

**CITIZENS LEAGUE REPORT**

**No. 98**

**Resolution on Amendent I**

**Local Approval of Special Legislative Acts**

**January 1959**

Approved 1/7/59

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Citizens League  
601 Socony-Mobile Building  
Minneapolis 2, Minnesota

January 5, 1959

TO: Board of Directors

FROM: Forms and Structure Committee, Stanley Platt, chairman

SUBJECT: Resolution on Amendment 1 implementing legislation dealing with local approval of special legislative acts.

The home rule amendment to the Minnesota Constitution adopted on November 4, 1958 provides that special laws must be approved by the local governing body or the voters of the community. The Legislature at the 1959 session is expected to determine the general rules under which such approval shall be granted.

The Forms and Structure Committee has considered at some length whether special acts referred to the governing body should require an extraordinary majority for approval. In favor of such a requirement is the fact that special acts in effect amend the local charter, and it seems contrary to the principle of popular control to permit the governing body to amend the charter by an ordinary majority vote. On the other hand, it is pointed out that, particularly in the case of Minneapolis, the charter contains much detail which is not of a basic character, and changing or eliminating such detail is not really affecting the basic law.

The Forms and Structure Committee recommends that the League's Board of Directors urge that if the Legislature provides by general law for submitting special legislation to the local governing body, that it also provide the means whereby the voters may petition for a referendum on such legislation approved by the governing body.