGHTS

Section 1. **Object of government.** Government is instituted for the security, benefit and protection of the people, in whom all political power is inherent, together with the right to alter, modify or reform government whenever required by the public good.

Sec. 2. **Rights and privileges.** No member of this state shall be disfranchised or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land or the judgment of his peers. There shall be neither slavery nor involuntary servitude in the state otherwise than as punishment for a crime of which the party has been convicted.

Sec. 3. **Liberty of the press.** The liberty of the press shall forever remain inviolate, and all persons may freely speak, write and publish their sentiments on all subjects, being responsible for the abuse of such right.

Sec. 4. **Trial by jury.** The right of trial by jury shall remain inviolate, and shall extend to all cases at law without regard to the amount in controversy. A jury trial may be waived by the parties in all cases in the manner prescribed by law. The legislature may provide that the agreement of five-sixths of a jury in a civil action or proceeding, after not less than six hours' deliberation, is a sufficient verdict. The legislature may provide for the number of jurors in a civil action or proceeding, provided that a jury have at least six members.

Sec. 5. **No excessive bail or unusual punishments.** Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

Sec. 6. **Rights of accused in criminal prosecutions.** In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the county or district wherein the crime shall have been committed, which county or district shall have been previously ascertained by law. In all prosecutions of crimes defined by law as felonies, the accused has the right to a jury of 12 members. In all other criminal prosecutions, the legislature may provide for the number of jurors, provided that a jury have at least six members. The accused shall enjoy the right to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor and to have the assistance of counsel in his defense.

Sec. 7. **Due process; prosecutions; double jeopardy; self-incrimination; bail; habeas corpus.** No person shall be held to answer for a criminal offense without due process of law, and no person shall be put twice in jeopardy of punishment for the same offense, nor be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property without due process of law. All persons before conviction shall be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great. The privilege of the writ of habeas corpus shall not be suspended unless the public safety requires it in case of rebellion or invasion.

Sec. 8. **Redress of injuries or wrongs.** Every person is entitled to a certain remedy in the laws for all injuries or wrongs which he may receive to his person, property or character, and to obtain justice freely and without purchase, completely and without denial, promptly and without delay, conformable to the laws.

Sec. 9. **Treason defined.** Treason against the state consists only in levying war against the state, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act or on confession in open court.

Sec. 10. **Unreasonable searches and seizures prohibited.** The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

Sec. 11. **Attainders, ex post facto laws and laws impairing contracts prohibited.** No bill of attainder, ex post facto law, or any law impairing the obligation of contracts shall be passed, and no conviction shall work corruption of blood or forfeiture of estate.

Sec. 12. **Imprisonment for debt; property exemption.** No person shall be imprisoned for debt in this state, but this shall not prevent the legislature from providing for imprisonment, or holding to bail, persons charged with fraud in contracting said debt. A reasonable amount of property shall be exempt from seizure or sale for the payment of any debt or liability. The amount of such exemption shall be determined by law. Provided, however, that all property so exempted shall be liable to seizure and sale for any debts incurred to any person for work done or materials furnished in the construction, repair or improvement of the same, and provided further, that such liability to seizure and sale shall also extend to all real property for any debt to any laborer or servant for labor or service performed.

Sec. 13. **Private property for public use.** Private property shall not be taken, destroyed or damaged for public use without just compensation therefor, first paid or secured.

Sec. 14. **Military power subordinate.** The military shall be subordinate to the civil power and no standing army shall be maintained in this state in times of peace.

Sec. 15. **Lands allodial; void agricultural leases.** All lands within the state are allodial and feudal tenures of every description with all their incidents are prohibited. Leases and grants of agricultural lands for a longer period than 21 years reserving rent or service of any kind shall be void.

Sec. 16. **Freedom of conscience; no preference to be given to any religious establishment or mode of worship.** The enumeration of rights in this constitution shall not deny or impair others retained by and inherent in the people. The right of every man to worship God according to the dictates of his own conscience shall never be infringed; nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any religious or ecclesiastical ministry, against his consent; nor shall any control of or interference with the rights of conscience be permitted, or any preference be given by law to any religious establishment or mode of worship; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the state, nor shall any money be drawn from the treasury for the benefit of any religious societies or religious or theological seminaries.

Sec. 17. **Religious tests and property qualifications prohibited.** No religious test or amount of property shall be required as a qualification for any office of public trust in the state. No religious test or amount of property shall be required as a qualification of any voter at any election in this state; nor shall any person be rendered incompetent to give evidence in any court of law or equity in consequence of his opinion upon the subject of religion.

ARTICLE II
NAME AND BOUNDARIES

Section 1. **Name and boundaries; acceptance of organic act.** This state shall be called the state of Minnesota and shall consist of and have jurisdiction over the territory embraced in the act of Congress entitled, "An act to authorize the people of the Territory of Minnesota to form a constitution and state government, preparatory to their admission into the Union on equal footing with the original states," and the propositions contained in that act are hereby accepted, ratified and confirmed, and remain irrevocable without the consent of the United States.

Sec. 2. **Jurisdiction on boundary waters.** The state of Minnesota has concurrent jurisdiction on the Mississippi and on all other rivers and waters forming a common boundary with any other state or states. Navigable waters leading into the same, shall be common highways and forever free to citizens of the United States without any tax, duty, impost or toll therefor.

ARTICLE III
DISTRIBUTION OF THE POWERS OF GOVERNMENT

Section 1. **Division of powers.** The powers of government shall be divided into three distinct departments: legislative, executive and judicial. No person or persons belonging to or constituting one of these departments shall exercise any of the powers properly belonging to either of the others except in the instances expressly provided in this constitution.

ARTICLE IV
LEGISLATIVE DEPARTMENT

Section 1. **Composition of legislature.** The legislature consists of the senate and house of representatives.

Sec. 2. **Apportionment of members.** The number of members who compose the senate and house of representatives shall be prescribed by law. The representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof.

Sec. 3. **Census enumeration apportionment; congressional and legislative district boundaries; senate districts.** At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, the legislature shall have the power to prescribe the bounds of congressional and legislative districts. Senators shall be chosen by single districts of convenient contiguous territory. No representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series.

Sec. 4. **Terms of office of senators and representatives; vacancies.** Representatives shall be chosen for a term of two years, except to fill a vacancy. Senators shall be chosen for a term of four years, except to fill a vacancy and except there shall be an entire new election of all the senators at the first election of representatives after each new legislative apportionment provided for in this article. The governor shall call elections to fill vacancies in either house of the legislature.

Sec. 5. **Restriction on holding office.** No senator or representative shall hold any other office under the authority of the United States or the state of Minnesota, except that of postmaster or of notary public. If elected or appointed to another office, a legislator may resign from the legislature by tendering his resignation to the governor.

Sec. 6. **Qualification of legislators; judging election returns and eligibility.** Senators and representatives shall be qualified voters of the state, and shall have resided one year in the state and six months immediately preceding the election in the district from which elected. Each house shall be the judge of the election returns and eligibility of its own members. The legislature shall prescribe by law the manner for taking evidence in cases of contested seats in either house.

Sec. 7. **Rules of government.** Each house may determine the rules of its proceedings, sit upon its own adjournment, punish its members for disorderly behavior, and with the concurrence of two-thirds expel a member; but no member shall be expelled a second time for the same offense.

Sec. 8. **Oath of office.** Each member and officer of the legislature before entering upon his duties shall take an oath or affirmation to support the Constitution of the United States, the constitution of this state, and to discharge faithfully the duties of his office to the best of his judgment and ability.

Sec. 9. **Compensation.** The compensation of senators and representatives shall be prescribed by law. No increase of compensation shall take effect during the period for which the members of the existing house of representatives may have been elected.

Sec. 10. **Privilege from arrest.** The members of each house in all cases except treason, felony and breach of the peace, shall be privileged from arrest during the session of their respective houses and in going to or returning from the same. For any speech or debate in either house they shall not be questioned in any other place.

Sec. 11. **Protest and dissent of members.** Two or more members of either house may dissent and protest against any act or resolution which they think injurious to the public or to any individual and have the reason of their dissent entered in the journal.

Sec. 12. **Biennial meetings; length of session; special sessions; length of adjournments.** The legislature shall meet at the seat of government in regular session in each biennium at the times prescribed by law for not exceeding a total of 120 legislative days. The legislature shall not meet in regular session, nor in any adjournment thereof, after the first Monday following the third Saturday in May of any year. After meeting at a time prescribed by law, the legislature may adjourn to another time. “Legislative day” shall be defined by law. A special session of the legislature may be called by the governor on extraordinary occasions.

Neither house during a session of the legislature shall adjourn for more than three days (Sundays excepted) nor to any other place than that in which the two houses shall be assembled without the consent of the other house.

Sec. 13. **Quorum.** A majority of each house constitutes a quorum to transact business, but a smaller number may adjourn from day to day and compel the attendance of absent members in the manner and under the penalties it may provide.

Sec. 14. **Open sessions.** Each house shall be open to the public during its sessions except in cases which in its opinion require secrecy.

Sec. 15. **Officers; journals.** Each house shall elect its presiding officer and other officers as may be provided by law. Both houses shall keep journals of their proceedings, and from time to time publish the same, and the yeas and nays, when taken on any question, shall be entered in the journals.

Sec. 16. **Elections viva voce.** In all elections by the legislature members shall vote viva voce and their votes shall be entered in the journal.

Sec. 17. **Laws to embrace only one subject.** No law shall embrace more than one subject, which shall be expressed in its title.

Sec. 18. **Revenue bills to originate in house.** All bills for raising revenue shall originate in the house of representatives, but the senate may propose and concur with the amendments as on other bills.

Sec. 19. **Reporting of bills.** Every bill shall be reported on three different days in each house, unless, in case of urgency, two-thirds of the house where the bill is pending deem it expedient to dispense with this rule.

Sec. 20. **Enrollment of bills.** Every bill passed by both houses shall be enrolled and signed by the presiding officer of each house. Any presiding officer refusing to sign a bill passed by both houses shall thereafter be disqualified from any office of honor or profit in the state. Each house by rule shall provide the manner in which a bill shall be certified for presentation to the governor in case of such refusal.

Sec. 21. **Passage of bills on last day of session prohibited.** No bill shall be passed by either house upon the day prescribed for adjournment. This section shall not preclude the enrollment of a bill or its transmittal from one house to the other or to the executive for his signature.

Sec. 22. **Majority vote of all members to pass a law.** The style of all laws of this state shall be: "Be it enacted by the legislature of the state of Minnesota." No law shall be passed unless voted for by a majority of all the members elected to each house of the legislature, and the vote entered in the journal of each house.

Sec. 23. **Approval of bills by governor; action on veto.** Every bill passed in conformity to the rules of each house and the joint rules of the two houses shall be presented to the governor. If he approves a bill, he shall sign it, deposit it in the office of the secretary of state and notify the house in which it originated of that fact. If he vetoes a bill, he shall return it with his objections to the house in which it originated. His objections shall be entered in the journal. If, after reconsideration, two-thirds of that house agree to pass the bill, it shall be sent, together with the governor's objections, to the other house, which shall likewise reconsider it. If approved by two-thirds of that house it becomes a law and shall be deposited in the office of the secretary of state. In such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered in the journal of each house. Any bill not returned by the governor within three days (Sundays excepted) after it is presented to him becomes a law as if he had signed it, unless the legislature by adjournment within that time prevents its return. Any bill passed during the last three days of a session may be presented to the governor during the three days following the day of final adjournment and becomes law if the governor signs and deposits it in the office of the secretary of state within 14 days after the adjournment of the legislature. Any bill passed during the last three days of the session which is not signed and deposited within 14 days after adjournment does not become a law.

If a bill presented to the governor contains several items of appropriation of money, he may veto one or more of the items while approving the bill. At the time he signs the bill the governor shall append to it a statement of the items he vetoes and the vetoed items shall not take effect. If the legislature is in session, he shall transmit to the house in which the bill originated a copy of the statement, and the items vetoed shall be separately reconsidered. If on reconsideration any item is approved by two-thirds of the members elected to each house, it is a part of the law notwithstanding the objections of the governor.

Sec. 24. **Presentation of orders, resolutions, and votes to governor.** Each order, resolution or vote requiring the concurrence of the two houses except such as relate to the business or adjournment of the legislature shall be presented to the governor and is subject to his veto as prescribed in case of a bill.

Sec. 25. **Disorderly conduct.** During a session each house may punish by imprisonment for not more than 24 hours any person not a member who is guilty of any disorderly or contemptuous behavior in its presence.

Sec. 26. **Banking laws; two-thirds votes.** Passage of a general banking law requires the vote of two-thirds of the members of each house of the legislature.

ARTICLE V
EXECUTIVE DEPARTMENT

Section 1. **Executive officers.** The executive department consists of a governor, lieutenant governor, secretary of state, auditor, and attorney general, who shall be chosen by the electors of the state. The governor and lieutenant governor shall be chosen jointly by a single vote applying to both offices in a manner prescribed by law.

Sec. 2. **Term of governor and lieutenant governor; qualifications.** The term of office for the governor and lieutenant governor is four years and until a successor is chosen and qualified. Each shall have attained the age of 25 years and, shall have been a bona fide resident of the state for one year next preceding his election, and shall be a citizen of the United States.

Sec. 3. **Powers and duties of governor.** The governor shall communicate by message to each session of the legislature information touching the state and country. He is commander-in-chief of the military and naval forces and may call them out to execute the laws, suppress insurrection and repel invasion. He may require the opinion in writing of the principal officer in each of the executive departments upon any subject relating to his duties. With the advice and consent of the senate he may appoint notaries public and other officers provided by law. He may appoint commissioners to take the acknowledgment of deeds or other instruments in writing to be used in the state. He shall take care that the laws be faithfully executed. He shall fill any vacancy that may occur in the offices of secretary of state, auditor, attorney general and the other state and district offices hereafter created by law until the end of the term for which the person who had vacated the office was elected or the first Monday in January following the next general election, whichever is sooner, and until a successor is chosen and qualified.

Sec. 4. **Terms and salaries of executive officers.** The term of office of the secretary of state, attorney general and state auditor is four years and until a successor is chosen and qualified. The duties and salaries of the executive officers shall be prescribed by law.

Sec. 5. **Succession to offices of governor and lieutenant governor.** In case a vacancy occurs from any cause whatever in the office of governor, the lieutenant governor shall be governor during such vacancy. The compensation of the lieutenant governor shall be prescribed by law. The last elected presiding officer of the senate shall become lieutenant governor in case a vacancy occurs in that office. In case the governor is unable to discharge the powers and duties of his office, the same devolves on the lieutenant governor. The legislature may provide by law for the case of the removal, death, resignation, or inability both of the governor and lieutenant governor to discharge the duties of governor and may provide by law for continuity of government in periods of emergency resulting from disasters caused by enemy attack in this state, including but not limited to, succession to the powers and duties of public office and change of the seat of government.

Sec. 6. **Oath of office of state officers.** Each officer created by this article before entering upon his duties shall take an oath or affirmation to support the constitution of the United States and of this state and to discharge faithfully the duties of his office to the best of his judgment and ability.

Sec. 7. **Board of pardons.** The governor, the attorney general and the chief justice of the supreme court constitute a board of pardons. Its powers and duties shall be defined and regulated by law. The governor in conjunction with the board of pardons has power to grant reprieves and pardons after conviction for an offense against the state except in cases of impeachment.

ARTICLE VI
JUDICIARY

Section 1. **Judicial power.** The judicial power of the state is vested in a supreme court, a court of appeals, if established by the legislature, a district court and such other courts, judicial officers and commissioners with jurisdiction inferior to the district court as the legislature may establish.

Sec. 2. **Supreme court.** The supreme court consists of one chief judge and not less than six nor more than eight associate judges as the legislature may establish. It shall have original jurisdiction in such remedial cases as are prescribed by law, and appellate jurisdiction in all cases, but there shall be no trial by jury in the supreme court.

The legislature may establish a court of appeals and provide by law for the number of its judges, who shall not be judges of any other court, and its organization and for the review of its decisions by the supreme court. The court of appeals shall have appellate jurisdiction over all courts, except the supreme court, and other appellate jurisdiction as prescribed by law.

As provided by law judges of the court of appeals or of the district court may be assigned tem porarily to act as judges of the supreme court upon its request and judges of the district court may be assigned temporarily by the supreme court to act as judges of the court of appeals.

The supreme court shall appoint to serve at its pleasure a clerk, a reporter, a state law librarian and other necessary employees.

Sec. 3. **Jurisdiction of district court.** The district court has original jurisdiction in all civil and criminal cases and shall have appellate jurisdiction as prescribed by law.

Sec. 4. **Judicial districts; district judges.** The number and boundaries of judicial districts shall be established in the manner provided by law but the office of a district judge shall not be abolished during his term. There shall be two or more district judges in each district. Each judge of the district court in any district shall be a resident of that district at the time of his selection and during his continuance in office.

Sec. 5. **Qualifications; compensation.** Judges of the supreme court, the court of appeals and the district court shall be learned in the law. The qualifications of all other judges and judicial officers shall be prescribed by law. The compensation of all judges shall be prescribed by the legislature and shall not be diminished during their term of office.

Sec. 6. **Holding other office.** A judge of the supreme court, the court of appeals or the district court shall not hold any office under the United States except a commission in a reserve component of the military forces of the United States and shall not hold any other office under this state. His term of office shall terminate at the time he files as a candidate for an elective office of the United States or for a nonjudicial office of this state.

Sec. 7. **Term of office; election.** The term of office of all judges shall be six years and until their successors are qualified. They shall be elected by the voters from the area which they are to serve in the manner provided by law.

Sec. 8. **Vacancy.** Whenever there is a vacancy in the office of judge the governor shall appoint in the manner provided by law a qualified person to fill the vacancy until a successor is elected and qualified. The successor shall be elected for a six year term at the next general election occurring more than one year after the appointment.

Sec. 9. **Retirement, removal and discipline.** The legislature may provide by law for retirement of all judges and for the extension of the term of any judge who becomes eligible for retirement within three years after expiration of the term for which he is selected. The legislature may also provide for the retirement, removal or other discipline of any judge who is disabled, incompetent or guilty of conduct prejudicial to the administration of justice.

Sec. 10. **Retired judges.** As provided by law a retired judge may be assigned to hear and decide any cause over which the court to which he is assigned has jurisdiction.

Sec. 11. **Probate jurisdiction.** Original jurisdiction in law and equity for the administration of the estates of deceased persons and all guardianship and incompetency proceedings, including jurisdiction over the administration of trust estates and for the determination of taxes contingent upon death, shall be provided by law.

Sec. 12. **Abolition of probate court; status of judges.** If the probate court is abolished by law, judges of that court who are learned in the law shall become judges of the court that assumes jurisdiction of matters described in section 11.

Sec. 13. **District court clerks.** There shall be in each county one clerk of the district court whose qualifications, duties and compensation shall be prescribed by law. He shall serve at the pleasure of a majority of the judges of the district court in each district.

ARTICLE VII
ELECTIVE FRANCHISE

Section 1. **Eligibility; place of voting; ineligible persons.** Every person 18 years of age or more who has been a citizen of the United States for three months and who has resided in the precinct for 30 days next preceding an election shall be entitled to vote in that precinct. The place of voting by one otherwise qualified who has changed his residence within 30 days preceding the election shall be prescribed by law. The following persons shall not be entitled or permitted to vote at any election in this state: A person not meeting the above requirements; a person who has been convicted of treason or felony, unless restored to civil rights; a person under guardianship, or a person who is insane or not mentally competent.

Sec. 2. **Residence.** For the purpose of voting no person loses residence solely by reason of his absence while employed in the service of the United States; nor while engaged upon the waters of this state or of the United States; nor while a student in any institution of learning; nor while kept at any almshouse or asylum; nor while confined in any public prison. No soldier, seaman or marine in the army or navy of the United States is a resident of this state solely in consequence of being stationed within the state.

Sec. 3. **Uniform oath at elections.** The legislature shall provide for a uniform oath or affirmation to be administered at elections and no person shall be compelled to take any other or different form of oath to entitle him to vote.

Sec. 4. **Civil process suspended on election day.** During the day on which an election is held no person shall be arrested by virtue of any civil process.

Sec. 5. **Elections by ballot.** All elections shall be by ballot except for such town officers as may be directed by law to be otherwise chosen.

Sec. 6. **Eligibility to hold office.** Every person who by the provisions of this article is entitled to vote at any election and is 21 years of age is eligible for any office elective by the people in the district wherein he has resided 30 days previous to the election, except as otherwise provided in this constitution, or the constitution and law of the United States.

Sec. 7. **Official year of state.** The official year for the state of Minnesota commences on the first Monday in January in each year and all terms of office terminate at that time. The general election shall be held on the first Tuesday after the first Monday in November in each even numbered year.

Sec. 8. **Election returns to secretary of state; board of canvassers.** The returns of every election for officeholders elected statewide shall be made to the secretary of state who shall call to his assistance two or more of the judges of the supreme court and two disinterested judges of the district courts. They shall constitute a board of canvassers to canvass the returns and declare the result within three days after the canvass.

Sec. 9. **Campaign spending limits.** The amount that may be spent by candidates for constitutional and legislative offices to campaign for nomination or election shall be limited by law. The legislature shall provide by law for disclosure of contributions and expenditures made to support or oppose candidates for state elective offices.

ARTICLE VIII
IMPEACHMENT AND REMOVAL FROM OFFICE

Section 1. **Impeachment powers.** The house of representatives has the sole power of impeachment through a concurrence of a majority of all its members. All impeachments shall be tried by the senate. When sitting for that purpose, senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the senators present.

Sec. 2. **Officers subject to impeachment; grounds; judgment.** The governor, secretary of state, auditor, attorney general and the judges of the supreme court, court of appeals and district courts may be impeached for corrupt conduct in office or for crimes and misdemeanors; but judgment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust or profit in this state. The party convicted shall also be subject to indictment, trial, judgment and punishment according to law.

Sec. 3. **Suspension.** No officer shall exercise the duties of his office after he has been impeached and before his acquittal.

Sec. 4. **Service of impeachment papers.** No person shall be tried on impeachment before he has been served with a copy thereof at least 20 days previous to the day set for trial.

Sec. 5. **Removal of inferior officers.** The legislature of this state may provide for the removal of inferior officers for malfeasance or nonfeasance in the performance of their duties.

Sec. 6. **A member of the senate or house of representatives, an executive officer of the state identified in section 1 of article V of the constitution, or a judge of the supreme court, the court of appeals, or a district court is subject to recall from office by the voters.** The grounds for recall of a judge shall be established by the supreme court. The grounds for recall of an officer other than judge are serious malfeasance or nonfeasance during the term of office in the performance of the duties of the office or conviction during the term of office of a serious crime. A petition for recall must set forth the specific conduct that may warrant recall. A petition may not be issued until the supreme court has determined that the facts alleged in the petition are true and are sufficient grounds for issuing a recall petition. A petition must be signed by a number of eligible voters who reside in the district where the officer serves and who number not less than 25 percent of the number of votes cast for the office at the most recent general election. Upon a determination by the secretary of state that a petition has been signed by at least the minimum number of eligible voters, a recall election must be conducted in the manner provided by law. A recall election may not occur less than six months before the end of the officer's term. An officer who is removed from office by a recall election or who resigns from office after a petition for recall issues may not be appointed to fill the vacancy that is created.

ARTICLE IX
AMENDMENTS TO THE CONSTITUTION

Section 1. **Amendments; ratification.** A majority of the members elected to each house of the legislature may propose amendments to this constitution. Proposed amendments shall be published with the laws passed at the same session and submitted to the people for their approval or rejection at a general election. If a majority of all the electors voting at the election vote to ratify an amendment, it becomes a part of this constitution. If two or more amendments are submitted at the same time, voters shall vote for or against each separately.

Sec. 2. **Constitutional convention.** Two-thirds of the members elected to each house of the legislature may submit to the electors at the next general election the question of calling a convention to revise this constitution. If a majority of all the electors voting at the election vote for a convention, the legislature at its next session, shall provide by law for calling the convention. The convention shall consist of as many delegates as there are members of the house of representatives. Delegates shall be chosen in the same manner as members of the house of representatives and shall meet within three months after their election. Section 5 of Article IV of the constitution does not apply to election to the convention.

Sec. 3. **Submission to people of constitution drafted at convention.** A convention called to revise this constitution shall submit any revision to the people for approval or rejection at the next general election held not less than 90 days after submission of the revision. If three-fifths of all the electors voting on the question vote to ratify the revision, it becomes a new constitution of the state of Minnesota.

ARTICLE X
TAXATION

Section 1. **Power of taxation; exemptions; legislative powers.** The power of taxation shall never be surrendered, suspended or contracted away. Taxes shall be uniform upon the same class of subjects and shall be levied and collected for public purposes, but public burying grounds, public school houses, public hospitals, academies, colleges, universities, all seminaries of learning, all churches, church property, houses of worship, institutions of purely public charity, and public property used exclusively for any public purpose, shall be exempt from taxation except as provided in this section. There may be exempted from taxation personal property not exceeding in value $200 for each household, individual or head of a family, and household goods and farm machinery as the legislature determines. The legislature may authorize municipal corporations to levy and collect assessments for local improvements upon property benefited thereby without regard to cash valuation. The legislature by law may define or limit the property exempt under this section other than churches, houses of worship, and property solely used for educational purposes by academies, colleges, universities and seminaries of learning.

Sec. 2. **Forestation.** To encourage and promote forestation and reforestation of lands whether owned by private persons or the public, laws may be enacted fixing in advance a definite and limited annual tax on the lands for a term of years and imposing a yield tax on the timber and other forest products at or after the end of the term.

Sec. 3. **Occupation tax; ores.** Every person engaged in the business of mining or producing iron ore or other ores in this state shall pay to the state an occupation tax on the valuation of all ores mined or produced, which tax shall be in addition to all other taxes provided by law. The tax is due on the first day of May in the calendar year next following the mining or producing. The valuation of ore for the purpose of determining the amount of tax shall be ascertained as provided by law. Funds derived from the tax shall be used as follows: 50 percent to the state general revenue fund, 40 percent for the support of elementary and secondary schools and ten percent for the general support of the university.

Sec. 4. **Motor fuel taxation.** The state may levy an excise tax upon any means or substance for propelling aircraft or for propelling or operating motor or other vehicles or other equipment used for airport purposes and not used on the public highways of this state.

Sec. 5. **Aircraft.** The legislature may tax aircraft using the air space overlying the state on a more onerous basis than other personal property. Any such tax on aircraft shall be in lieu of all other taxes. The legislature may impose the tax on aircraft of companies paying taxes under any gross earnings system of taxation notwithstanding that earnings from the aircraft are included in the earnings on which gross earnings taxes are computed. The law may exempt from taxation aircraft owned by a nonresident of the state temporarily using the air space overlying the state.

Sec. 6. **Taconite taxation.** Laws of Minnesota 1963, Chapter 81, relating to the taxation of taconite and semi-taconite, and facilities for the mining, production and beneficiation thereof shall not be repealed, modified or amended, nor shall any laws in conflict therewith be valid until November 4, 1989. Laws may be enacted fixing or limiting for a period not extending beyond the year 1990, the tax to be imposed on persons engaged in (1) the mining, production or beneficiation of copper, (2) the mining, production or beneficiation of copper-nickel, or (3) the mining, production or beneficiation of nickel. Taxes imposed on the mining or quarrying of taconite or semi-taconite and on the production of iron ore concentrates therefrom, which are in lieu of a tax on real or personal property, shall not be considered to be occupation, royalty, or excise taxes within the meaning of this amendment.

Sec. 7. **(Repealed, November 5, 1974).**

Sec. 8. **Pari-mutuel betting.** The legislature may authorize on-track pari-mutuel betting on horse racing in a manner prescribed by law.

ARTICLE XI
APPROPRIATIONS AND FINANCES

Section 1. **Money paid from state treasury.** No money shall be paid out of the treasury of this state except in pursuance of an appropriation by law.

Sec. 2. **Credit of the state limited.** The credit of the state shall not be given or loaned in aid of any individual, association or corporation except as hereinafter provided.

Sec. 3. **Internal improvements prohibited; exceptions.** The state shall not be a party in carrying on works of internal improvements except as authorized by this constitution. If grants have been made to the state especially dedicated to specific purposes, the state shall devote the proceeds of the grants to those purposes and may pledge or appropriate the revenues derived from the works in aid of their completion.

Sec. 4. **Power to contract public debt; public debt defined.** The state may contract public debts for which its full faith, credit and taxing powers may be pledged at the times and in the manner authorized by law, but only for the purposes and subject to the conditions stated in section 5. Public debt includes any obligation payable directly in whole or in part from a tax of state wide application on any class of property, income, transaction or privilege, but does not include any obligation which is payable from revenues other than taxes.

Sec. 5. **Public debt and works of internal improvement; purposes.** Public debt may be contracted and works of internal improvements carried on for the following purposes:

(a) to acquire and to better public land and buildings and other public improvements of a capital nature and to provide money to be appropriated or loaned to any agency or political subdivision of the state for such purposes if the law authorizing the debt is adopted by the vote of at least three-fifths of the members of each house of the legislature;
(b) to repel invasion or suppress insurrection;
(c) to borrow temporarily as authorized in section 6;
(d) to refund outstanding bonds of the state or any of its agencies whether or not the full faith and credit of the state has been pledged for the payment of the bonds;
(e) to establish and maintain highways subject to the limitations of article XIV;
(f) to promote forestation and prevent and abate forest fires, including the compulsory clearing and improving of wild lands whether public or private;
(g) to construct, improve and operate airports and other air navigation facilities;
(h) to develop the state's agricultural resources by extending credit on real estate security in the manner and on the terms and conditions prescribed by law;
(i) to improve and rehabilitate railroad rights-of-way and other rail facilities whether public or private, provided that bonds issued and unpaid shall not at any time exceed $200,000,000 par value; and
(j) as otherwise authorized in this constitution.

As authorized by law political subdivisions may engage in the works permitted by (f), (g), and (i) and contract debt therefor.

Sec. 6. **Certificates of indebtedness.** As authorized by law certificates of indebtedness may be issued during a biennium, commencing on July 1 in each odd-numbered year and ending on and including June 30 in the next odd-numbered year, in anticipation of the collection of taxes levied for and other revenues appropriated to any fund of the state for expenditure during that biennium.

No certificates shall be issued in an amount which with interest thereon to maturity, added to the then outstanding certificates against a fund and interest thereon to maturity, will exceed the then unexpended balance of all money which will be credited to that fund during the biennium under existing laws. The maturities of certificates may be extended by refunding to a date not later than December 1 of the first full calendar year following the biennium in which the certificates were issued. If money on hand in any fund is not sufficient to pay all non-refunding certificates of indebtedness issued on a fund during any biennium and all certificates refunding the same, plus interest thereon, which are outstanding on December 1 immediately following the close of the biennium, the state auditor shall levy upon all taxable property in the state a tax collectible in the ensuing year sufficient to pay the same on or before December 1 of the ensuing year with interest to the date or dates of payment.

Sec. 7. **Bonds.** Public debt other than certificates of indebtedness authorized in section 6 shall be evidenced by the issuance of bonds of the state. All bonds issued under the provisions of this section shall mature not more than 20 years from their respective dates of issue and each law authorizing the issuance of bonds shall distinctly specify the purposes thereof and the maximum amount of the proceeds authorized to be expended for each purpose. A separate and special state bond fund shall be maintained on the official books and records. When the full faith and credit of the state has been pledged for the payment of bonds, the state auditor shall levy each year on all taxable property within the state a tax sufficient with the balance then on hand in the fund to pay all principal and interest on bonds issued under this section due and to become due within the ensuing year and to and including July 1 in the second ensuing year. The legislature by law may appropriate funds from any source to the state bond fund. The amount of money actually received and on hand pursuant to appropriations prior to the levy of the tax in any year shall be used to reduce the amount of tax otherwise required to be levied.

Sec. 8. **Permanent school fund; source; investment; board of investment.** The permanent school fund of the state consists of (a) the proceeds of lands granted by the United States for the use of schools within each township, (b) the proceeds derived from swamp lands granted to the state, (c) all cash and investments credited to the permanent school fund and to the swamp land fund, and (d) all cash and investments credited to the internal improvement land fund and the lands therein. No portion of these lands shall be sold otherwise than at public sale, and in the manner provided by law. All funds arising from the sale or other disposition of the lands, or income accruing in any way before the sale or disposition thereof, shall be credited to the permanent school fund. Within limitations prescribed by law, the fund shall be invested to secure the maximum return consistent with the maintenance of the perpetuity of the fund. The principal of the permanent school fund shall be perpetual and inviolate forever. This does not prevent the sale of investments at less than the cost to the fund; however, all losses not offset by gains shall be repaid to the fund from the interest and dividends earned thereafter. The net interest and dividends arising from the fund shall be distributed to the different school districts of the state in a manner prescribed by law. A board of investment consisting of the governor, the state auditor, the secretary of state, and the attorney general is hereby constituted for the purpose of administering and directing the investment of all state funds. The board shall not permit state funds to be used for the underwriting or direct purchase of municipal securities from the issuer or the issuer's agent.

Sec. 9. **Investment of permanent university fund; restrictions.** The permanent university fund of this state may be loaned to or invested in the bonds of any county, school district, city or town of this state and in first mortgage loans secured upon improved and cultivated farm lands of this state, but no such investment or loan shall be made until approved by the board of investment; nor shall a loan or investment be made when the bonds to be issued or purchased would make the entire bonded indebtedness exceed 15 percent of the assessed valuation of the taxable property of the county, school district, city or town issuing the bonds; nor shall any farm loan or investment be made when the investment or loan would exceed 30 percent of the actual cash value of the farm land mortgaged to secure the investment; nor shall investments or loans be made at a lower rate of interest than two percent per annum nor for a shorter period than one year nor for a longer period than 30 years.

Sec. 10. **Exchange of public lands; reservation of rights.** As the legislature may provide, any of the public lands of the state, including lands held in trust for any purpose, may be exchanged for any publicly or privately held lands with the unanimous approval of the governor, the attorney general and the state auditor. Lands so acquired shall be subject to the trust, if any, to which the lands exchanged therefor were subject. The state shall reserve all mineral and water power rights in lands transferred by the state.

Sec. 11. **Timberlands set apart as state forests; disposition of revenue.** School and other public lands of the state better adapted for the production of timber than for agriculture may be set apart as state school forests, or other state forests as the legislature may provide. The legislature may also provide for their management on forestry principles. The net revenue therefrom shall be used for the purposes for which the lands were granted to the state.

Sec. 12. **County, township or municipal aid to railroads limited.** The legislature shall not authorize any county, township or municipal corporation to become indebted to aid in the construction or equipment of railroads to any amount that exceeds five percent of the value of the taxable property within that county, township or municipal corporation. The amount of taxable property shall be determined by the last assessment previous to the incurring of the indebtedness.

Sec. 13. **Safe keeping state funds; security; deposit of funds; embezzlement.** All officers and other persons charged with the safekeeping of state funds shall be required to give ample security for funds received by them and to keep an accurate entry of each sum received and of each payment and transfer. If any person converts to his own use in any manner or form, or shall loan, with or without interest, or shall deposit in his own name, or otherwise than in the name of the state of Minnesota; or shall deposit in banks or with any person or persons or exchange for other funds or property, any portion of the funds of the state or the school funds aforesaid, except in the manner prescribed by law, every such act shall be and constitute an embezzlement of so much of the aforesaid state and school funds, or either of the same, as shall thus be taken, or loaned, or deposited or exchanged, and shall be a felony. Any failure to pay over, produce or account for the state school funds, or any part of the same entrusted to such officer or persons as by law required on demand, shall be held and be taken to be prima facie evidence of such embezzlement.

Sec. 14. **A permanent environment and natural resources trust fund is established in the state treasury.** Loans may be made of up to five percent of the principal of the fund for water system improvements as provided by law. The assets of the fund shall be appropriated by law for the public purpose of protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources. The amount appropriated each year of a biennium, commencing on July 1 in each odd-numbered year and ending on and including June 30 in the next odd-numbered year, may be up to 5 1/2 percent of the market value of the fund on June 30 one year before the start of the biennium. Not less than 40 percent of the net proceeds from any state-operated lottery must be credited to the fund until the year 2025.

In honor of Major Christine Ostendorf, Army National Guard—Served in Iraq
and
SFC James Stowe, Army National Guard—Served in Iraq
Submitted by Bob and Sue Stowe, November 4, 2008

We are voting today because we feel it is our duty to fulfill this right that we have in America. Also, we are voting in honor of all who have served and died to preserve this right. We are especially voting in honor and extreme pride in our daughter, Major Christine Ostendorf, and son, PFC James Stowe. Christine and others from the 34th ID are preparing for deployment in January, 2009 to Iraq. James served in Iraq from 2005 to 2006 and continues to serve in the Kansas National Guard. May God be with all of our soldiers and service men and women wherever they may be and May God Bless America.

ARTICLE XII
SPECIAL LEGISLATION; LOCAL GOVERNMENT

Section 1. **Prohibition of special legislation; particular subjects.** In all cases when a general law can be made applicable, a special law shall not be enacted except as provided in section 2. Whether a general law could have been made applicable in any case shall be judicially determined without regard to any legislative assertion on that subject. The legislature shall pass no local or special law authorizing the laying out, opening, altering, vacating or maintaining of roads, highways, streets or alleys; remitting fines, penalties or forfeitures; changing the names of persons, places, lakes or rivers; authorizing the adoption or legitimation of children; changing the law of descent or succession; conferring rights on minors; declaring any named person of age; giving effect to informal or invalid wills or deeds, or affecting the estates of minors or persons under disability; granting divorces; exempting property from taxation or regulating the rate of interest on money; creating private corporations, or amending, renewing, or extending the charters thereof; granting to any private corporation, association, or individual any special or exclusive privilege, immunity or franchise whatever or authorizing public taxation for a private purpose. The inhibitions of local or special laws in this section shall not prevent the passage of general laws on any of the subjects enumerated.

Sec. 2. **Special laws; local government.** Every law which upon its effective date applies to a single local government unit or to a group of such units in a single county or a number of contiguous counties is a special law and shall name the unit or, in the latter case, the counties to which it applies. The legislature may enact special laws relating to local government units, but a special law, unless otherwise provided by general law, shall become effective only after its approval by the affected unit expressed through the voters or the governing body and by such majority as the legislature may direct. Any special law may be modified or superseded by a later home rule charter or amendment applicable to the same local government unit, but this does not prevent the adoption of subsequent laws on the same subject. The legislature may repeal any existing special or local law, but shall not amend, extend or modify any of the same except as provided in this section.

Sec. 3. **Local government; legislation affecting.** The legislature may provide by law for the creation, organization, administration, consolidation, division and dissolution of local government units and their functions, for the change of boundaries thereof, for their elective and appointive officers including qualifications for office and for the transfer of county seats. A county boundary may not be changed or county seat transferred until approved in each county affected by a majority of the voters voting on the question.

Sec. 4. **Home rule charter.** Any local government unit when authorized by law may adopt a home rule charter for its government. A charter shall become effective if approved by such majority of the voters of the local government unit as the legislature prescribes by general law. If a charter provides for the consolidation or separation of a city and a county, in whole or in part, it shall not be effective without approval of the voters both in the city and in the remainder of the county by the majority required by law.

Sec. 5. **Charter commissions.** The legislature shall provide by law for charter commissions. Notwithstanding any other constitutional limitations the legislature may require that commission members be freeholders, provide for their appointment by judges of the district court, and permit any member to hold any other elective or appointive office other than judicial. Home rule charter amendments may be proposed by a charter commission or by a petition of five percent of the voters of the local government unit as determined by law and shall not become effective until approved by the voters by the majority required by law. Amendments may be proposed and adopted in any other manner provided by law. A local government unit may repeal its home rule charter and adopt a statutory form of government or a new charter upon the same majority vote as is required by law for the adoption of a charter in the first instance.

ARTICLE XIII
MISCELLANEOUS SUBJECTS

Section 1. **Uniform system of public schools.** The stability of a republican form of government depending mainly upon the intelligence of the people, it is the duty of the legislature to establish a general and uniform system of public schools. The legislature shall make such provisions by taxation or otherwise as will secure a thorough and efficient system of public schools throughout the state.

Sec. 2. **Prohibition as to aiding sectarian school.** In no case shall any public money or property be appropriated or used for the support of schools wherein the distinctive doctrines, creeds or tenets of any particular Christian or other religious sect are promulgated or taught.

Sec. 3. **University of Minnesota.** All the rights, immunities, franchises and endowments heretofore granted or conferred upon the University of Minnesota are perpetuated unto the University.

Sec. 4. **Lands taken for public way or use; compensation; common carriers.** Land may be taken for public way and for the purpose of granting to any corporation the franchise of way for public use. In all cases, however, a fair and equitable compensation shall be paid for land and for the damages arising from taking it. All corporations which are common carriers enjoying the right of way in pursuance of the provisions of this section shall be bound to carry the mineral, agricultural and other productions of manufacturers on equal and reasonable terms.

Sec. 5. **Prohibition of lotteries.** The legislature shall not authorize any lottery or the sale of lottery tickets, other than authorizing a lottery and sale of lottery tickets for a lottery operated by the state.

Sec. 6. **Prohibition of combinations to affect markets.** Any combination of persons either as individuals or as members or officers of any corporation to monopolize markets for food products in this state or to interfere with, or restrict the freedom of markets is a criminal conspiracy and shall be punished as the legislature may provide.

Sec. 7. **No license required to peddle.** Any person may sell or peddle the products of the farm or garden occupied and cultivated by him without obtaining a license therefor.

Sec. 8. **Veterans bonus.** The state may pay an adjusted compensation to persons who served in the armed forces of the United States during the period of the Vietnam conflict or the Persian Gulf War. Whenever authorized and in the amounts and on the terms fixed by law, the state may expend monies and pledge the public credit to provide money for the purposes of this section. The duration of the Vietnam conflict and the Persian Gulf War may be defined by law.

Sec. 9. **Militia organization.** The legislature shall pass laws necessary for the organization, discipline and service of the militia of the state.

Sec. 10. **Seat of government.** The seat of government of the state is in the city of St. Paul. The legislature may provide by law for a change of the seat of government by a vote of the people, or may locate the same upon the land granted by Congress for a seat of government. If the seat of government is changed, the capitol building and grounds shall be dedicated to an institution for the promotion of science, literature and the arts to be organized by the legislature of the state. The Minnesota Historical Society shall always be a department of this institution.

Sec. 11. **State seal.** A seal of the state shall be kept by the secretary of state and be used by him officially. It shall be called the great seal of the state of Minnesota.

Sec. 12. **Hunting and fishing** and the taking of game and fish are a valued part of our heritage that shall be forever preserved for the people and shall be managed by law and regulation for the public good.

ARTICLE XIV
PUBLIC HIGHWAY SYSTEM

Section 1. **Authority of state; participation of political subdivisions.** The state may construct, improve and maintain public highways, may assist political subdivisions in this work and by law may authorize any political subdivision to aid in highway work within its boundaries.

Sec. 2. **Trunk highway system.** There is hereby created a trunk highway system which shall be constructed, improved and maintained as public highways by the state. The highways shall extend as nearly as possible along the routes number 1 through 70 described in the constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or hereafter makes a route a part of the trunk highway system.

The legislature may add by law new routes to the trunk highway system. The trunk highway system may not exceed 12,200 miles in extent, except the legislature may add trunk highways in excess of the mileage limitation as necessary or expedient to take advantage of any federal aid made available by the United States to the state of Minnesota.

Any route added by the legislature to the trunk highway system may be relocated or removed from the system as provided by law. The definite location of trunk highways numbered 1 through 70 may be relocated as provided by law but no relocation shall cause a deviation from the starting points or terminals nor cause any deviation from the various villages and cities through which the routes are to pass under the constitutional amendment adopted November 2, 1920. The location of routes may be determined by boards, officers or tribunals in the manner prescribed by law.

Sec. 3. **County state-aid highway system.** A county state-aid highway system shall be constructed, improved and maintained by the counties as public highways in the manner provided by law. The system shall include streets in municipalities of less than 5,000 population where necessary to provide an integrated and coordinated highway system and may include similar streets in larger municipalities.

Sec. 4. **Municipal state-aid street system.** A municipal state-aid street system shall be constructed, improved and maintained as public highways by municipalities having a population of 5,000 or more in the manner provided by law.

Sec. 5. **Highway user tax distribution fund.** There is hereby created a highway user tax distribution fund to be used solely for highway purposes as specified in this article. The fund consists of the proceeds of any taxes authorized by sections 9 and 10 of this article. The net proceeds of the taxes shall be apportioned: 62 percent to the trunk highway fund; 29 percent to the county state-aid highway fund; nine percent to the municipal state-aid street fund. Five percent of the net proceeds of the highway user tax distribution fund may be set aside and apportioned by law to one or more of the three foregoing funds. The balance of the highway user tax distribution fund shall be transferred to the trunk highway fund, the county state-aid highway fund, and the municipal state-aid street fund in accordance with the percentages set forth in this section. No change in the apportionment of the five percent may be made within six years of the last previous change.

Sec. 6. **Trunk highway fund.** There is hereby created a trunk highway fund which shall be used solely for the purposes specified in section 2 of this article and the payment of principal and interest of any bonds issued under the authority of section 11 of this article and any bonds issued for trunk highway purposes prior to July 1, 1957. All payments of principal and interest on bonds issued shall be a first charge on money coming into this fund during the year in which the principal or interest is payable.

Sec. 7. **County state-aid highway fund.** There is hereby created a county state-aid highway fund. The county state-aid highway fund shall be apportioned among the counties as provided by law. The funds apportioned shall be used by the counties as provided by law for aid in the construction, improvement and maintenance of county state-aid highways. The legislature may authorize the counties by law to use a part of the funds apportioned to them to aid in the construction, improvement and maintenance of other county highways, township roads, municipal streets and any other public highways, including but not limited to trunk highways and municipal state-aid streets within the respective counties.

Sec. 8. **Municipal state-aid street fund.** There is hereby created a municipal state-aid street fund to be apportioned as provided by law among municipalities having a population of 5,000 or more. The fund shall be used by municipalities as provided by law for the construction, improvement and maintenance of municipal state-aid streets. The legislature may authorize municipalities to use a part of the fund in the construction, improvement and maintenance of other municipal streets, trunk highways, and county state-aid highways within the counties in which the municipality is located.

Sec. 9. **Taxation of motor vehicles.** The legislature by law may tax motor vehicles using the public streets and highways on a more onerous basis than other personal property. Any such tax on motor vehicles shall be in lieu of all other taxes thereon, except wheelage taxes imposed by political subdivisions solely for highway purposes. The legislature may impose this tax on motor vehicles of companies paying taxes under the gross earnings system of taxation notwithstanding that earnings from the vehicles may be included in the earnings on which gross earnings taxes are computed. The proceeds of the tax shall be paid into the highway user tax distribution fund. The law may exempt from taxation any motor vehicle owned by a nonresident of the state properly licensed in another state and transiently or temporarily using the streets and highways of the state.

Sec. 10. **Taxation of motor fuel.** The legislature may levy an excise tax on any means or substance used for propelling vehicles on the public highways of this state or on the business of selling it. The proceeds of the tax shall be paid into the highway user tax distribution fund.

Sec. 11. **Highway bonds.** The legislature may provide by law for the sale of bonds to carry out the provisions of section 2. The proceeds shall be paid into the trunk highway fund. Any bonds shall mature serially over a term not exceeding 20 years and shall not be sold for less than par and accrued interest. If the trunk highway fund is not adequate to pay principal and interest of these bonds when due, the legislature may levy on all taxable property of the state in an amount sufficient to meet the deficiency or it may appropriate to the fund money in the state treasury not otherwise appropriated.

In honor of Peter Lynch, Army—Served in World War II
Hometown: Minneapolis, Minnesota
Submitted by Laurel Resman, October 31, 2008

My Dad served and during his service his first born son died as an infant. Dad was stationed in Texas and Mom was here in Minneapolis working. Dad had to come home for the funeral of his four-month-old son. He and Mom then both went back to Texas, but he had to continue his service in spite of his grief for the son he never forgot. Money was tight so they had to borrow money for Dad to come home from the Red Cross. Years later Dad told me when things got rough in life he prayed to his little son in heaven and felt he had someone closer to God than he was to put in a word for him. He said he felt his son was looking after him in a sense. Now since my Dad passed away 18 years ago I appreciate his sacrifice more because he was unable to be with his son before he died and had to continue his service after, even though he was grieving. I feel that I now have my brother I never met and my Dad watching over me and my family from Heaven. And I want to thank him and all the others who sacrificed for us by serving in the Military. As a former Navy wife I know it can be very lonely being away from family especially during the holidays. So voting in my Dad's honor makes voting more special, and I will be thinking of him when I do.

AMENDMENTS PROPOSED TO MINNESOTA'S CONSTITUTION SINCE 1858

Secretary of State's Note: From 1858 until 1898, the Minnesota Constitution required that a proposed amendment be approved by a simple majority of both chambers of the Legislature and then ratified by a simple majority of the voters at the next general election.

In 1898, the constitution was amended, changing the standards for approving a constitutional amendment. Since that point, a constitutional amendment must be approved by a simple majority of both chambers of the Legislature at one session, and then ratified by a majority of voters in an election. For an amendment to pass it must receive a majority of all votes cast in the election, therefore not voting for or against the amendment is the same as a no vote in this instance (Article IX, Section 1 of the Constitution of Minnesota). The following table may indicate that more votes were cast to approve an amendment than the votes cast to reject the amendment, but the amendment may still have failed because a majority of all voters at the election did not cast a "yes" vote. *The total election vote figures set forth below for 1858 through 1898 are for historical information only.*

For more detailed information concerning the constitutional amendment process in Minnesota, refer to "Amending Our State Constitution: Continuity Through Ordered Change," by Betty Kane, *1981 Minnesota Legislative Manual,* www.sos.state.mn.us.

STATE CONSTITUTIONAL AMENDMENTS CONSIDERED

Abbreviations: *s–special election; p–number of votes cast for president; g–number of votes cast for governor; l–legislative election; t–total number of persons voting at election.*
**After 1898 statistics are total number of persons voting in that election.*

Year	Purpose of Amendment	Adopted or Rejected	Yes	No	Vote/ Election
1858	To authorize $5 million railroad loan.	A	25,023	6,733	31,756s
1858	To establish state government May 1, 1858.	A	25,023	6,733	31,756s
1860	To limit legislative sessions to 60 days.	A	19,785	442	34,737p
1860	To require popular approval of tax to pay railroad bonds: to repeal the $5 million amendment.	A	18,648	743	34,737p
1865	To authorize Negroes to vote.	R	12,135	14,651	31,160g
1867	To authorize Negroes to vote.	R	27,479	28,794	63,376g
1867	To subject shares in state and national banks to state taxation.	R	8,742	34,351	64,376g
1868	To authorize Negroes to vote.	A	39,493	30,121	71,818p
1868	To abolish requirement of grand jury.	R	14,763	30,544	71,818p
1868	To authorize sale of 500,000 acres of internal improvement lands and investment of proceeds in state or national securities.	R	19,398	28,729	71,818p
1869	To abolish Manomin county.	A	13,392	1,671	54,525g
1869	To authorize special assessments for local improvements.	A	26,636	2,560	54,525g
1870	To exempt holders of railroad stock from double liability.	R	7,446	11,210	18,656*l*
1871	To require popular approval of changes in railroad gross earnings tax law.	A	41,814	9,216	78,172g
1871	To authorize state loan for asylum buildings.	R	6,724	40,797	78,172g

Year	Purpose of Amendment	Adopted or Rejected	Yes	No	Vote/ Election
1872	To authorize state loan for asylum buildings.	A	29,158	26,881	90,919p
1872	To exempt stockholders in manufacturing or mechanical businesses from double liability.	A	23,091	21,794	90,919p
1872	To restrict issuance of county, town, and municipal bonds to aid railroads.	A	27,916	7,796	90,919p
1872	To provide for sale of internal improvement lands.	A	55,438	4,331	90,919p
1873	To provide for biennial sessions of the legislature.	R	14,007	31,729	77,057g
1873	To extend terms of representatives and senators to two and four years, respectively.	R	11,675	24,331	77,057g
1873	To provide for state canvassing board.	R	12,116	25,694	77,057g
1873	To provide more effectively for the safekeeping of public funds.	A	27,143	5,438	77,057g
1875	To provide for an indefinite number of judges in each judicial district.	A	22,560	18,534	84,017g
1875	To authorize the legislature to grant women suffrage in school affairs.	A	24,340	19,468	84,017g
1875	To prescribe manner in which school funds could be invested.	A	28,755	10,517	84,017g
1875	To establish single liability for stockholders in ordinary business corporations.	R	16,349	25,858	84,017g
1876	To authorize governor to veto items of appropriation bills.	A	47,302	4,426	123,931p
1876	To establish single liability for stockholders in all corporations except banks.	R	21,721	22,830	123,931p
1876	To authorize district judges to sit on supreme bench when supreme court justices disqualified.	A	41,069	6,063	123,931p
1877	To establish biennial sessions of legislature.	A	37,995	20,833	98,614g
1877	To extend terms of representatives and senators to two and four years, respectively.	A	33,072	25,099	98,614g
1877	To provide for state canvassing board.	A	36,072	21,814	98,614g
1877	To authorize women to vote in local option elections.	R	26,468	32,963	98,614g
1877	To establish single liability for stockholders in all corporations except banks.	R	24,415	26,020	98,614g
1877	To authorize sale of internal improvement lands and use of proceeds to pay railroad bonds.	R	17,324	59,176	98,614g
1877	To prohibit use of state school funds to support sectarian schools.	A	36,780	16,667	98,614g
1879	To restrict issuance of county, town, and municipal bonds to aid railroads.	A	54,810	1,700	99,048g
1881	To authorize levy of water-mains assessments on a frontage basis.	A	35,019	18,320	102,193g
1881	To remove time limitations from sessions of legislature.	R	*	*	102,193g
1881	To regulate compensation of legislators.	R	*	*	102,193g
1881	To prohibit special legislation on certain subjects.	A	56,491	8,369	102,193g
1881	To provide for sale of swamp lands and appropriation of proceeds of swamp land funds.	A	51,903	8,440	102,193g
1883	To make auditor's term four years, to conform to system of biennial elections.	A	74,375	24,359	130,713g
1883	To establish the official year and to provide for a system of biennial elections.	A	75,782	24,082	130,713g
1883	To make term of clerk of supreme court four instead of three years.	A	73,565	24,016	130,713g

*Election results not available.

Chapter Two Charters, Laws and Founding Documents

Year	Purpose of Amendment	Adopted or Rejected	Yes	No	Vote/ Election
1883	To make terms of justices of supreme court six instead of seven years.	A	73,565	24,016	130,713g
1883	To make terms of district judges six instead of seven years.	A	73,565	24,016	130,713g
1886	To provide for loans of state school funds to counties and school districts.	A	131,533	17,914	220,558g
1888	To prohibit the monopolization of the markets of food products.	A	194,932	13,064	261,632g
1888	To guarantee the payment of liens of workmen and material-men out of exempted property.	A	153,908	48,649	261,632g
1888	To extend biennial sessions of legislature to 90 days each.	A	150,003	52,946	261,632g
1890	To provide for verdicts by 5/6 of jury in civil cases.	A	66,929	41,341	240,892g
1892	To extend and strengthen the prohibition against special legislation.	A	77,614	19,583	255,921g
1892	To authorize various gross earnings taxes and a tonnage tax on iron ore.	R	53,372	82,910	255,921g
1894	To authorize inheritance taxes.	A	108,332	41,242	296,249g
1896	To take pardoning power from governor and to confer it on a pardon board.	A	130,354	45,097	337,229g
1896	To prohibit aliens from voting.	A	97,980	52,454	337,229g
1896	To authorize home rule for cities.	A	107,086	58,312	337,229g
1896	To require compensation for property destroyed or damaged for public use.	A	101,188	56,839	337,229g
1896	To permit cities, towns and villages, as well as counties and school districts, to borrow school and university funds.	A	127,151	36,134	337,229g
1896	To provide flexible system for taxing large corporations.	A	163,694	42,922	337,229g
1898	To permit women to vote for and serve on library boards.	A	71,704	43,660	252,562g
1898	To make it more difficult to amend constitution.	A	69,760	32,881	252,562g
1898	To amend the municipal home rule section.	A	68,754	32,068	252,562g
1898	To provide state road and bridge fund.	A	70,043	38,017	252,562g

.....Change in the amendment process (see note on page 78).....

1900	To increase debt limit of municipalities borrowing permanent school funds.	R	108,681	30,160	314,181
1902	To increase state road and bridge tax, and to eliminate restrictions on expenditure of fund.	R	114,969	23,948	276,071
1902	To increase debt limit of municipalities borrowing permanent school funds.	R	116,766	20,777	276,071
1902	To simplify the taxing provisions of the constitution.	R	124,584	21,251	276,071
1904	To increase debt limit of municipalities borrowing school and university funds.	A	190,718	39,334	322,692
1904	To abolish the requirement of a grand jury.	A	164,055	52,152	322,692
1906	To simplify the taxing provisions by a "wide open" section.	A	156,051	46,982	284,366
1906	To increase state road and bridge tax, and to	A	141,870	49,232	284,366

Year	Purpose of Amendment	Adopted or Rejected	Yes	No	Vote/ Election
1906	To permit farmers to sell their produce without licenses.	A	190,897	34,094	284,366
1908	To limit the exemption of church property from taxation to that "used for religious purposes."	R	134,141	65,776	355,263
1908	To permit unlimited state taxation for road and bridge purposes.	R	154,226	56,557	355,263
1908	To authorize state hail insurance.	R	137,710	61,084	355,263
1908	To authorize legislature to establish educational qualifications for county superintendents of schools.	R	169,785	42,114	355,263
1910	To permit state to assume half the cost of any road or bridge project.	A	159,746	44,387	310,165
1910	To repeal the requirement as to publication of treasurer's report annually in a St. Paul newspaper and also in the biennial session laws.	R	123,787	51,650	310,165
1910	To authorize state hail insurance.	R	108,926	63,205	310,165
1910	To authorize reapportionment of legislative representation at any time.	R	95,181	61,520	310,165
1910	To authorize and require an annual state tax for reforestation work.	R	100,168	63,962	310,165
1910	To authorize tax exemptions to encourage reforestation.	R	87,943	73,697	310,165
1912	To authorize a one mill state tax for roads and bridges and to permit state to assume entire cost of any project.	A	195,724	51,135	349,678
1912	To authorize state hail insurance.	R	145,173	60,439	349,678
1912	To authorize investment of school and university funds in first mortgages on improved farms.	R	168,440	39,483	349,678
1912	To amend the municipal home rule clause to authorize commission government and for other purposes.	R	157,086	41,971	349,678
1912	To authorize legislature to establish educational qualifications for county superintendents of schools.	R	167,983	36,584	349,678
1912	To limit size of state senate and number of senators from any county.	R	122,457	77,187	349,678
1914	To establish initiative and referendum.	R	168,004	41,577	356,906
1914	To increase number of justices of supreme court, and to authorize the court to appoint its clerk.	R	127,352	68,886	356,906
1914	To authorize a revolving fund for improving state school and swamp lands.	R	162,951	47,906	356,906
1914	To repeal the requirement as to publication of treasurer's report annually in a St. Paul newspaper and also in the biennial session laws.	R	131,213	58,827	356,906
1914	To authorize investment of school and university funds in first mortgages on improved farms.	R	159,531	38,145	356,906
1914	To extend terms of probate judges to four years.	R	128,601	64,214	356,906
1914	To limit size of state senate and number of senators from any county.	R	98,144	84,436	356,906

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Year	Purpose of Amendment	Adopted or Rejected	Yes	No	Vote/ Election
1914	To authorize the recall by the voters of "every public official in Minnesota, elective or appointive."	R	139,801	44,961	356,906
1914	To authorize special dog taxes and use of proceeds to compensate owners of animals injured by dogs.	R	136,671	59,786	356,906
1916	To authorized a revolving fund for improving state school and swamp lands.	A	240,975	58,100	416,215
1916	To authorize investment of school and university funds in first mortgages on improved farms.	A	211,529	56,147	416,215
1916	To authorize the state to mine ore under public waters.	R	183,597	64,255	416,215
1916	To increase number of justices of supreme court, and to authorize the court to appoint its own clerk.	R	130,363	108,002	416,215
1916	To authorize the governor to cut down items in appropriation bills.	R	136,700	83,324	416,215
1916	To authorize condemnation of private lands for construction of private drainage ditches.	R	132,741	97,432	416,215
1916	To establish initiative and referendum.	R	187,711	51,544	416,215
1916	To extend terms of probate judges to four years.	R	186,847	72,361	416,215
1918	To prohibit the manufacture and the sale of liquor.	R	189,614	173,665	380,604
1920	To provide a state trunk highway system.	A	526,936	199,603	797,945
1920	To extend terms of probate judges to four years.	A	446,959	171,414	797,945
1920	To authorize state income tax and to change provisions on tax-exempt property.	R	331,105	217,558	797,945
1922	To establish a state rural credit system to aid agricultural development.	A	534,310	73,917	714,630
1922	To tax mining of iron and other ores.	A	474,697	91,011	714,630
1924	To place revenue generated by excise taxes on motor fuels in trunk highway fund.	A	520,769	197,455	869,151
1924	To change requirements for publication of proposed amendments to city and village charters.	R	246,414	200,391	869,151
1924	To establish state-owned and operated public terminal grain elevators.	R	253,732	257,492	869,151
1924	To authorize enactment of laws promoting forestation and reforestation of public and private lands, including irrepealable provisions for forest land tax and a yield tax on timber products.	R	428,407	143,977	869,151
1924	To authorize state expenditure to prevent forest fires, including compulsory taxation, clearing and improvement of public and private wild lands.	A	460,965	143,518	869,151
1926	To fix the number of justices on the state supreme court.	R	331,964	148,784	722,781
1926	To authorize enactment of laws promoting forestation and reforestation of public and private lands.	A	383,003	127,592	722,781
1926	To authorize the legislature to limit the liability of stockholders in corporations.	R	323,322	140,422	722,781
1928	To place revenue generated by motor fuel tax 2/3 in trunk highway fund and 1/3 in bridge fund.	A	542,796	346,109	1,070,274
1928	To authorize the legislature to limit the liability of stockholders in corporations.	R	506,065	223,725	1,070,274

Year	Purpose of Amendment	Adopted or Rejected	Yes	No	Vote/ Election
1930	To provide two elective associate supreme court justices to replace appointed court commissioners.	A	428,013	130,833	828,401
1930	To authorize the legislature to exchange state public lands for federal lands.	R	378,716	174,231	828,401
1930	To authorize the legislature to limit the liability of stockholders in corporations.	A	486,818	135,345	828,401
1932	To authorize taxation of income, franchises and privileges of railroad companies; to authorize legislation to make taxation of national banking associations conform to federal law.	R	420,052	409,924	1,054,203
1932	To authorize taxation of motor vehicles of companies paying taxes under the gross earnings taxation system.	A	537,292	227,634	1,054,203
1932	To authorize the legislature to exchange state public lands for federal lands.	R	433,913	258,257	1,054,203
1932	To authorize the taxation of lands acquired through rural credit system.	R	468,101	261,856	1,054,203
1934	To authorize legislature to add new routes to trunk highway system.	R	509,074	279,877	1,064,332
1934	To authorize taxation of lands acquired through rural credit system.	R	496,017	215,623	1,064,332
1934	To exempt all household goods and farm machinery and equipment from taxation.	A	630,125	181,126	1,064,332
1934	To authorize the legislature to exchange state public lands for federal lands.	R	468,617	216,760	1,064,332
1934	To define “academies, colleges, universities and seminaries of learning” to mean, for tax purposes, property actually used in instruction and housing of students.	R	472,374	247,166	1,064,332
1936	To authorize the legislature to exchange state public lands for federal lands.	R	448,917	397,106	1,164,268
1936	To exempt personal property from state tax.	R	355,588	543,847	1,164,268
1938	To authorize the legislature to exchange state public lands for federal lands.	A	609,046	259,007	1,144,926
1938	To change requirements for publication of proposed amendments to city and village charters.	R	488,370	260,152	1,144,926
1940	To change requirements for publication of proposed amendments to city and village charters.	R	635,815	287,286	1,301,573
1942	To change requirements for investment or loan of permanent school and permanent university funds.	A	415,012	190,563	818,182
1942	To simplify and reduce the expense of publishing amendments to city and village charters.	A	459,868	144,842	818,182
1944	To authorize state construction and operation of airports; to authorize taxes on aircraft fuel and aircraft sales.	A	737,091	264,149	1,195,397
1948	To provide for 50-50 apportionment of excise tax on petroleum products.	R	534,538	539,224	1,257,804
1948	To authorize submission of two or more amendments without requiring voters to vote	R	319,667	621,523	1,257,804

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Year	Purpose of Amendment	Adopted or Rejected	Yes	No	Vote/ Election
1948	To authorize 2/3 of the legislature to call for a constitutional convention without submitting the question to the voters.	R	294,842	641,013	1,257,804
1948	To authorize the state to pay a veterans' bonus.	A	664,703	420,518	1,257,804
1950	To authorize diversion of 1% of the proceeds of the occupation mining tax to the veterans' compensation fund.	A	594,092	290,870	1,067,967
1950	To authorize forestry management funds by diverting certain proceeds (25%) from the public land trust fund.	R	367,013	465,239	1,067,967
1950	To provide for a 50-44-6 apportionment of the excise tax on petroleum products.	R	420,530	456,346	1,067,967
1952	To authorize a change in the investment and loan requirements governing permanent school and university funds.	R	604,384	500,490	1,460,326
1952	To provide for a 60% popular majority of voters voting on the question before a new state constitution can be considered legally ratified by the electorate.	R	656,618	424,492	1,460,326
1952	To clarify meaning of who shall be entitled to vote.	R	716,670	371,508	1,460,326
1952	To permit legislature to extend probate jurisdiction by a 2/3 vote.	R	646,608	443,005	1,460,326
1952	To provide for a 65-10-25 apportionment of excise tax on motor vehicles.	R	580,316	704,336	1,460,326
1954	To permit legislature to extend probate jurisdiction by a 2/3 vote.	A	610,138	303,838	1,168,101
1954	To authorize the legislature to limit the liability of stockholders of state banks.	A	624,611	290,039	1,168,101
1954	To provide for a 60% popular vote before a new state constitution can be ratified and to remove constitutional bar precluding members of the legislature from serving in a constitutional convention.	A	638,818	266,434	1,168,101
1954	To permit gubernatorial appointments in case of vacancy in certain offices to run until end of term or January 1 to eliminate need for election to short terms.	A	636,237	282,212	1,168,101
1956	To permit the legislature to reorganize the judicial power of the state.	A	939,957	307,178	1,443,856
1956	To authorize the consolidation of present trunk highway articles and sections, to increase state aid and supervision of public highways; to permit tax of motor vehicles and fuel; to apportion funds for highway purposes 62-29-9 to state and local highways.	A	1,060,063	230,707	1,443,856
1956	To authorize the legislature to divert 50% of the occupation mining tax proceeds earmarked for education from permanent trust funds to current educational needs.	A	1,084,627	209,311	1,443,856
1958	To authorize the legislature to revise and consolidate provisions relating to local government, home rule and special laws.	A	712,552	309,848	1,178,173

Year	Purpose of Amendment	Adopted or Rejected	Yes	No	Vote/ Election
1958	To provide for four-year terms for state constitutional officers to take effect for terms beginning in 1963.	A	641,887	382,505	1,178,173
1958	To permit members of the legislature to hold certain elective and nonelective state offices.	R	576,300	430,112	1,178,731
1960	To extend the legislative session; to restrict the time during which bills can be introduced; to set qualifications for legislators running for other elective offices.	R	763,434	501,429	1,577,509
1960	To allow an extra legislative session for reapportionment if reapportionment is not completed during the regular session.	R	600,797	661,009	1,577,509
1960	To provide for succession to the office of governor: to provide for continuity of government in emergencies caused by enemy attack.	A	974,486	305,245	1,577,509
1960	To prescribe the place where a person moving to a new precinct within 30 days before an election may vote; eliminating obsolete provisions on the voting rights of persons of Indian blood.	A	993,186	302,217	1,577,509
1962	To consolidate the swamp land fund and the permanent school fund; to set distribution requirements and investment restrictions.	A	828,880	288,490	1,267,502
1962	To allow state to contract long- and short-term debts for public improvements upon approval of 3/5 of both houses of the legislature.	A	728,255	385,723	1,267,502
1962	To remove restrictions on length of legislative sessions.	A	706,761	393,538	1,267,502
1964	To prevent amendment or repeal of taconite tax policies for 25 years; to authorize legislature to impose limitations for not more than 25 years on taxation of copper and nickel mining.	A	1,272,590	204,133	1,586,173
1964	To remove obsolete language from constitution.	A	1,089,798	254,216	1,586,173
1966	To allow legislators to seek election to other offices and to provide resignation procedure for legislators.	R	575,967	471,427	1,312,288
1968	To allow legislators to assume another elective or appointive office upon resignation from the legislature.	A	1,012,235	359,088	1,601,515
1968	To allow legislature to present bills to governor within three days after legislature adjourns; allowing governor 14 days to sign or veto such bills.	A	1,044,418	316,916	1,601,515
1970	To authorize the legislature to define or limit categories of tax-exempt property.	A	969,774	287,858	1,388,525
1970	To reduce voting age requirement from 21 to 19 years; to provide an age requirement of 21 years to hold public office.	A	700,449	582,890	1,388,525
1972	To allow flexible legislative sessions.	A	968,088	603,385	1,773,838
1972	To reorganize the state judicial system; to provide for appointment of clerks of district court; to authorize discipline and removal of	A	1,012,916	531,831	1,773,838

Chapter Two Charters, Laws and Founding Documents

Year	Purpose of Amendment	Adopted or Rejected	Yes	No	Vote/ Election
1972	To provide for the joint election of the governor and lieutenant governor; to remove the lieutenant governor as the presiding officer of the senate.	A	1,064,580	503,342	1,773,838
1972	To authorize bonus payment for Vietnam veterans.	A	1,131,921	477,473	1,773,838
1974	To revise organization and language of constitution.	A	815,064	311,781	1,296,209
1974	To ease vote requirement for amending constitution.	R	638,775	474,519	1,296,209
1974	To allow legislature to determine railroad taxes.	A	741,353	372,158	1,296,209
1976	To permit proceeds from increases in motor fuel taxes to be placed in the general fund; to remove restrictions on interest rate for and amount of highway bonds.	R	552,543	1,134,847	1,978,590
1980	To establish a bipartisan reapportionment commission.	R	1,036,581	754,935	2,079,411
1980	To require campaign spending limits for executive and legislative offices and public disclosure of campaign spending for all state candidates.	A	1,457,454	398,551	2,079,411
1980	To remove restrictions on the interest rate for and the amount of highway bonds.	R	964,212	823,192	2,079,411
1980	To establish initiative and referendum.	R	970,407	854,164	2,079,411
1980	To remove requirement of senate approval for notaries public.	R	944,883	850,251	2,079,411
1982	To allow the creation of a court of appeals.	A	1,304,127	385,738	1,834,737
1982	To remove restrictions on the interest rate for and the amount of trunk highway bonds.	A	1,103,221	563,865	1,834,737
1982	To permit the legislature to authorize on-track pari-mutuel betting on horse racing.	A	1,108,255	624,721	1,834,737
1982	To provide state bonding authority for the improvement and rehabilitation of railroad facilities.	A	1,201,321	492,736	1,834,737
1984	To allow the exchange of state-owned lands for other lands owned by state or local governments.	A	1,176,809	611,200	2,114,842
1984	To remove restrictions on the investment of fthe permanent school und and to allow the limits on the investment of the fund and the apportionment of the returns on the investment to school districts to be set by law.	A	1,139,390	631,378	2,114,842
1988	To establish a Minnesota Environmental and Natural Resources Trust Fund for environmental, natural resources, and wildlife purposes.	A	1,645,090	375,752	2,125,119
1988	To allow the use of juries of fewer 12 members in civil and nonfelony cases.	A	1,205,730	806,766	2,125,119
1988	To permit the legislature to authorize a lottery operated by the state.	A	1,214,032	843,307	2,125,119
1990	To dedicate 40 percent of the state lottery proceeds to the environment and natural resources trust fund until the year 2001.	A	1,388,105	329,806	1,843,104
1994	To permit off-track wagering on horse racing in a manner prescribed by law.	R	841,277	847,802	1,794,618
1996	To authorize a bonus for Persian Gulf War veterans.	A	1,334,409	740,039	2,211,161

Year	Purpose of Amendment	Adopted or Rejected	Yes	No	Vote/ Election
1996	To provide for recall of elected state officials.	A	1,833,523	248,778	2,211,161
1998	To extend use of lottery for environmental trust fund.	A	1,556,895	460,747	2,105,343
1998	To preserve hunting and fishing heritage.	A	1,570,720	462,749	2,105,343
1998	To abolish the office of state treasurer.	A	1,087,789	855,853	2,105,343
2006	To dedicate the motor vehicle sales tax to highways and public transportation.	A	1,270,042	947,776	2,217,818
2008	To protect our natural resources and preserve Minnesota's arts and cultural heritage by increasing the sales and use tax rate beginning July 1, 2009, by three-eights of one percent on taxable sales until the year 2034.	A	1,635,046	1,141,540	2,920,214

Sources: Anderson, William, A History of the Constitution of Minnesota, *Minneapolis, University of Minnesota, 1921; Mitau, G. Theodore, "Constitutional Change by Amendment: Recommendations of the Minnesota Constitutional Commission in Ten Years' Perspective,"* Minnesota Law Review, *Volume 44, 1959–60, pp. 461–83, Minnesota legislative manuals, the archives of the Minnesota Historical Society, and state canvassing board reports.*

In honor of Felix Orona, Army—Served in Vietnam
Hometown: Moorhead, Minnesota
Submitted by: Desi Hart, October 31, 2008
Mr. Orona is a strong American Hero. Everyone should be proud of the job he was involved in over there. Most of the friends from his unit did not make it out and he remembers them till this day. I'm honored to have listened to a couple of his stories. I know he has more to tell but somethings are best left unsaid. You nephew loves you Uncle.

In honor of Major Robert Riesgraf, U. S. Army—Served in World War II
Hometown: Carver, Minnesota
Submitted by: Mary Johnson, October 20, 2008
I told Dad I was going to Vote in honor of a Veteran - him. He said, Thanks. You made my day." Interesting. I made his day. His 22 years of military service sustained my free, bountiful American life. I have great pride and admiration for my Dad who has modeled a life of God and Country first. Thanks Dad. I love you as a veteran and as my father.

In honor of SFC Guy Sing, U.S. Army—Serving in Iraq - 2nd Tour
Hometown: St. James, Minnesota
Submitted by: Larry Unger, October 8, 2008
Guy is the son of a friend and I would like to pay tribute to him and all Veterans serving us here in the USA, so that we can go about our business with the freedom of speech, religion and the right to be our own person and have opportunities that few, if any, other nations provide for their citizens. God bless the USA.

In honor of Sergeant Richard Sieber II, U.S. Army National Guard
Serving in Operation Iraqi Freedom
Hometown: St. Francis, Minnesota
Submitted by: Jane Sieber, September 15, 2008
I'm proud of my son.

In honor of Earl Ingebretsen, Army—Served in World War II
Hometown: Rural Felton, MN
Submitted by Loren Ingebretsen, November 4, 2008

Earl was my Dad. He passed away 1 year ago on Oct. 25. He served in the South Pacific during WWII. He was attached to a chemical warfare group. One of the jobs he did was drive his C.O. around. When they were in the Phillipine Islands, they were camped in a farmers field and the C.O. made arrangements for compensating the person who owned the land for the use of it. When I was reading Dad's memoirs that he had been writing when he died, I found an entry that gave me an insight into the heart of my Dad.

He talked about having met people who worked for that land owner and noticed how poorly nourished they were. He found someone who was harvesting brown rice and bought a bag of it for that family. I often wondered when I was young why we got letters at Christmas from a family in the Phillipines. Dad just said they were friends, but I guess when you are hungry in a war torn country and a young man who has only the amount a soldier saves buys food to keep your family alive, maybe that is the reason. Later in his memoirs he talks about being asked to come to their home. Wars are won in many ways.

Dad and his generation fought to save the world and in the process cemented friendships that they carried with them to their graves! God Bless the boys and girls that went and came home as men and women - who quietly went back to work, to build lives and rebuild a nation! Dad your son is so proud of you!

In honor of Corporal Kareem Rashad Sulton Khan, Army—Served in Iraq
Hometown: Manahawkin, New Jersey
Submitted by Gene Christensen, October 31, 2008

There are so many of my peers I could honor. My father is a Silver and Bronze Star decorated WWII vet. My recently deceased uncle, also a WWII vet. But I choose to honor this person I have only met through Colin Powell. A Muslim who gave his life for our country in part to teach us that Muslims too are patriotic Americans.

In honor of PFC Gerald "Jerry" Walsh, Marine Corps—Served in World War II
Hometown: Minneapolis, Minnesota
Submitted by Steve Slocum, November 4, 2008

My father-in-law is Jerry Walsh and he is my hero. Jerry served in the South Pacific with the Second Marine Division from July 3, 1942 to September, 1944. He faced the enemy on Guadalcanal, Tarawa, and Saipan. He earned the Bronze Star on Saipan. But he had recurring malaria so bad that in September, 1944 he evacuated to the States for R&R. He was treated in Hawaii, Washington, and Klamath Falls, Oregon before his honorable discharge in October 1945. After the war Jerry never stopped fighting, only this time in wasn't the against the Japanese, it was fighting for mentally retarded children and adults.

He was the first Executive Director of The ARC of Minnesota in 1957. He and his tiny staff lobbied to improve the disgusting conditions of the State Institution System, a system that treated these people like animals. Today individuals with developmental disabilities and their families are living dramatically better lives thanks to Jerry Walsh; it must be some of that Semper Fidelis spirit. Jerry continues to fight on, but now at 87 years old, the dementia and Parkinson's Disease seem to be winning. In November 2004, days prior to a Tribute to Jerry to celebrate his accomplishments on behalf of the mentally disabled, his health suddenly declined and he required immediate assisted living arrangements.

Today my hero is in a nursing home. His still attends meetings of the Minnesota Chapter of the Second Marine Division Association with me. Since he can't vote himself, it is with great honor and pride in PFC Walsh that I do that duty for him. Semper Fi. Jerry.