CHAPTER 409—S.F.No.1713

An act proposing an amendment to the Minnesota Constitution in all its articles; reforming its structure, style and form.

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

Section 1. **CONSTITUTION; REFORMING STRUCTURE, STYLE AND FORM.** The following amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted the constitution will read as follows:

CONSTITUTION
OF THE
STATE OF MINNESOTA

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. 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 ~~such~~ government ; whenever required by the public good ~~may require it~~ .

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

Sec. 3. 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. The right of trial by jury shall remain inviolate, and shall extend to all cases at law without regard to the amount in controversy ; ~~but~~ . A jury trial may be waived by the parties in all cases in the manner prescribed by law ; ~~and~~ . The legislature may provide that the agreement of five-sixths of ~~any~~ a jury in ~~any~~ a civil action or proceeding, after not less than six ~~(6)~~ hours' deliberation, ~~shall be~~ is a sufficient verdict ~~therein~~ .

Sec. 5. Excessive bail shall not be required, nor ~~shall~~ excessive fines ~~be~~ imposed ~~;~~, nor ~~shall~~ cruel or unusual punishments ~~be~~ inflicted.

Sec. 6. 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 ; ~~and~~. 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. No person shall be held to answer for a criminal offense without due process of law, and no person ~~for the same offense~~ shall be put twice in jeopardy of punishment for the same offense , nor ~~shall~~ 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 ~~shall~~ before conviction shall be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great ; ~~and~~. The privilege of the writ of habeas corpus shall not be suspended unless ~~when~~ the public safety requires it in case of rebellion or invasion ~~the public safety may require~~ .

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

Sec. 9. Treason against the state ~~shall consist~~ consists only in levying war against the ~~same~~ 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. 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. No bill of attainder, ex post facto law, ~~nor~~ or any law impairing the obligation of contracts shall ~~ever~~ be passed, and no conviction shall work corruption of blood or forfeiture of estate.

Sec. 12. 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 ex-

empted 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 ~~incurred~~ to any laborer or servant for labor or service performed.

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

Sec. 14. The military shall be subordinate to the civil power ; and no standing army shall be ~~kept up~~ maintained in this state in times of peace.

Sec. 15. All lands within the state are ~~declared to be~~ allodial ; and feudal tenures of every description ; with all their incidents ; are prohibited. Leases and grants of agricultural lands for a longer period than ~~twenty one~~ 21 years ~~hereafter made, in which shall be reserved any~~ reserving rent or service of any kind ; shall be void.

Sec. 16. The enumeration of rights in this constitution shall not ~~be construed to~~ deny or impair others retained by and inherent in the people. The right of every man to worship God according to the dictates of his own conscience shall never be infringed ~~,~~; nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any religious or ecclesiastical ministry, against his consent; nor shall any control of or interference with the rights of conscience be permitted, or any preference be given by law to any religious establishment or mode of worship; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness ; or justify practices inconsistent with the peace or safety of the state, nor shall any money be drawn from the treasury for the benefit of any religious societies ; or religious or theological seminaries.

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

ARTICLE II
NAME AND BOUNDARIES

Section 1. This state shall be called ~~and known by the name of~~ the state of Minnesota ; and shall consist of and have jurisdiction over the territory embraced ~~in the following boundaries, 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 British Possessions crosses the same; thence up the main channel of said river to that of the Bois des 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 east 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 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 British Possessions; thence up Pigeon river and following said dividing line to the place of beginning~~ 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. The state of Minnesota ~~shall have~~ has concurrent jurisdiction on the Mississippi and on all other rivers and waters ~~bordering on the said State of Minnesota, so far as the same shall form~~ forming a common boundary ~~to said State, and~~ with any other state or states ~~now or hereafter to be formed by the same; and said rivers and waters, and~~ Navigable waters leading into the same, shall be common highways and forever free ; ~~as well to the inhabitants of said State as~~ to ~~other~~ citizens of the United States ; without any tax, duty, impost ; or toll therefor.

~~Sec. 3. The propositions contained 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," are hereby accepted, ratified and confirmed, and shall remain irrevocable without the consent of the United States; and it is hereby ordained that this 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 to said soil to bona fide purchasers thereof; and no tax shall be imposed on lands belonging to the United States and in no case shall non-resident proprietors be taxed higher than residents.~~

ARTICLE III
DISTRIBUTION OF THE POWERS OF GOVERNMENT

Section 1. The powers of government shall be divided into three distinct departments : legislative, executive ; and judicial ; ~~and~~ . 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. The legislature ~~shall consist~~ consists of the senate and house of representatives.

Sec. 2. The number of members who compose the senate and house of representatives shall be prescribed by law ; ~~but the representation in the Senate shall never exceed one member for every 5,000 inhabitants; and in the House of Representatives one member for every 2,000 inhabitants~~ . The representation in both houses shall be apportioned equally throughout the different sections of the state ; in proportion to the population thereof.

Sec. ~~23~~ 3 . ~~The legislature shall have the power to provide by law for an enumeration of the inhabitants of this State, and also have the power at their first session~~ At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, ~~to~~ the legislature shall have the power to prescribe the bounds of congressional ; ~~senatorial and representative~~ and legislative districts ; ~~and to apportion anew the senators and representatives, among the several districts according to the provisions of section second of this article. Sec. 24. The~~ Senators shall ~~also~~ be chosen by single districts of convenient contiguous territory ; ~~at the same time that members of the house of representatives are required to be chosen, and in the same manner; and~~ . No representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series. ~~The terms of office of senators and representatives shall be the same as now prescribed by law until the general election of the year one thousand eight hundred and seventy-eight (1878), at which time there shall be an entire new election of all senators and representatives.~~

Sec. 4. Representatives ~~chosen at such election, or at any election thereafter,~~ shall ~~hold their office~~ be chosen for ~~the~~ a term of two years, except ~~it be~~ to fill a vacancy ; ~~and the senators chosen at such election by districts designated as odd numbers shall go out of office at the expiration of the second year, and senators chosen by districts designated by even numbers shall go out of office at the expiration of the fourth year; and thereafter~~ . 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 ~~next after succeeding~~ each new legislative apportionment provided for in this article. ~~Sec. 17.~~ The governor shall ~~issue writs of election~~ call elections to fill ~~such~~ vacancies ~~as may occur, by resignation or any other cause,~~ in either house of the legislature.

Sec. ~~9~~ 5 . 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. ~~25~~ 6 . 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 ~~they are~~ elected. ~~Sec. 3.~~ Each house shall be the judge of the election returns and eligibility of its own members . The legislature shall prescribe by law the manner ~~in which~~ for taking evidence in cases of contested seats in either house ~~shall be taken~~ .

Sec. ~~4~~ 7 . 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 ~~the~~ a second time for the same offense.

Sec. ~~20~~ 8 . ~~All members~~ Each member and ~~officers of both branches~~ officer of the legislature ~~shall,~~ before entering upon ~~the~~ his duties ~~of their respective trusts,~~ shall take ~~and subscribe~~ an oath or affirmation to support the Constitution of the United States, the constitution of ~~the~~ this state ~~of Minnesota~~ , and ~~faithfully and impartially~~ to discharge faithfully the duties ~~devolving upon him as such member or officer~~ of his office to the best of his judgment and ability .

Sec. ~~7~~ 9 . The compensation of senators and representatives shall be prescribed by law. ~~But~~ No increase of compensation shall ~~be prescribed which shall~~ take effect during the period for which the members of the existing house of representatives may have been elected.

Sec. ~~8~~ 10 . The members of each house ~~shall~~ 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. ~~16~~ 11 . Two or more members of either house ~~shall have liberty to~~ may dissent and protest against any act or resolution which they ~~may~~ think injurious to the public or to any individual ; and have the reason of their dissent entered ~~on~~ in the journal.

Sec. 12. 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 ~~as otherwise provided by this constitution~~ by the governor on extraordinary occasions .

~~Sec. 6.~~ Neither house ~~shall,~~ 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. A majority of each ~~shall constitute~~ 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 ~~such~~ the manner and under ~~such~~ the penalties ~~as~~ it may provide.

Sec. ~~10~~ 14 . Each house shall be open to the public during ~~the~~ its sessions ~~thereof,~~ except in ~~such~~ cases ~~as~~ which in ~~their~~ its opinion ~~may~~ require secrecy.

Sec. ~~5~~ 15 . Each house shall elect its presiding officer and ~~such~~ other officers as may be provided by law ; . ~~They~~ 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 ~~on such~~ in the journals.

Sec. ~~30~~ 16 . In all elections ~~to be made~~ by the legislature ; ~~the~~ members ~~thereof~~ shall vote viva voce ; and their votes shall be entered ~~on~~ in the journal.

Sec. ~~27~~ 17 . No law shall embrace more than one subject, which shall be expressed in its title.

Sec. ~~10~~ 18 . All bills for raising ~~a~~ revenue shall originate in the house of representatives, but the senate may propose and concur with the amendments as on other bills.

Sec. ~~20~~ 19 . Every bill shall be ~~read~~ reported on three different days in each ~~separate~~ house, unless, in case of urgency, two-thirds of the house where ~~such~~ the bill is pending ~~shall~~ deem it expedient to dispense with this rule ; ~~and no bill shall be passed by either house until it shall have been previously read twice at length~~ .

Sec. ~~21~~ 20 . Every bill ~~having~~ passed by both houses shall be ~~carefully~~ enrolled ; and ~~shall be~~ signed by the presiding officer of each house. Any presiding officer refusing to sign a bill ~~which shall have previously~~ passed by both houses shall thereafter be ~~incapable of holding a seat in either branch of the legislature, or hold any other~~ disqualified from any office of honor or profit in the state ; ~~and in case of such refusal,~~ . Each house ~~shall,~~ by rule ~~,~~ shall provide the manner in which ~~such~~ a bill shall be ~~properly~~ certified for presentation to the governor in case of such refusal .

Sec. ~~22~~ 21 . No bill shall be passed by either house ~~of the legislature~~ upon the day prescribed for ~~the~~ adjournment ~~of the two houses~~ . ~~But~~ This section shall not ~~be so construed as to~~ preclude the enrollment of a bill ; or ~~the signature and passage~~ its transmittal from one house to the other ; ~~or the reports thereon from committees,~~ or ~~its transmission~~ to the executive for his signature.

Sec. ~~13~~ 22 . 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 ~~branch~~ house of the legislature, and the vote entered ~~upon~~ in the journal of each house.

Sec. ~~11~~ 23 . Every bill ~~which shall have~~ passed ~~the Senate and the House of Representatives~~ ; in conformity to the rules of each house and the joint rules of the two houses ; shall ; ~~before it becomes a law;~~ be presented to the governor ~~of the state~~ . If he approves a bill , he shall sign it ~~and~~ , deposit it in the office of the secretary of state ~~for preservation;~~ and notify the house ~~where~~ in which it originated of ~~the~~ that fact. ~~But if not,~~ If he vetoes a bill, he shall return it ; with his objections ; to the house in which it ~~shall have~~ originated ; ~~when such~~ . His objections shall be entered ~~at large on~~ in the journal ~~of the same; and the house shall proceed to reconsider the bill~~ . If, after ~~such~~ reconsideration, two-thirds of that house ~~shall~~ agree to pass the bill, it shall be sent, together with the governor's objections, to the other house, ~~by~~ which ~~it~~ shall likewise ~~be reconsidered;~~ reconsider it. ~~and~~ If ~~it be~~ approved by two-thirds of that house it ~~shall become~~ becomes a law and shall be deposited in the office of the secretary of state . ~~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~~ in 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~~ is presented to him ; ~~the same shall be~~ becomes a law ~~in like manner~~ as if he had signed it, unless the legislature ; by adjournment within that time ; prevents its return. ~~Bills~~ 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 ~~the~~ final adjournment ~~of the legislature and the legislature may prescribe the method of performing the acts necessary to present bills to the governor after adjournment.~~ and becomes law if the governor ~~may approve, sign~~ signs and ~~file~~ deposits it in the office of the secretary of state ; within 14 days after the adjournment of the legislature ; ~~any act passed during the last three days of the session, and the same shall become a law~~ . ~~If~~ Any bill passed during the last three days of the session which is not signed and ~~filed~~ deposited within 14 days after ~~the~~ adjournment ; ~~it shall~~ does not become a law.

If ~~any~~ a bill presented to the governor ~~contain~~ contains several items of appropriation of money, he may ~~object to~~ veto one or more of ~~such~~ the items ; while approving ~~of the other portion of~~ the bill. ~~In such case he shall append to the bill,~~ At the time ~~of signing it,~~ he signs the bill the governor shall append to it a statement of the items ~~to which he objects, and the appropriation so objected to~~ he vetoes and the vetoed items shall not take effect. If the legislature ~~be~~ is in session, he shall transmit to the house in which the bill originated a copy of ~~such~~ the statement, and the items ~~objected to~~ vetoed shall be separately reconsidered. If ; on reconsideration ; ~~one or more of such items be~~ any item is approved by two-thirds of the members elected to each

house, ~~the same shall be~~ it is a part of the law ; notwithstanding the objections of the governor. ~~All the provisions of this section, in relation to bills not approved by the governor, shall apply in cases in which he shall withhold his approval from any item or items contained in a bill appropriating money.~~

Sec. ~~12~~ 24 . ~~No money shall be appropriated except by bill. Every~~ Each order, resolution or vote requiring the concurrence of the two houses ~~(~~ except such as relate to the business or adjournment of the ~~same)~~ legislature shall be presented to the governor ~~for his signature, and, before the same shall take effect, shall be approved by him, or, being returned by him with his objections, shall be repassed by two-thirds of the members of the two houses, according to the rules and limitations~~ and is subject to his veto as prescribed in case of a bill.

Sec. ~~18~~ 25 . During a session each house may punish by imprisonment ; ~~during its session,~~ for not more than 24 hours any person ; not a member ; who ~~shall be~~ is guilty of any disorderly or contemptuous behavior in ~~their~~ its presence ; ~~but no such imprisonment shall at any time exceed twenty-four hours~~ .

Sec. 26. ~~To pass~~ Passage of a general banking law requires the vote of two thirds of the members of each house of the legislature.

~~Sec. 15. The legislature shall have full power to exclude from the privilege of electing or being elected any person convicted of bribery, perjury, or any other infamous crime.~~

~~Sec. 28. Divorces shall not be granted by the legislature.~~

~~Sec. 32. b All lands donated to the State of Minnesota for the purpose of internal improvement, under the eighth section of the act of Congress, approved September fourth, eighteen hundred and forty-one, being "An act to appropriate the proceeds of the sale of the public lands, and to grant pre-emption rights," shall be appraised and sold, in the same manner and by the same officers, and the minimum price shall be the same as is provided by law for the appraisement and sale of the school lands, under the provisions of title one (1), chapter thirty-eight, of the General Statutes, except the modifications hereinafter mentioned. All moneys derived from the sales of said lands shall be invested in the bonds of the United States, or of the State of Minnesota issued since 1860, and the moneys so invested shall constitute the Internal Improvement Land Fund of the State. All moneys received by the county treasurer under the provisions of title one (1), chapter thirty-eight (38), aforesaid, derived from the sale of internal improvement lands, shall be held at all times subject to the order and direction of the state treasurer, for the benefit of the fund to which it belongs; and on the fifteenth day of June in each year, and at such other times as he may be requested so to do by the state treasurer, he shall pay over to the said state treasurer all moneys received on account of such fund.~~

~~The bonds purchased in accordance with this amendment shall be transferable only upon the order of the governor, and on each bond shall be written "Minnesota Internal Improvement Land Fund of the State, transferable only on the order of the governor." The principal sum from all sales of internal improvement lands shall not be reduced by any charges or costs of officers by fees, or by any other means whatever; and section fifty (50), of title one (1), chapter thirty-eight (38), of the General Statutes, shall not be applicable to the provisions of this amendment, and wherever the words "school lands" are used in said title, it shall read as applicable to this amendment, "Internal Improvement Lands." The force of this amendment shall be to authorize the sale of the internal improvement lands, without further legislative enactment.~~

~~Sec. 34. The legislature shall provide general laws for the transaction of any business that may be prohibited by section one (1) of this amendment, and all such laws shall be uniform in their operation throughout the State.~~

ARTICLE V
EXECUTIVE DEPARTMENT

Section 1. The executive department ~~shall consist~~ consists of a governor, lieutenant governor, secretary of state, auditor, treasurer 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. ~~3~~ 2 . The term of office for the governor and lieutenant governor ~~shall be~~ is four years ; and until ~~their successors are~~ 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 : ~~Both~~ , and shall be ~~citizens~~ a citizen of the United States.

Sec. ~~4~~ 3 . The governor shall communicate by message to each session of the legislature ~~such~~ information touching the state and ~~condition of the~~ country ~~as he may deem expedient~~ . He ~~shall be~~ is commander-in-chief of the military and naval forces ; and may call them out ~~such forces~~ 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 ~~the~~ his duties ~~of their respective offices; .~~ ~~He shall have power, by and~~ With the advice and consent of the senate ~~to~~ he may appoint notaries public ; and ~~such~~ other officers ~~as may be~~ provided by law. He ~~shall have power to~~ may appoint commissioners to take the acknowledgment of deeds or other instruments in writing ; to be used in the state. ~~He shall have a negative upon all laws passed by the legislature, under such rules and limitations as are in this Constitution prescribed. He may on extraordinary occasions convene both houses of the legislature.~~ He shall take care that the laws be faithfully executed ~~,~~ . He shall

fill any vacancy that may occur in the ~~office~~ offices of secretary of state, treasurer, auditor, attorney general ; and ~~such~~ the other state and district offices ~~as may be~~ 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 ~~their successors are~~ a successor is chosen and qualified.

Sec. ~~5~~ 4 . The ~~official term~~ term of office of the secretary of state, treasurer, attorney general ; and state auditor ~~shall be~~ is four years ; and ~~each shall continue in office~~ until ~~his~~ a successor ~~shall have been elected~~ is chosen and qualified. The ~~further~~ duties and salaries of the executive officers shall ~~each~~ be prescribed by law.

Sec. ~~6~~ 5 . In case a vacancy ~~should occur,~~ 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 ~~should occur~~ occurs in that office. In case the governor ~~shall be~~ is unable to discharge the powers and duties of his office, the same ~~shall devolve~~ devolves on the lieutenant governor. The legislature may ~~by law~~ 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. 7. The term of each of the Executive officers named in this Article, shall commence on taking the oath of office on or after the first day of May, 1858, and continue until the first Monday of January, 1860, except the Auditor, who shall continue in office till the first Monday of January, 1861, and until their successors shall have been duly elected and qualified; and the same above-mentioned time for qualification and entry upon the duties of their respective offices shall extend and apply to all other officers elected under the State Constitution, who have not already taken the oath of office, and commenced the performance of their official duties.~~

Sec. ~~8~~ 6 . Each officer created by this article ~~shall,~~ 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 ~~faithfully~~ discharge faithfully the duties of his office to the best of his judgment and ability.

Sec. 7. 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. The judicial power of the state is ~~hereby~~ vested in a supreme court, 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. The supreme court ~~shall consist~~ 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 ~~may be~~ are prescribed by law, and appellate jurisdiction in all cases, but there shall be no trial by jury in ~~said~~ the supreme court.

As provided by law judges of the district court may be assigned ~~as provided by law~~ temporarily to act as judges of the supreme court upon its request.

The supreme court shall appoint ; to serve at its pleasure ; a clerk, a reporter, a state law librarian ; and ~~such~~ other necessary employees ~~as it may deem necessary~~ .

Sec. ~~5~~ 3 . The district court ~~shall have~~ has original jurisdiction in all civil and criminal cases ; and shall have ~~such~~ appellate jurisdiction as ~~may be~~ prescribed by law.

Sec. ~~3~~ 4 . The number and boundaries of judicial districts shall be established ~~or changed~~ in the manner provided by law but the office of a district judge ~~may~~ 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 ~~such~~ that district at the time of his selection and during his continuance in office.

Sec. ~~7~~ 5 . Judges of the supreme court 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. ~~9~~ 6 . ~~Judges~~ A judge of the supreme court ~~and~~ 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. ~~The~~ His term of office ~~of any such judge~~ 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. ~~8~~ 7 . The term of office of all judges shall be six years and

until their successors are qualified ~~,~~ . ~~and~~ They shall be elected ~~in the manner provided by law~~ by the ~~electors of the state, district, county, municipality, or other territory wherein~~ voters from the area which they are to serve in the manner provided by law .

Sec. ~~11~~ 8 . 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 ; ~~to hold office~~ until ~~his~~ 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 ~~such~~ the appointment.

Sec. ~~10~~ 9 . The legislature may provide by law for retirement of all judges ~~,~~ and for the extension of the term of any judge who ~~shall become~~ becomes eligible for retirement within three years after expiration of the term for which he is selected . ~~and~~ 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. ~~12~~ 10 . 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 ~~shall have~~ has jurisdiction.

Sec. ~~6~~ 11 . 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. ~~13~~ 12 . 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 ~~6~~ 11 .

Sec. ~~4~~ 13 . There shall be in each county one clerk of the district court ; whose qualifications ~~and~~ , duties and compensation shall be prescribed by law ~~,~~ . ~~and who~~ He shall serve at the pleasure of a majority of the judges of the district court in each district. ~~His compensation shall be provided by law.~~

ARTICLE VII
ELECTIVE FRANCHISE

Section 1. Every person ~~of the age of~~ ~~19~~ 18 years of age or more who has been a citizen of the United States for three months and who has resided ~~in this state six months and~~ in the precinct for ~~thirty~~ 30 days next preceding an election shall be entitled to vote in that precinct ; ~~and~~ . The place of voting by one otherwise qualified who has changed his residence within ~~thirty~~ 30 days preceding the election ~~may~~ shall be prescribed by law. ~~Sec. 2.~~ ~~No~~ The following persons shall not be entitled or permitted to vote at any election in this state: A person

not ~~belonging to one of the classes specified in the preceding section~~ meeting the above requirements ; ~~no~~ a person who has been convicted of treason or ~~any~~ felony, unless restored to civil rights; ~~and no~~ a person under guardianship, or a person who ~~may be non compos mentis~~ is ~~or~~ insane or not mentally competent ; ~~shall be entitled or permitted to vote at any election in this state~~ .

Sec. ~~3~~ 2 . For the purpose of voting ; no person ~~shall be deemed to have lost a~~ 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 ~~seminary~~ institution of learning; nor while kept at any almshouse or asylum; nor while confined in any public prison. ~~Sec. 4.~~ No soldier, seaman or marine in the army or navy of the United States ~~shall be deemed~~ is a resident of this state solely in consequence of being stationed within the ~~same~~ state .

Sec. 3. 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. ~~5~~ 4 . During the day on which ~~any~~ an election ~~shall be~~ is held ; no person shall be arrested by virtue of any civil process.

Sec. ~~6~~ 5 . All elections shall be by ballot ; except for such town officers as may be directed by law to be otherwise chosen.

Sec. ~~7~~ 6 . Every person who by the provisions of this article ~~shall be~~ is entitled to vote at any election and is ~~twenty one~~ 21 years of age ~~shall be~~ is eligible ~~to~~ for any office ~~which now is, or hereafter shall be,~~ elective by the people in the district wherein he ~~shall have~~ has resided ~~thirty~~ 30 days previous to ~~such~~ the election, except as otherwise provided in this constitution, or the constitution and law of the United States.

Sec. ~~9~~ 7 . The official year for the state of Minnesota ~~shall commence~~ commences on the first Monday in January in each year ; and all terms of office ~~shall~~ terminate at that time ; ~~and~~ . The general election shall be held on the first Tuesday after the first Monday in November ; ~~The general election shall be held biennially~~ in each even numbered year.

Sec. ~~2~~ 8 . The returns of every election for ~~the officers named in the foregoing section~~ 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 ~~of the state, who~~ . They shall constitute a board of canvassers ; ~~who shall open and~~ to canvass ~~said~~ the returns and declare the result within three days after ~~such~~ the canvass.

ARTICLE ~~XIII~~ VIII
IMPEACHMENT AND REMOVAL FROM OFFICE

~~Sec. 14~~ Section 1 . The house of representatives ~~shall have~~ has the sole power of impeachment ; through a concurrence of a majority of all ~~the~~ its members ~~elected to seats therein~~ . All impeachments shall be tried by the senate ; ~~and~~ . When sitting for that purpose ~~the~~ , 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 ~~members~~ senators present.

~~Section 1~~ Sec. 2 . The governor, secretary of state, treasurer, auditor, attorney general ; and the judges of the supreme and district courts ; may be impeached for corrupt conduct in office ; or for crimes and misdemeanors; but judgment ~~in such case~~ 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 ~~thereof shall nevertheless be liable and~~ shall also be subject to indictment, trial, judgment and punishment ; according to law.

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

~~Sec. 4. On the trial of an impeachment against the governor, the lieutenant governor shall not act as a member of the court.~~

Sec. ~~5~~ 4 . No person shall be tried on impeachment before he ~~shall have~~ has been served with a copy thereof at least ~~twenty~~ 20 days previous to the day set for trial.

Sec. ~~2~~ 5 . The legislature of this state may provide for the removal of inferior officers ~~from office,~~ for malfeasance or nonfeasance in the performance of their duties.

ARTICLE ~~XIV~~ IX
AMENDMENTS TO THE CONSTITUTION

Section 1. ~~Whenever~~ A majority of ~~both houses~~ the members elected to each house of the legislature ~~shall deem it necessary to alter or amend this constitution, they~~ may propose ~~such alterations or~~ amendments to this constitution. ; ~~which~~ Proposed amendments shall be published with the laws ~~which have been~~ passed at the same session ; and ~~said amendments shall be~~ submitted to the people for their approval or rejection at ~~any~~ a general election . ; ~~and if it shall appear, in a manner to be provided by law, that~~ If a majority of all the electors voting at ~~said~~ the election ~~shall have voted for and ratified such alterations or amendments, the same shall be valid to all intents and purposes as~~ vote to ratify an amendment, it becomes a part of this constitution. If two or more ~~alterations or~~ amendments ~~shall be~~ are submitted at the same time, ~~it shall be so regulated that the~~ voters shall vote for or against each separately.

Sec. 2. ~~Whenever~~ Two-thirds of the members elected to each ~~branch~~ house of the legislature ~~shall think it necessary to call a con-~~

~~vention to revise this Constitution, they shall recommend~~ may submit to the electors ~~to vote~~ at the next general election ~~for members of the legislature, for or against a convention; and~~ the question of calling a convention to revise this constitution. If a majority of all the electors voting at ~~said~~ the election ~~shall have voted~~ vote for a convention, the legislature ~~shall,~~ at ~~their~~ its next session, shall provide by law for calling the ~~same~~ convention . The convention shall consist of as many ~~members~~ delegates as there are members of the house of representatives ~~, who~~ . Delegates shall be chosen in the same manner ~~,~~ as members of the house of representatives and shall meet within three months after their election ~~for the purpose aforesaid~~ . Section 5 of Article IV of the constitution does not apply to election to the convention.

Sec. 3. ~~Any~~ A convention called to revise this constitution shall submit any revision ~~thereof by said convention~~ to the people ~~of the State of Minnesota~~ for ~~their~~ approval or rejection at the next general election held not less than 90 days after ~~the adoption~~ submission of ~~such~~ the revision ~~,~~ . ~~and,~~ If ~~it shall appear in the manner provided by law that~~ three-fifths of all the electors voting on the question ~~shall have voted for and ratified such~~ vote to ratify the revision, ~~the same shall constitute~~ it becomes a new constitution of the state of Minnesota. ~~Without such submission and ratification, said revision shall be of no force or effect. Section 9 of Article IV of the Constitution shall not apply to election to the convention.~~

~~ARTICLE X~~

~~CORPORATIONS HAVING NO BANKING PRIVILEGES~~

~~Section 1. The term "Corporation," as used in this Article, shall be construed to include all associations and joint stock companies having any of the powers and privileges not possessed by individuals or partnerships, except such as embrace banking privileges and all corporations shall have the right to sue, and shall be liable to be sued in all courts, in like manner as natural persons.~~

~~Sec. 2. No corporations shall be formed under special acts, except for municipal purposes.~~

~~Sec. 3. The legislature shall have power from time to time to provide for, limit and otherwise regulate the liability of stockholders or members of corporations and co-operate corporations or associations, however organized.~~

ARTICLE ~~IX~~ X

~~FINANCES OF THE STATE AND BANKS AND BANKING~~ TAXATION

Section 1. 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, ~~and~~ all seminaries of learning, all churches, church property ~~and~~, 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 ~~,~~. ~~and~~ 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 ~~may determine;~~ determines. ~~Provided, that~~ The legislature may authorize municipal corporations to levy and collect assessments for local improvements upon property benefited thereby without regard to ~~a~~ cash valuation. The legislature ~~may~~ 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.

~~Section 1~~ Sec. 2 . ~~Laws may be enacted for the purpose of encouraging and promoting~~ To encourage and promote forestation and reforestation of lands ~~in this state,~~ whether owned by private persons or the public, ~~including the~~ laws may be enacted fixing in advance ~~of~~ a definite and limited annual tax on ~~such~~ 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 ~~such~~ the term ~~upon the timber and other forest products so grown, but the taxation of mineral deposits shall not be affected by this amendment~~ .

Sec. ~~1A~~ 3 . Every person ; ~~co-partnership, company, joint stock company, corporation, or association however or for whatever purpose organized,~~ engaged in the business of mining or producing iron ore or other ores in this state ; shall pay to the state ~~of Minnesota~~ 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 ; ~~said~~. The tax ~~to be~~ is due ~~and payable from such person, co-partnership, company, joint stock company, corporation, or association however or for whatever purpose organized,~~ on ~~May first of~~ the first day of May in the calendar year next following the mining or producing ~~thereof~~ . The valuation of ore for the purpose of determining the amount of tax ~~to be paid~~ shall be ascertained ~~in the manner and method~~ as provided by law. Funds derived from the tax ~~herein provided for~~ 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. ~~The legislature shall by law make the necessary provisions for carrying out the provisions of this section.~~

Sec. ~~2~~ 4 . The state may levy ~~a state~~ an excise tax upon any ~~fluid or other~~ means or substance ~~or instrumentalities, or the business of dealing in, selling, or producing any or all thereof, used in producing or generating power~~ for propelling aircraft ~~of any kind now known or hereafter invented,~~ 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. ~~4~~ 5 . The legislature ~~is hereby authorized to provide, by law, for the taxation of~~ may tax aircraft using the air space overlying the state ~~of Minnesota and the airports thereof, including any contrivance, now known or hereafter invented, used or designed for navigation of or flight in the air,~~ on a more onerous basis than other personal property ; ~~provided, however, that~~ . Any such tax on aircraft shall be in lieu of all other ~~taxation thereon, and except that~~ taxes. The legislature may impose ~~such~~ the tax ~~upon~~ on aircraft of companies paying taxes under any gross earnings system of taxation ; ~~and upon the right to use such aircraft in the air space overlying the State of Minnesota and upon the airports thereof,~~ notwithstanding ~~the fact~~ that earnings from ~~such~~ the aircraft ~~may~~ be are included in the earnings ~~of such companies upon~~ on which ~~such~~ gross earnings taxes are computed. ~~Any such~~ The law may ; ~~in the discretion of the legislature, provide for the exemption~~ exempt from taxation ~~of any~~ aircraft owned by a nonresident of the state ~~and transiently or~~ temporarily using the air space overlying the state ~~of Minnesota or the airports thereof~~ .

~~Section 1~~ Sec. 6 . ~~Notwithstanding any other provision of this constitution,~~ 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 ; ~~for a period of 25 years after the adoption of this amendment~~ until November 4, 1989. ; ~~and~~ Laws may be enacted ; fixing or limiting for a period ~~of not more than 25 years but~~ not extending beyond the year 1990, the tax to be imposed ~~upon~~ on persons ~~or corporations~~ engaged in (1) the mining, production or beneficiation of copper, (2) ~~in~~ the mining, production or beneficiation of copper-nickel, or (3) ~~in~~ the mining, production or beneficiation of nickel. Taxes imposed ~~upon~~ on the mining or quarrying of taconite or semi-taconite and ~~upon~~ 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. ~~32. a~~ 7. Any law ~~providing for the repeal or amendment of any law or laws~~ heretofore or hereafter enacted ; which provides that ~~any~~ railroad ~~company now existing in this State or operating its road therein, or which may be hereafter organized,~~ companies shall ; pay a certain percentage of their gross earnings in lieu of all other taxes and assessments ~~upon~~ on their real estate, roads, rolling stock ; and other personal property ; ~~at and during the time and periods therein specified, pay into the treasury of this State a certain percentage therein mentioned of the gross earnings of such railroad companies now existing or hereafter organized, shall, before the same shall take effect or be in force, be submitted to a vote of the people of the State, and be adopted and~~ may be amended or repealed only by a law ratified by a majority of the electors of the state voting at the election at which ~~the same shall be~~ it is submitted ~~to them~~ .

ARTICLE XI
APPROPRIATIONS AND FINANCES

~~Sec. 9~~ Section 1 . No money shall ~~ever~~ be paid out of the treasury of this state except in pursuance of an appropriation by law.

Sec. ~~10~~ 2 . The credit of the state shall ~~never~~ not be given or loaned in aid of any individual, association or corporation ; except as hereinafter provided. ~~Nor shall there be any further issue of bonds denominated "Minnesota State Railroad Bonds," under what purports to be an amendment to Section ten (10) of Article nine (9) of the Constitution, adopted April 15th, 1858, which is hereby expunged from the Constitution, saving, excepting and reserving to the State, nevertheless, all rights, remedies and forfeitures accruing under said amendment.~~

Sec. ~~5~~ 3 . The state shall ~~never~~ not be a party in carrying on works of internal improvements ; except as authorized by this constitution ~~, but it may levy an excise tax upon any substance, material, fluid, force, or other means or instrumentality, or the business of dealing in, selling, or producing any or all thereof, used or useful, in producing or generating power for propelling motor or other vehicles used on the public highways of this state, and shall place the proceeds of such tax in the highway user tax distribution fund provided for in this Constitution, and further except in cases where~~ If grants ~~of land or other property shall~~ have been made to the state ; especially dedicated ~~by the grant~~ to specific purposes, ~~and in such cases~~ the state shall devote ~~thereto~~ the ~~avails~~ proceeds of ~~such~~ the grants to those purposes ; and may pledge or appropriate the revenues derived from ~~such~~ the works in aid of their completion.

Sec. ~~6~~ 4 . ~~Subdivision 1.~~ The state may contract public debts ; for which its full faith, credit ; and taxing powers may be pledged ; at ~~such~~ the times and in ~~such~~ the manner ~~as shall be~~ authorized by law, but only for the purposes and subject to the conditions stated in ~~this~~ 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.

~~Subd. 2~~ Sec. 5 . Public debt may be contracted and works of internal improvements carried on for the following purposes :

(a) ~~for the acquisition and betterment of~~ to acquire and to better public land and buildings and other public improvements of a capital nature ; and to provide ~~moneys~~ money to be appropriated or loaned to any agency or political subdivision of the state for such purposes ; ~~provided any~~ if the law authorizing ~~such~~ the debt is adopted by the vote of at least three fifths of the members of each ~~branch~~ house of the legislature;

(b) ~~as authorized in any other section or article of this Constitution;~~ to repel invasion or suppress insurrection ;

(c) ~~for temporary borrowing~~ to borrow temporarily as authorized in ~~subdivision 3~~ section 6 ;

(d) ~~for refunding~~ 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 ~~such~~ the bonds; ~~and for refunding certificates of indebtedness authorized by the legislature prior to January 1, 1963.~~

(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) Section 1. The state may construct, improve, maintain, and operate and may assist counties, cities, towns, villages, boroughs, and public corporations in constructing, improving, maintaining, and operating~~ to construct, improve and operate airports and other air navigation facilities ; ;

(h) ~~Provided, however, that for the purpose of developing~~ to develop the state's agricultural resources ~~of the state, the State may establish and maintain a system of rural credits and thereby loan money and extend~~ by extending credit ~~to the people of the State upon~~ on real estate security in ~~such~~ the manner and ~~upon such~~ on the terms and conditions ~~as may~~ be prescribed by law ; ~~and to issue and negotiate bonds to provide money to be so loaned. The limit of indebtedness contained in Section 6 of this Article shall not apply to the provisions of this Section, and the purposes for which the credit of the State or the aforesaid municipal subdivisions thereof may be given or loaned as herein provided are declared to be public purposes.~~ ; and

(i) as otherwise authorized in this constitution.

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

~~Subd. 3~~ Sec. 6 . As authorized by law ; certificates of indebtedness may be issued during ~~each~~ 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 ~~such~~ certificates shall be issued ~~with respect to any fund when the~~ in an amount ~~thereof~~ which with interest thereon to maturity, added to the then outstanding certificates against ~~the same~~ a fund and interest thereon to maturity, will exceed the then unexpended balance of all ~~moneys~~ money which will be credited to that fund during the bi-

ennium under existing laws ; ~~except that~~ . The maturities of ~~any such~~ 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 ~~such~~ the certificates were issued. If ~~moneys~~ money on hand in any fund ~~are~~ is not sufficient to pay all non-refunding certificates of indebtedness issued on ~~such~~ 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 ~~such~~ the biennium, the state auditor shall levy upon all taxable property in the state a tax collectible in the ~~then~~ ensuing year sufficient to pay the same on or before December 1 of ~~such~~ the ensuing year ; with interest to the date or dates of payment.

~~Subd. 4~~ Sec. 7 . Public debt other than certificates of indebtedness authorized in ~~subdivision 3~~ section 6 shall be evidenced by the issuance of ~~the~~ bonds of ~~this~~ the state. All bonds issued under the provisions of this section shall mature ~~within~~ not more than 20 years from their respective dates of issue ; and each law authorizing the issuance of ~~such~~ bonds shall distinctly specify the ~~purpose or~~ purposes thereof and the maximum amount of the proceeds authorized to be expended for each purpose. The state treasurer shall maintain a separate and special state bond fund on his official books and records ; ~~and~~ . When the full faith and credit of the state has been pledged for the payment of ~~such~~ 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 ~~said~~ the fund ; to pay all principal and interest on ~~state~~ bonds issued under ~~the provisions of~~ this section ; due and to become due within the ~~then~~ ensuing year and to and including July 1 in the second ensuing year. The legislature ~~may~~ by law may appropriate funds from any source to the state bond fund ; . ~~and~~ The amount of ~~moneys~~ money actually received and on hand pursuant to ~~such~~ appropriations prior to the levy of ~~such~~ the tax in any year ; shall be used to reduce the amount of tax otherwise required to be levied.

Sec. ~~4~~ 8 . The permanent school fund of the state ~~shall consist~~ consists of (a) the proceeds of ~~such~~ lands ~~as are or hereafter may be~~ granted by the United States for the use of schools within each township, (b) the proceeds derived from swamp lands granted to the state, ~~and~~ (c) all cash and investments ~~now or hereafter~~ 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 ~~said~~ 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 ~~such~~ 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, to secure the maximum return thereon consistent with the maintenance of the perpetuity of the fund, ~~such~~ and with the approval of the board of investment, the fund may be invested in: (1) interest bearing fixed income securities of the United States and of its agencies, fixed income securities guaranteed in full as to payment of principal

and interest by the United States, bonds of the state of Minnesota ; or its political subdivisions or agencies, or of other states, but not more than 50 percent of any issue by a political subdivision ; shall be purchased; (2) stocks of corporations on which cash dividends have been paid from earnings for five consecutive years or longer immediately prior to purchase, but not more than 20 percent of ~~said~~ the fund shall be invested therein at any given time ; nor more than one percent in stock of any one corporation, nor shall more than five percent of the voting stock of any one corporation be owned; (3) bonds of corporations whose earnings have been at least three times the interest requirements on outstanding bonds for five consecutive years or longer immediately prior to purchase, but not more than 40 percent of ~~said~~ the fund shall be invested in corporate bonds at any given time. The percentages referred to above shall be computed using the cost price of the stocks or bonds. The principal of the permanent school fund shall be perpetual and inviolate forever ;~~—~~ ~~provided, that~~ This ~~shall~~ does not prevent the sale of any public or private stocks or bonds at less than the cost ~~thereof~~ to the fund; however, all losses not offset by ~~all~~ gains ; shall be repaid to the fund from the interest and dividends earned thereafter. The net interest and dividends arising from the ~~investment thereof~~ fund shall be distributed to the different school districts of the state in proportion to the number of ~~scholars~~ students in each district between the ages of ~~five~~ 5 and ~~twenty-one~~ 21 years. ~~No such investment shall be made until approved by~~

A board of investment consisting of the governor, the state auditor, the state treasurer, the secretary of state, and the attorney general ; ~~who are~~ is hereby constituted ~~a state board of investment~~ for the purpose of administering and directing the investment of all state funds. The ~~state~~ board ~~of investment~~ shall not permit ~~the fund~~ state funds to be used for the underwriting or direct purchase of municipal securities from the issuer or his agent.

Sec. ~~5~~ 9 . The permanent university fund of this state may be loaned to or invested in the bonds of any county, school district, city ~~,~~ or town ; ~~or village~~ 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 ~~commissioners~~ investment ~~designated by law to regulate the investment of the permanent school fund and the permanent university fund of this state~~ ; nor shall ~~such~~ 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 ; ~~or village~~ issuing ~~such~~ the bonds; nor shall any ~~such~~ farm loan or investment be made when ~~such~~ the investment or loan would exceed 30 percent of the actual cash value of the farm land mortgaged to secure ~~said~~ the investment; nor shall ~~such~~ 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 ~~and no change of the town, school district, city, village, or county lines shall relieve the real prop-~~

~~erty in such town, school district, county, village, or city in this state at the time of issuing such bonds from any liability for taxation to pay such bonds~~ .

Sec. ~~7~~ 10 . As the legislature may provide, any of the public lands of the state, including lands held in trust for any purpose, may ; ~~with the unanimous approval of a commission consisting of the governor, the attorney general and the state auditor,~~ be exchanged for lands of the United States ~~and~~ or privately ~~owned~~ held lands ~~in such manner as the legislature may provide, and the~~ 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 ; ~~and~~ . The state shall reserve all mineral and water power rights in lands ~~so~~ transferred by the state.

Sec. ~~6~~ 11 . ~~Such of the~~ School and other public lands of the state ~~as are~~ 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 ; ~~and~~ . The legislature may also provide for ~~the~~ their management ~~of the same~~ on forestry principles. The net revenue therefrom shall be used for the purposes for which the lands were granted to the state.

Sec. ~~15~~ 12 . The legislature shall not authorize any county, township ; ~~city,~~ or ~~other~~ municipal corporation to ~~issue bonds, or to~~ become indebted ~~in any manner,~~ to aid in the construction or equipment of ~~any or all~~ railroads to any amount that ~~shall exceed~~ exceeds five ~~(5)~~ per ~~centum~~ cent of the value of the taxable property within ~~such~~ that county, township ; ~~city,~~ or ~~other~~ municipal corporation. The amount of ~~such~~ taxable property ~~to be ascertained, and~~ shall be determined by the last assessment ~~of said property made, for the purpose of state and county taxation,~~ previous to the incurring of ~~such~~ the indebtedness.

Sec. ~~12~~ 13 . ~~Suitable laws shall be passed by the legislature for the safe keeping, transfer and disbursements of the State and school funds; and~~ All officers and other persons charged with the ~~same or any part of the same, or the safe keeping~~ safekeeping thereof, of state funds shall be required to give ample security for ~~all moneys and~~ funds ~~of any kind~~ received by them ; and to ~~make forthwith and~~ keep an accurate entry of each sum received ; and of each payment and transfer ; ~~and~~ . If any ~~of said officers or other persons shall convert~~ 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 ; ~~and~~ . Any failure to pay over, produce or account for the state school funds, or any part of the same en-

trusted 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. 7. The state shall never contract any public debt, unless in time of war, except in the cases and in the mannner provided and referred to in the sixth section of this article.~~

~~Sec. 8. The money arising from any loan made, or debt or liability contracted, shall be applied to the object specified in the act authorizing such debt or liability, or to the repayment of such debt or liability, and to no other purpose whatever.~~

~~Sec. 11. There shall be published by the treasurer, in at least one newspaper printed at the seat of government, during the first week in January in each year, and in the next volume of the acts of the legislature, detailed statements of all moneys drawn from the treasury during the preceding year, for what purpose and to whom paid, and by what law authorized; and also of all moneys received, and by what authority and from whom.~~

~~Sec. 13. The legislature may, by a two thirds vote, pass a general banking law, with the following restrictions and requirements, viz.:~~

~~First. The legislature shall have no power to pass any law sanctioning in any manner, directly, or indirectly, the suspension of specie payments by any person, association or corporation issuing bank notes of any description.~~

~~Second. The legislature shall provide by law for the registry of all bills or notes issued or put in circulation as money, and shall require ample security in United States stock or State stocks for the redemption of the same in specie; and in case of a depreciation of said stocks, or any part thereof, to the amount of ten percent or more on the dollar, the bank or banks owning said stocks shall be required to make up said deficiency by additional stocks.~~

~~Third. The stockholders in any corporation and joint association for banking purposes, issuing bank notes, shall be individually liable in an amount equal to double the amount of stock owned by them for all the debts of such corporation or association; and such individual liability shall continue for one year after any transfer or sale of stock by any stockholder or stockholders.~~

~~Fourth. In case of the insolvency of any bank or banking association, the bill holders thereof shall be entitled to preference in payment over all other creditors of such bank or association.~~

~~Fifth. Any general banking law which may be passed in accordance with this Article shall provide for recording the names of all stockholders in such corporation, the amount of stock held by each, the time of transfer, and to whom transferred.~~

ARTICLE ~~XI~~ XII
SPECIAL LEGISLATION; LOCAL GOVERNMENT

~~Sec.~~ ~~33~~ Section 1 . In all cases when a general law can be made applicable, ~~no~~ a special law shall not be enacted ; except as provided in ~~Article XI;~~ section 2. ~~and~~ Whether a general law could have been made applicable in any case ~~is hereby declared a judicial question, and as such~~ 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 ~~upon~~ 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 ~~or explaining~~ 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 ~~be construed to~~ prevent the passage of general laws on any of the subjects enumerated.

Sec. 2. 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 ~~Article XI~~ this section .

~~Section 1~~ Sec. 3 . 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 ; ~~both elective and appointive,~~ and for the transfer of county seats. ~~No~~ A county boundary ~~shall~~ may not be changed or county seat transferred until approved in each county affected by a majority of the voters ~~of each county affected~~ voting ~~thereon~~ on the question .

Sec. ~~3~~ 4 . Any ~~city or village, and any county or other~~ local government unit when authorized by law ; may adopt a home rule charter for its government , ~~in accordance with this constitution and the laws. No such~~ A charter shall become effective ~~without the approval~~ if approved by such majority of the voters of the local government unit ~~affected by such majority~~ as the legislature ~~may prescribe~~ 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. ~~4~~ 5 . The legislature shall provide by law for charter commissions. Notwithstanding any other constitutional limitations ; the legislature may require that commission members ~~shall~~ 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.

~~Sec. 5. Existing laws and charters, valid when adopted shall continue in effect until amended or repealed in accordance with this article.~~

ARTICLE ~~XV~~ XIII
MISCELLANEOUS SUBJECTS

Section 1. The stability of a republican form of government depending mainly upon the intelligence of the people, it ~~shall be~~ is the duty of the legislature to establish a general and uniform system of public schools. ~~Sec. 2.~~ The legislature shall make such provisions ; by taxation or otherwise ; as ; ~~with the income arising from the school fund,~~ will secure a thorough and efficient system of public schools ~~in each township in~~ throughout the state.

Sec. 2. ~~But~~ In no case shall ~~the moneys derived as aforesaid, or any portion thereof, or~~ any public ~~moneys~~ 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. ~~The location of the University of Minnesota, as established by existing laws, is hereby confirmed, and said institution is hereby declared to be the University of the State of Minnesota.~~ All the rights, immunities, franchises and endowments heretofore granted or con-

ferred upon the university of Minnesota are ~~hereby~~ perpetuated unto the ~~said~~ university ; ~~and all lands which may be granted hereafter by Congress, or other donations for said university purposes, shall vest in the institution referred to in this section~~ .

Sec. 4. ~~Lands~~ 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 ~~such land~~ land ; and for the damages arising from ~~the~~ taking ~~of the same; but~~ it. All corporations ~~being~~ 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. ~~31~~ 5 . The legislature shall ~~never~~ not authorize any lottery or the sale of lottery tickets.

Sec. ~~35~~ 6 . Any ~~combinations~~ combination of persons ; either as individuals or as members or officers of any corporation ; to monopolize ~~the~~ markets for food products in this state ; or to interfere with, or restrict the freedom of ; ~~such~~ markets ; is ~~hereby declared to be~~ a criminal conspiracy ; and shall be punished ~~in such manner~~ as the legislature may provide.

Sec. ~~18~~ 7 . Any person may sell or peddle the products of the farm or garden occupied and cultivated by him without obtaining a license therefor.

~~Section 1~~ Sec. 8 . The state may ~~at any time~~ pay an adjusted compensation to persons who ~~have~~ served in the armed forces of the United States ~~during the period from and including September 16, 1940, through December 30, 1946 or~~ during the period of the Vietnam conflict , ; ~~may levy taxes and appropriate monies for such purpose; and if and~~ Whenever authorized ; and in ~~such~~ the amounts and on ~~such~~ the terms ~~as may be~~ fixed by law, the state may expend monies ; ~~may contract debts, may issue and negotiate bonds or certificates of indebtedness, or both,~~ and ~~may~~ pledge the public credit ; to provide money ~~therefor~~ for the purposes of this section . ~~Any inconsistent provisions of the Constitution shall not apply to the provisions of this section, and the purposes for which the credit of the state may be given or loaned as herein provided are declared to be public purposes.~~ The duration of the Vietnam conflict may be defined by law ; ~~for the purposes of this section~~ .

~~Section 1~~ Sec. 9 . ~~It shall be the duty of~~ The legislature ~~to~~ shall pass ~~such~~ laws necessary for the organization, discipline and service of the militia of the state ~~as may be deemed necessary~~ .

~~Section 1~~ Sec. 10 . The seat of government of the state ~~shall be~~ is ~~at~~ in the city of St. Paul ~~,~~ . ~~but~~ The legislature ; ~~at their first or any future session,~~ may provide by law for a change of the seat of govern-

ment by a vote of the people, or may locate the same upon the land granted by Congress for a seat of government . ~~to the State; and in the event of~~ If the seat of government ~~being removed from the city of St. Paul to any other place in the State~~ 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 ; ~~and of which institution~~ . The Minnesota Historical Society shall always be a department of this institution .

Sec. ~~4~~ 11 . ~~There shall be~~ A *seal of the state* ; ~~which~~ *shall be kept* by the secretary of state ; and be used by him officially ~~,~~ . ~~and~~ It shall be called the great seal of the state of Minnesota ; ~~and shall be attached to all the official acts of the governor (his signature to acts and resolves of the legislature excepted) requiring authentication. The legislature shall provide for an appropriate device and motto for said seal~~ .

~~Sec. 2. Persons residing on Indian lands within the State shall enjoy all rights and privileges of citizens, as though they lived in any other portion of the State, and shall be subject to taxation.~~

~~Sec. 5. The territorial prison, as located under existing laws, shall, after the adoption of this Constitution, be and remain one of the state prisons of the State of Minnesota.~~

ARTICLE ~~XVI~~ XIV
PUBLIC HIGHWAY SYSTEM

Section 1. ~~*Subject to the limitations of this article*~~ *The state may* ~~establish, locate,~~ construct, ~~reconstruct,~~ improve and maintain public highways ~~and~~ , may assist political subdivisions in ~~such~~ this work : ~~The legislature~~ and by law may authorize any political subdivision ; ~~upon such terms, conditions and in such manner as shall be provided by law, to aid or lend aid in the establishment, location, construction, reconstruction, improvement and maintenance of trunk highways~~ to aid in highway work within ~~their respective~~ its boundaries.

Sec. 2. There is hereby created a trunk highway system which shall be ~~established, located,~~ constructed, ~~reconstructed,~~ improved and maintained as public highways by the state. ~~Said trunk highway system shall consist of the trunk highway routes numbered 1 through 70 described in the constitutional amendment adopted November 2, 1920, the trunk highway routes added to said foregoing routes by the legislature prior to the effective date of this article, and such additional routes as may be added to the trunk highway system hereby created pursuant to authority in this article contained.~~ The ~~said~~ highways shall *extend as nearly as* ~~*may*~~ be possible *along the routes number* 1 through 70 described in ~~said~~ the constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or ~~will~~ hereafter ~~make~~ makes a route a part of the ~~said~~ trunk highway system. ~~The more specific and definite location of said routes shall be fixed and determined by such boards, officers or~~

~~tribunals and in such manner as shall be prescribed by law; but in fixing such specific and definite routes there shall not be any deviation from the starting points or terminals set forth in said routes nor shall there be any deviation in fixing such routes from the various villages and cities named therein through which such routes are to pass.~~

The legislature may add by law new routes to ~~said~~ the trunk highway system. ~~Said~~ The trunk highway system ~~shall~~ may not exceed 12,200 miles in extent, ~~provided however that~~ except the legislature may add ~~by law~~ trunk highways ~~to said system~~ in excess of ~~said foregoing~~ the mileage limitation ~~as the legislature may determine~~ as necessary or expedient to ~~meet, use, or otherwise~~ take advantage of any federal aid made available by the United States to the state of Minnesota ~~for highway purposes~~ .

Any route added by the legislature to the trunk highway system ~~either prior or subsequent to the effective date of this article~~ may be ~~altered, amended,~~ relocated ; ~~changed~~ or removed from ~~said~~ the system ; as provided by law. The definite location of ~~said~~ trunk highways numbered 1 through 70 ~~heretofore fixed pursuant to this article~~ may be ~~thereafter changed and~~ relocated as provided by law but no ~~such change or~~ relocation shall ~~be authorized which would~~ cause a deviation from the starting points or terminals ~~set forth in said routes~~ nor cause any deviation from the various villages and cities ~~named therein~~ through which ~~such~~ 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. ~~The legislature is hereby authorized to provide by law for the establishment of a system of county state-aid highways.~~ The A county state-aid highway system shall be ~~established, located,~~ constructed, ~~reconstructed,~~ improved and maintained by the counties as public highways in ~~such a~~ the manner ~~as shall be~~ provided by law. ~~Such~~ The system shall include streets in ~~cities, villages, and boroughs~~ municipalities of less than 5,000 population where necessary ; ~~as provided by law,~~ to provide an integrated and coordinated highway system and ~~it~~ may include similar streets in ~~other cities, villages, and boroughs~~ larger municipalities . ~~The county state-aid highway system as herein authorized shall not exceed 30,000 miles in extent, provided however that said limitation of 30,000 miles may be increased or decreased by the legislature by law.~~

Sec. 4. ~~The legislature is hereby authorized to provide by law for the establishment of a system of municipal state-aid streets within cities, villages and boroughs having a population of 5,000 or more.~~ The A municipal state-aid street system shall be ~~established, located,~~ constructed, ~~reconstructed,~~ improved and maintained as public highways by ~~such cities, villages and boroughs~~ municipalities having a population of 5,000 or more in ~~such~~ the manner ~~as shall be~~ provided by law. ~~The municipal state-aid street system as herein authorized shall not ex-~~

~~eeed 1,200 miles in extent; provided that said limitation of 1,200 miles may be increased or decreased by the legislature by law.~~

Sec. 5. There is hereby created a ~~fund which shall be known as the~~ highway user tax distribution fund ~~. The highway user tax distribution fund shall~~ to be used solely for highway purposes as specified in this article. ~~Said~~ The fund ~~shall consist~~ consists of the proceeds of any *taxes authorized* ~~to be imposed~~ by *sections 9 and 10 of this article.* ~~After the deduction of collection costs as provided by law and the payment of refunds authorized by law,~~ The net proceeds of ~~such~~ the taxes shall be ~~transferred to the following funds in the following proportions;~~ 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. ~~After January 1, 1963, the legislature is authorized to provide by law that~~ Five percent of the net proceeds of the highway user tax distribution fund may be set aside and ~~if so set aside shall be~~ apportioned ~~as provided~~ by law to one or more of the three foregoing funds ~~, on such basis as the legislature may determine. After said five percent may have been so set aside~~ The balance of the highway user tax distribution fund shall ~~in all events~~ 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 ~~hereinbefore~~ set forth in this section . No change in the apportionment of the ~~proceeds so set aside shall~~ five percent may be made within six years of ~~the commencement of the year in which~~ the last previous change ~~occurred~~ .

Sec. 6. 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 ~~which may be~~ issued under the authority of section ~~12~~ 11 of this article and any bonds issued for trunk highway purposes ~~under the constitution~~ prior to July 1, 1957. All payments of principal and interest on ~~any such~~ bonds issued shall be a first charge on ~~moneys~~ money coming into this fund during the year in which ~~such~~ the principal or interest is payable. ~~The fund created by this section shall also be used for the carrying on of work undertaken and the discharge of obligations incurred payable out of or chargeable to the trunk highway fund or the trunk highway sinking fund constituted and established by the constitution prior to July 1, 1957, and all money in said funds on the effective date of this article are hereby transferred to the fund created by this section.~~

Sec. 7. There is hereby created a county state-aid highway fund. ~~Said fund shall, in addition to the share of the highway user tax distribution fund transferred to it by section 5, receive and include all moneys accruing from the income derived from investments in the internal improvement land fund. All moneys in the state road and bridge fund as constituted and established by the constitution prior to July 1, 1957, are hereby transferred on the effective date of this article to the fund created by this section. To render aid for highway purposes~~ The county state-aid highway fund shall be apportioned among the counties as

provided by law. ~~Except as provided herein,~~ The funds apportioned shall be used by the counties as provided by law for aid in the ~~establishment, location,~~ construction, ~~reconstruction,~~ improvement and maintenance of county state-aid highways. The legislature may authorize the counties ~~;~~ ~~as provided~~ by law ~~;~~ to use a part of ~~said~~ the funds ~~so~~ apportioned to them to ~~render~~ aid in the ~~establishment, location,~~ construction, ~~reconstruction,~~ 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. There is hereby created a municipal state-aid street fund ~~;~~ ~~To render aid for highway purposes the municipal state-aid street fund shall~~ to be apportioned as provided by law among ~~the cities, villages and boroughs~~ municipalities having a population of 5,000 or more. ~~Except as provided herein,~~ The ~~funds apportioned~~ fund shall be used by ~~such cities, villages and boroughs~~ municipalities as provided by law for ~~aid in~~ the ~~establishment, location,~~ construction, ~~reconstruction,~~ improvement and maintenance of municipal state-aid streets. The legislature may authorize ~~such cities, villages and boroughs, as provided by law,~~ municipalities to use a part of ~~said funds so apportioned to them to render aid~~ the fund in the ~~establishment, location,~~ construction, ~~reconstruction,~~ improvement and maintenance of other municipal streets ~~, and any other public streets, including but not limited to~~ trunk highways ~~within such cities , villages and boroughs~~ and county state-aid highways within the counties ~~wherein such cities, villages and boroughs are~~ in which the municipality is located.

Sec. 9. The legislature ~~is hereby authorized to provide~~ by law ~~for the taxation of~~ may tax motor vehicles using the public streets and highways ~~of this state~~ on a more onerous basis than other personal property ~~;~~ ~~provided, however, that~~ . 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 , ~~and except that~~ The legislature may impose ~~such~~ this tax ~~upon~~ on motor vehicles of companies paying taxes under the gross earnings system of taxation ~~and upon the right to use such vehicles upon the public highways~~ notwithstanding ~~the fact~~ that earnings from ~~such~~ the vehicles may be included in the earnings ~~of such companies upon~~ on which ~~such~~ gross earnings taxes are computed. The proceeds of ~~such~~ the tax shall be paid into the highway user tax distribution fund. ~~Any such law may, in the discretion of the legislature, provide for the exemption~~ The law may exempt from taxation ~~of~~ any motor vehicle owned by a nonresident of the state ~~but~~ properly licensed in another state ~~;~~ and transiently or temporarily using the streets and highways of the state.

Sec. 10. The ~~state~~ legislature may levy an excise tax ~~upon~~ on any means or substance used ~~;~~ ~~material, fluid, force or other means or instrumentality, or the business of dealing in, selling or producing any or all thereof, used or useful, in producing or generating power~~ for propelling ~~motor or other~~ vehicles ~~used~~ on the public highways of this

state or on the business of selling it . The proceeds of ~~such~~ the tax shall be paid into the highway user tax distribution fund.

~~Sec. 11. The enumeration as in this section contained of the power of the legislature to authorize political subdivisions to participate in trunk highway work shall never operate or be construed so as to limit, prejudice or curtail in any degree or manner whatsoever any power or authority now vested in the legislature concerning or relating to any other public highways.~~

Sec. ~~12~~ 11 . The legislature may provide by law for the ~~issue and~~ sale of ~~the~~ bonds ~~of the state in such amount as may be necessary~~ to carry out the provisions of section 2 ~~of this article; provided, however, that the total amount of such~~. Bonds issued and unpaid shall not at any time exceed $150,000,000 ; par value. The proceeds ~~of the sale of such bonds~~ shall be paid into the trunk highway fund. Any bonds ~~so issued and sold~~ shall mature serially over a term not exceeding 20 years ~~: . They~~ shall not be sold for less than par and accrued interest and shall not bear interest at a greater rate than five percent per annum. ~~In case~~ If the trunk highway fund ~~shall~~ is not ~~be~~ adequate to ~~meet the payment of the~~ pay principal and interest of ~~the~~ these bonds ~~authorized by the legislature as hereinbefore provided,~~ when due, the legislature may ~~provide by law for the taxation of~~ levy on all taxable property of the state in an amount sufficient to meet the deficiency ; or it may ; ~~in its discretion,~~ appropriate to ~~such~~ the fund ~~moneys~~ money in the state treasury not otherwise appropriated.

~~Sec. 13. Article XVI and Article IX, section 16, are hereby superseded in their entirety; and any and all provisions of the constitution of the State of Minnesota inconsistent herewith are repealed so far but only so far as the same prohibit or limit the power of the legislature to enact laws authorizing or permitting the doing of the things hereinbefore authorized.~~

~~Sec. 14. This article shall take effect on the first day of July, 1957.~~

~~ARTICLE XVII~~
~~FOREST FIRES; PREVENTION, ABATEMENT~~

~~Section 1. The state and (or) any of its political subdivisions, if and whenever authorized by the legislature, may contract debts and pledge the public credit for and engage in any work reasonably tending to prevent or abate forest fires, including the compulsory clearing and improvement of wild lands (whether belonging to the public or privately owned) and the assessment against such lands of the value of all benefits so conferred and the payment of damages so sustained in excess of such benefits.~~

~~Sec. 2. Any and all provisions of the constitution of the state of Minnesota inconsistent with the provisions of this article, are hereby~~

~~repealed, so far, but only so far, as the same prohibit or limit the power of the legislature to enact laws authorizing or permitting the doing of the things hereinbefore authorized.~~

~~ARTICLE XVIII~~
~~FORESTATION AND REFORESTATION~~

~~Sec. 2. Any and all provisions of the constitution of the state of Minnesota, inconsistent with the provisions of this article, are hereby repealed, so far, but only so far, as the same prohibit or limit the power of the legislature to enact laws authorizing or permitting the doing of the things hereinbefore authorized.~~

~~ARTICLE XIX~~
~~AERONAUTICS~~

~~Sec. 2. For the purpose of carrying on or assisting in carrying on such work it may expend monies, including such monies as the legislature may see fit to appropriate, may incur debts, and may issue and negotiate bonds to provide money therefor. The provisions of Section 5 or Article 9 of the Constitution shall not apply to the provisions of this section, and the purposes for which the credit of the state may be given or loaned as herein provided are declared to be public purposes.~~

~~Sec. 5. Any and all provisions of the Constitution of the State of Minnesota inconsistent with the provisions of this article are hereby repealed, so far, but only so far, as the same prohibit or limit the power of the legislature to enact laws authorizing or permitting the doing of the things hereinbefore authorized.~~

~~ARTICLE XX~~
~~VETERANS BONUS~~

~~Sec. 2. Any and all provisions of the Constitution of the state of Minnesota inconsistent with the provisions of this article are hereby repealed, so far, but only so far, as the same prohibit or limit the power of the Legislature to enact laws authorizing or permitting the doing of the things hereinbefore authorized.~~

Sec. 2. **SEVERABILITY.** If a change included in the proposed amendment is found to be in violation of the constitution or other than inconsequential by litigation before or after the submission of the amendment to the people the change shall be without effect and severed from the other changes. The other changes shall be submitted or remain in effect as though the improper change were not included.

Sec. 3. The proposed amendment shall be submitted to the people at the 1974 general election. The question proposed shall be:

"Shall the Minnesota Constitution be amended in all its articles to improve its clarity by removing obsolete and inconsequential provisions, by improving its organization and by correcting grammar and style of language, but without making any consequential changes in its legal effect?

Yes . . . . . .
No . . . . . ."

Approved April 10, 1974.

CHAPTER 410—S.F.No.1800

An act relating to game and fish; discounts upon sales of licenses; amending Minnesota Statutes 1971, Section 98.50, Subdivision 5.

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

Section 1. Minnesota Statutes 1971, Section 98.50, Subdivision 5, is amended to read:

Subd. 5. **GAME AND FISH; DISCOUNT LICENSE SALES.** Any resident desiring to sell the licenses referred to in subdivision 1 may either purchase for cash or obtain on consignment blanks from a county auditor at the auditor's option described in subdivision 1 in groups of not less than five non-resident, and ten resident license blanks. He shall be entitled to a discount of ~~six~~ seven percent from the price established by law on cash purchases and six percent on consignments. In selling such licenses, he shall be deemed an agent of the county auditor and the commissioner, and he shall observe all rules and regulations promulgated by the commissioner for the accounting for and handling of such licenses.

The county auditor shall promptly deposit all moneys received from the sale of licenses with the county treasurer, and shall promptly transmit such reports as may be required by the commissioner, together with his warrant on the county treasurer for ~~92~~ 90 percent of the price to the licensee for each license sold or consigned by him and subsequently sold to a licensee during the accounting period. The county auditor shall retain as his commission ~~two~~ three percent of all license fees for licenses sold for cash and resale, ~~three~~ four percent of all license fees for licenses consigned to subagents, and ~~eight~~ ten percent of all license fees for licenses sold for cash directly to the licensee. Unsold license blanks in the hands of any agent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner therefor. Any license blanks not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the agent possessing the same or to whom they are charged shall be accountable therefor.

Sec. 2. This act is effective January 1, 1975.