

MEMO

To: Charter Commission

From: City of Minneapolis Clerk's Department

Date: 8/4/2015

RE: Background on City of Minneapolis bonding referendums

AMENDMENT No. 52 ADOPTED BY REFERENDUM	Amending Chapter 15, Section 9 of the Minneapolis City Charter limiting the bonding power of the city to \$15,000,000 without referendum (submitted to Charter Commission by petition with required number of signatures). • number registered: 240,072; number voting: 46,246	Adopted Yes - 33,299 No - 12,919 06/12/1973
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No. 52, Indebtedness in aggregate amount of more than fifteen million dollars shall not be incurred without the approval of the majority of electors voting on the question.

Legislative History

- March 23, 1973 – stating that petitions amending Sec 9 Chap 15 of the City Charter to require a referendum on sale of bonds in excess of \$15 million, have the required number of valid signatures.
- March 30, 1973 – copy of wording on petition submitted to the Charter Comm proposing a Charter amendment on issuance or sale of bonds for capital improvement projects in excess of \$15 million, as per action of the Council 3/9/1973 directing that the W&M Comm report as to the effect such as Charter change would have upon the bonding program of the City, if adopted.
- April 13, 1973 - reporting on proposed charter amendment to require a referendum on issuance & sale of bonds in excess of \$15 million.

Background

- June 5, 1973 – Letter accuses leaders opposed to the Charter change of being 'elitist' and of ignoring the many signees of the petition.

- June 6, 1973 – Report on a Hennepin County district judge issuing a temporary restraining order blocking the special election on the Charter Amendment. The concern was whether the amendment was unconstitutionally vague and imprecise.
- June 7, 1973 – Report on then Mayor Stenvig vowing to intervene in the lawsuit that had blocked the special election.
- June 8, 1973 – Report on the Hennepin County district judge reversing the earlier decision.
- June 10, 1973 – Minneapolis tribune editorial board encourages voters to vote ‘no’ on Charter amendment. They believed that the language was too vague, did not provide for inflation, and that the method of referendum was a poor way to decide capital improvement projects.
- June 11, 1973 – Extensive report on the controversy surrounding the referendum and details about the arguments for both sides.
- June 13, 1973 – Report on the Charter amendment passing by a wide margin.

<p>AMENDMENT NO. 145</p> <p>ADOPTED BY REFERENDUM</p>	<p>Amending Chapter 15, of the Minneapolis City Charter, adding a new Section 13 relating to putting professional sports facility financing before the voters.</p> <ul style="list-style-type: none"> • number registered: 208,150; number voting: 96,772 <p>General Election</p>	<p>Adopted</p> <p>Yes - 62,042</p> <p>No - 26,468</p> <p>11/04/1997</p>
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No. 145, Professional sports facilities funding, Chapter 15, Section 13

Legislative History

- June 27, 1997 - Proposed petition for referendum to amend Chap 15 of Charter relating to Board of Estimate & Taxation, adding a new Section 13 relating to funding for professional sports facilities.
- July 11, 1997 – Proposed amendment to Chapter 15 of Charter relating to Board of Estimate & Taxation, adding a new Section 14 relating to funding for professional sports facilities.
- Sept 12, 1997 – letter from Chair Commission relating to proposed amendments to City Charter Chapter 15 regarding Board of Estimate & Taxation, adding a new Section 13 relating to financing professional sports facilities & certification of charter petition w/8,155 names.
- Sept 12, 1997 – Sports facilities financing (proposed charter amendment no 145): letter from charter commission chair transmitting petition to city council, pursuant to Minn Stat 410.12(3);2

Background

- November 2, 1997 - 1 – Letter to the editor outlining objections to the Star Tribune’s editorial.
- November 2, 1997 – 2 – Report on the referendum showing voters are evenly split on the fate of the referendum. Backers and critics said that confusion about the referendum and the possible sale of the Vikings might be factors in the results.
- November 3, 1997 – Article written to clear up lingering questions about the referendum.
- November 5, 1997 – Report on voters overwhelmingly approving amendment.

CHARTER AMENDMENT NO. 52

Adopted June 12, 1973

Petition 198026 1/2 - 3-23-73

Indebtedness in aggregate amount of more than fifteen million dollars shall not be incurred without the approval of the majority of electors voting on the question.

That Section 9 of Chapter 15 of the City Charter of the City of Minneapolis be amended by inserting the underlined matter hereinbelow, as follows:

Section 9. TO INCUR INDEBTEDNESS FOR MUNICIPAL PURPOSES ON REQUEST OF COUNCIL. Upon the request of the City Council expressed by ordinance or resolution adopted by the votes of two-thirds of all members thereof, the Board of Estimate and Taxation in its discretion shall have power by a vote of at least five (5) of its members to incur indebtedness for municipal purposes other than the purchase of public utilities and to pledge the credit of the city for the payment of principal and interest and for that purpose shall have power to issue and sell negotiable bonds of the city or any other form of obligation it may deem best, but any such bonds or obligations shall be sold only in the manner provided by Section 1856, General Statutes 1913, to the purchaser who will pay the highest price therefor at the rate of interest fixed by the Board of Estimate and Taxation and the obligations or bonds shall be drawn accordingly; provided, that where, with respect to any and all types and forms of obligation or indebtedness authorized by this Charter and by the laws of the State of Minnesota, the aggregate amount of any such obligations or indebtedness to be issued or incurred for any improvement, including but not limited to acquisition, development, construction or betterment, of any public building, stadium, or other capital improvement project, shall in all phases from inception to completion exceed Fifteen Million Dollars (\$15,000,000.00), the Board of Estimate and Taxation shall not issue or sell any bonds or other obligations nor incur any indebtedness for such purpose without the approval of a majority of the electors voting on the question of issuing such obligations or incurring such indebtedness at a general or special election. The foregoing proviso shall become effective immediately upon its adoption pursuant to Minnesota Statutes Chapter 410. Any premium received from the sale of such bonds shall revert to the sinking fund provided for the redemption of such bonds. Any such bonds or obligations shall be signed by the Mayor and the City Clerk under the city corporate seal and shall be countersigned by the President of the Board of Estimate and Taxation and by the City Comptroller. If the proceeds of the bonds or obligations be intended for the use of any board or department the expenditures of which are not controlled by the City Council, there shall be in addition to the request by the City Council, a like request expressed by ordinance or resolution adopted by the governing board of such department by the vote of at least two-thirds of the members thereof. The proceeds of such bonds or obligations shall be put into the City Treasury and credited to the proper fund.

CHARTER AMENDMENT #52 — Canvassing Report

Adopted by Referendum, June 12, 1973

Minneapolis City Charter: Board of Estimate and Taxation
Charter 15, Section 9

Relating to Indebtedness in aggregate amount of more than (\$15,000,000.00) fifteen million dollars shall not be incurred without the approval of the majority of electors voting on the question.

CHARTER & LEGISLATIVE—
Your Committee recommends that proposed Amendment No. 52 to the Minneapolis City Charter, transmitted to the City Council by the Charter Commission on March 12, 1973, pursuant to Minnesota Statutes, Section 410.12, be submitted to the qualified voters of the City for adoption or rejection at a Special City Election to be held on Tuesday, June 12, 1973, and that notice of such submission be given by the City Clerk by publication of such notice and said proposed amendment in full once a week for two successive weeks prior to June 12, 1973 in Finance and Commerce and in the Minneapolis Star and Tribune, and should be published once in the Labor Review and by posting notices of such election in each and all of the election districts of the City at least 15 days before such election.
Adopted. Passed by final roll call as hereinafter noted.

ELECTIONS — Your Committee, acting as a Canvassing Board, reports that pursuant to instructions, we have canvassed the official election returns made and submitted to the City Clerk by the Judges of Election of all election districts in the City of Minneapolis of the votes cast at the Special Election held on Tuesday, June 12, 1973 on Proposed Charter Amendment No. 52 which would require a referendum to authorize the Board of Estimate and Taxation to incur any indebtedness for any city improvement when the aggregate amount of indebtedness for the entire improvement shall exceed \$15,000,000, and we herewith submit the results of said returns, as shown on the accompanying tables.

The total number of voters registered was 240,072.

The total number of "Yes" votes was 33,299.

The total number of "No" votes was 12,919.

The total number of legal voters voting at said Special Election was 46,246.

The number of votes necessary for the adoption of said proposed Charter Amendment was 51% of the total number of legal voters voting at said Special Election on the question, or 23,571.

Said proposed question was authorized and adopted.

Your Committee recommends that by the adoption of this report, the City Council declares the results of said Special Election held on June 12, 1973, as they appear from the official election returns made to the City Clerk by the Judges of Election at said Special Election to be and they are as hereinabove set forth.

(SEE TABLES)

Adopted. Passed by final roll call as hereinafter noted.

CHARTER AMENDMENT #145
Adopted by Referendum November 4, 1997

Minneapolis City Charter: Board of Estimate and Taxation
Charter 15, Sections 13

Relating to Professional Sports Facility Financing before the Voters.

IGR – Your Committee recommends that proposed Amendment No 145 to the Minneapolis City Charter, transmitted to the City Council by the Chair of the Charter Commission on August 11, 1997, pursuant to the provisions of Minnesota Statutes 410.12, Subdivision 3, be submitted to the qualified voters of the City for adoption or rejection at the general election to be held November 4, 1997 and that notice of such submission be given by the City Clerk by publication of such notice and said proposed amendment (in full) once a week for two successive weeks prior to November 4, 1997 in the Minneapolis Star Tribune, a newspaper of general circulation in the City of Minneapolis, and once in Finance and Commerce, and by posting notices of such election in each and all of the election districts of the City; and that in submitting said proposed Charter Amendment for adoption or rejection, the ballot shall bear the following words and question:

CHARTER
AMENDMENT NO 145

“Chapter 15, Section 13. Putting Professional Sports Facility Financing Before the Voters.

The City of Minneapolis, Minneapolis Community Development Agency, or any city department, agency, commission, or board, shall use no city resources over \$10 million dollars for the financing of professional sports facilities without the approval of a simple majority of the votes cast on the question, in a ballot question put to the public at the next regularly scheduled election. City resources are defined for these purposes as: Tax increment financing, bonds, loans, land purchase or procurement, land or site preparation, including necessary infrastructure such as roads, parking development, sewer and water, or other infrastructure development, general fund expenditures, sales tax or other taxes, deferred payments, interest free or below market interest rate loans, the donation or below market value sale of any city resources or holdings or any other free or below cost city services. The ballot question shall not be put before the public in a special election, in order to prevent the costs associated with special elections.

Shall proposed Amendment No 145 to the home rule Charter of the City of Minneapolis be adopted?”

Yes _____

No _____

Adopted. Yeas, 13; Nays none.

Passed September 12, 1997.

Approved September 12, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published September 16, 1997).

CHARTER AMENDMENT #145 - CANVASSING REPORT

Adopted by Referendum November 4, 1997

Minneapolis City Charter: Board of Estimate and Taxation
Charter 15, Sections 13

Relating to Professional Sports Facility Financing before the Voters.

REPORT OF STANDING COMMITTEE

The **ELECTIONS** Committee submitted the following report:

Elections – Your Committee reports that, pursuant to instructions, we met as a Canvassing Board, and we have canvassed the official election returns made and submitted to the City Clerk by the Judges of Election of all election districts in the City of Minneapolis of the votes cast for City Officers and Charter Amendments at the City General Election held in the City of Minneapolis on Tuesday, November 4, 1997, and we herewith submit the results of said returns as shown on the following tables and in Petn No. 263227 on file in the Office of the City Clerk. The total number of voters registered was 208,150 including 7,839 registered at the polls.

The total number of votes cast at said General Election was 96,772 or 46.5% of the total number of registered voters in the City of Minneapolis:

SUMMARY REPORT

Mayor	
*Sharon Sayles Belton	52,222
Barbara Carlson	42,530
Write-In Votes	794
Council Member – Ward 1	
Carl E. Holmgren	2,841
*Paul Ostrow	4,577
Write-In Votes	14
Council Member – Ward 2	
*Joan Campbell	3,367
Sam Huston	813
Write-In Votes	79
Council Member – Ward 3	
Fred H. Askew	1,029
*Joe Biernat	3,467
Write-In Votes	30
Council Member – Ward 4	
George Belmore	1,905
*Barbara Johnson	4,461
Write-In Votes	163
Council Member – Ward 5	
*Jackie Cherryhomes	2,882
Thomas H. Johnson, III	1,762
Write-In Votes	22
Council Member – Ward 6	

Jim Graham	1,316
*Jim Niland	2,565
Write-In Votes	34

Council Member – Ward 7

*Lisa R. Goodman	4,779
Robert Landis	4,067
Write-In Votes	20

Council Member – Ward 8

*Brian Herron	4,438
Melanie Wade	1,575
Write-In Votes	26

Council Member – Ward 9

Bob Odden	2,442
*Kathy Thurber	5,028
Write-In Votes	29

Council Member – Ward 10

*Lisa McDonald	4,492
Niel Ritchie	3,285
Write-In Votes	38

Council Member – Ward 11

Peter Koelz	4,054
*Dore' Mead	5,625
Write-In Votes	21

Council Member – Ward 12

*Sandy Colvin Roy	5,620
Jeff Paulson	3,899
Write-In Votes	25

Council Member – Ward 13

*Steve Minn	7,397
Karen Wilson	5,081
Write-In Votes	15

Board of Estimate and Taxation

Ted Cabana	25,882
*Gordon L. Nelson	41,098
*Wally Swan	36,546
Write-In Votes	791

Park and Recreation – Commissioners at Large

*Rochelle Berry Graves	36,243
Thomas Dicks	13,457
*Bob Fine	34,394
George Puzak	34,275
Bruce Whelan	18,252
*Annie Young	37,866
Write-In Votes	909

Park and Recreation – Commissioner District 1

*Walt Dziedzic	7,812
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Patty (Bridgeman) Hillmeyer 4,902
Write-In Votes 70

Park and Recreation – Commissioner District 2

*Ernie L. Belton 5,481
David Luce 4,589
Write-In Votes 52

Park and Recreation – Commissioner District 3

Glen James Hausfeld 2,996
*Dean Zimmermann 6,216
Write-In Votes 68

Park and Recreation – Commissioner District 4

Cris L. Jaspersen 2,682
*Vivian M. Mason 7,109
Write-In Votes 84

Park and Recreation – Commissioner District 5

*Edward C. Solomon 9,703
Stephen Stolarek 4,376
Write-In Votes 88

Park and Recreation – Commissioner District 6

Scott L. Neiman 15,020
Write-In Votes 240

Library Board Members

*Charlotte F. Anderson 33,386
*Marilyn Borea 37,258
*Mary Doty 37,412
*Diane Hofstede 41,756
Debra Keefer 25,177
*Rod Krueger 29,356
Anton Markwart 12,165
Greg Olson 22,893
Pat Parker 28,821
*Laurie Savran 33,304
Write-In Votes 1,238

Charter Amendment No. 145

Yes 62,042
No 26,986

Charter Amendment No. 146

Yes 55,207
No 29,468

Special School District No. 1 School Director

*Bill Breen 37,645
*Sandra Miller 38,228
Diana G. Price 27,177
Robert W. "Bob" Rose 22,494
*Ross Taylor 31,414
Dennis Van Avery 27,603
Write-In Votes 1,054

*Elected Official

Adopted. Yes, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

CHARTER AMENDMENT NO. 145

*Chapter 15, Section 13. Putting Professional Sports Facility Financing Before the Voters. The City of Minneapolis, Minneapolis Community Development Agency, or any city department, agency, commission, or board, shall use no city resources over \$10 million dollars for the financing of professional sports facilities without the approval of a simple majority of the votes cast on the question, in a ballot question put to the public at the next regularly scheduled election. City resources are defined for these purposes as: Tax increment financing, bonds, loans, land purchase or procurement, land or site preparation, including necessary infrastructure such as roads, parking development, sewer and water, or other infrastructure development, general fund expenditures, sales tax or other taxes, deferred payments, interest free or below market interest rate loans, the donation or below market value sale of any city resources or holdings or any other free or below cost city services. The ballot question shall not be put before the public in a special election, in order to prevent the costs associated with special elections.

Shall proposed Amendment No. 145 to the home rule Charter of the City of Minneapolis be adopted?*

CHARTER AMENDMENTS

To vote for the proposed amendment, complete the arrow opposite the word "YES". To vote against the proposed amendment, complete the arrow opposite the word "NO".

CHARTER AMENDMENT NO. 145

*Chapter 15, Section 13. Putting Professional Sports Facility Financing Before the Voters. The City of Minneapolis, Minneapolis Community Development Agency, or any city department, agency, commission, or board, shall use no city resources over \$10 million dollars for the financing of professional sports facilities without the approval of a simple majority of the votes cast on the question, in a ballot question put to the public at the next regularly scheduled election. City resources are defined for these purposes as: Tax increment financing, bonds, loans, land purchase or procurement, land or site preparation, including necessary infrastructure such as roads, parking development, sewer and water, or other infrastructure development, general fund expenditures, sales tax or other taxes, deferred payments, interest free or below market interest rate loans, the donation or below market value sale of any city resources or holdings or any other free or below cost city services. The ballot question shall not be put before the public in a special election, in order to prevent the costs associated with special elections.

Shall proposed Amendment No. 145 to the home rule Charter of the City of Minneapolis be adopted?*

YES ←

NO ←

Minneapolis

Tribune



Established 1867

Charles W. Bailey Editor
Wallace Allen Managing Editor
Leonard Inskip Editorial Editor

Volume CVII Number 17

A 'no' vote on charter amendment

Judge David Leslie did the right thing Thursday when he reversed his own earlier ruling and permitted next Tuesday's charter-amendment election to be held on schedule. Holding the election as scheduled will answer charges that citizens were being denied their right to seek charter change through petition. If the amendment is indeed "illegal and unconstitutional," as the complainant had claimed in seeking and obtaining a short-lived restraining order, that can be decided later by the courts if the amendment is approved. Even so, we hope that Minneapolis voters reject the amendment, which would require referendums on city capital projects costing \$15 million or more.

The amendment's language is too vague. It is too all-inclusive in referring to a "project." Would the downtown symphony hall and an adjoining parking ramp and park be one project or three? The amendment gives no time frame for a project's execution.

Would a project's total cost include and purchased years earlier by the city? Is the cost of borrowing money part of total cost? Would endowments or federal or state grants be included in total cost? These and other questions probably would have to be answered in court.

The amendment does not provide for an inflation escalator clause, an important factor in estimating the cost of a public-improvement project.

Decision by referendum is, we believe, a poor way to decide on capital-improvement projects. Too few voters have the time to become well-informed on complex capital projects. Their elected representatives have the time. But, faced with the possibility of defeat of a proposed project, future city councils might go other routes, such as asking legislative approval for bond sales.

Deciding by referendum might block or at least delay such important future improvements as the Loring-Nicollet development program, the Mississippi riverfront development or construction of a people-mover system in downtown Minneapolis.

Petitions for the charter change stemmed from widespread opposition to a plan to build a domed football stadium downtown. But the stadium issue appears to be dead. We think the amendment should be judged on the basis of its potential input on other types of development.

The petitioners — and many other Minneapolis citizens, too — resented the way the city coordinator's office, the City Council and the business community put together the stadium project. There was no opportunity for citizen participation in public hearings

until after the package was fully developed or nearly so.

That brings up another reason why we disagree with a procedure of making public-policy decisions by referendum — and here we tend to agree with the Citizens League. The referendum approach, says the Citizens League, "does not really provide a change in the way city government is organized or operated. It merely provides — after the fact — a project-by-project review of the major capital budget." Citizens would not be assured of participation in planning projects — only in vetoing them.

Many Minneapolis citizens properly believe they should have more influence on major capital-improvement and budgetary decisions. But representative government requires flexibility and the ability to move quickly when necessary. That raises another pertinent question, however: Whether citizens have, under the present charter, a truly effective, citywide elected advocate in city government.

Staff planners initiate and carry out public improvements and other city programs. The City Council's 13 aldermen — even the Council president — represent first their own wards, although enlightened aldermen give citywide concerns a high priority. The mayor, although elected citywide, has only a small staff and no direct line of communication with the city coordinator's office. His only real influence over capital improvements is through efforts to influence public opinion, through his veto power and through his position on the Board of Estimate and Taxation.

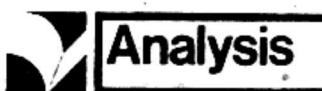
A progressive mayor can, in messages to the Council and in public appeals, suggest programs to the Council. A mayor with no program of his own or who does not propose programs advocated by his constituents narrows his influence to merely being a check on Council actions.

We have no clear-cut solutions to this problem of how to achieve greater citizen participation in the processes of representative government. But surely ways can be found. It is important that this avenue be pursued, rather than that of restricting the City Council's capability to deal with complex problems of maintaining and improving our aging city. We urge voters to reject the referendum amendment on Tuesday. But we further urge the Charter Commission, the League of Women Voters, the Citizens League and others opposed to the amendment to seek ways to increase the opportunity for citizen recommendations and involvement.

We are glad that the citizens will have their say Tuesday, but we hope they say "no."

Both sides say charter vote is important to city future

By Nick Coleman
Staff Writer



If voters approve the City Charter amendment on referendums tomorrow, will they gain a greater voice in city government? Or will representative government, progress and rule of the majority be

diminished?

Tuesday's election on a proposed amendment to the Minneapolis City Charter will present voters with a decision on a

complex issue, which, all sides agree, will affect the city's future significantly.

The amendment question is: Should city officials seek voter approval before starting a building project costing more than \$15 million?

The question of just how the amendment would affect the city, and whether it would be for better or worse, is subject to heated dispute.

That the amendment is a matter of great controversy was illustrated by the confusion of last week's attempt to get a court order blocking tomorrow's election. Unfortunately, the chaos in court illustrated little else.

After hearing a complaint that the amendment would be illegal and unconstitutional if adopted by the voters, a Hennepin County District Court judge first ordered that the election be postponed indefinitely.

Judge David R. Leslie reversed himself two days later, however, and ordered the election to proceed, saying the legality of the amendment properly should be tested after the election — if it passes.

At issue is the question of decision by referendum, and there are opposite perceptions of how referendums would affect the government and quality of life of Minneapolis.

For amendment proponents, the issue is a simple one of increasing the public's voice in government. For opponents, however, it is a more complicated matter. They say the

Almanac / Index

Monday
June 11, 1973
162nd day
203 to go this year
Sunrise: 5:26 a.m.
Sunset: 8:59 p.m.

Today's weather:
Cooler, Rain

Details on page 9B

Sunday's temperatures

a.m.	1	2	3	4	5	6	7	8	9	10	11	Noon
temp.	83	80	78	77	75	74	74	76	80	83	87	89
p.m.	1	2	3	4	5	6	7	8	9	10	11	Midn.
temp.	92	95	97	98	97	95	93	89	87	85	85	82

Cooler weather and partly cloudy skies are forecast for the Twin Cities today. There is a chance of a few showers and thunderstorms. Today's high will be in the low 80s, tonight's low in the upper 50s and tomorrow's high will be in the mid 70s. Chance of rain is 30 percent through tonight.

Other predicted highs: Minnesota, low 70s extreme north to mid 80s southeast; North Dakota, upper 60s to low 70s; South Dakota, 70s northwest to mid 80s southwest; Wisconsin, 80s.

He's hooked now

A 3-year-old boy, who's just learning his fishing terminology, stared up at a 47-pound muskie on the wall of a Lake Darling resort near Alexandria, Minn., and said, "That's a keeper."

Business	11A	Sports	1-6C
Comics	8B	Theaters	7B
Editorial	6A	TV, Radio	11B

Telephones	372 4141 News General
	372 4242 Classified
	372 4343 Circulation

Election
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Election

Continued from page 1A

amendment could bring a halt to city progress, under mine representative government and allow a minority of voters to make major city decisions.

The proponents, led by a loose-knit coalition called Citizens for a Stadium Vote, say the amendment grew out of voter frustration caused by the city's ill-fated proposal for a domed football stadium.

A pro-amendment broadside states that the amendment reflects "the people's deep discontent with their present lack of representation by our appointed and elected officials. This amendment, if it passes, will somewhat restore to us control of the purse strings and 'let the people decide' through referendum vote."

Opponents, however, are fearful that referendums would allow, as one city Republican put it, "a willful minority of negatives," rather than "the people," to make the decisions.

The average voter, they say, has neither the time nor the inclination to study the complexities of such an issue. As a result, most voters stay home. Only about 30 percent of city voters usually go to the polls for special elections, they point out, which allows about 15 percent of the electorate to make the decisions.

Opponents point to last week's voter rejection of proposed \$1.5-million golf course and recreational complex in Brooklyn Park as an example of minority decision-making.

Only about 14 percent of Brooklyn Park's registered voters voted on the issue and the proposal was defeated 1,359 to 581—which meant that less than 10 percent of the voters decided the question

by voting no.

Those who favor the amendment, however, think that city decisions are being made by an even smaller minority—the members of city government—whom they consider to be isolated and removed from the people and unrepresentative of the people's wishes.

Another issue is the question of the amendment's application. Opponents say its language is so vague and ambiguous that it might require referendums on the city's capital-improvements program, the city's long-range street-paving program, and capital improvements authorized by the park, school and library boards.

Proponents, however, say the amendment is limited strictly to projects authorized by the City Council costing more than \$15 million for which the Board of Estimate and Taxation must approve the sale of bonds.

Its target, they say, are projects such as a domed football stadium or a mass-transit system, though it possibly could cover the new concert hall for the Minnesota Orchestra which was approved recently, and other projects such as development districts.

The alleged ambiguity of the amendment was a large factor in last week's court action to block the amendment and it seems likely that the courts ultimately will have to decide the question, if the amendment is approved.

Whatever the amendment's application, opponents fear that referendums would have an adverse effect on the quality and innovation of city government. City officials, they say, would be reluctant to take initiative and develop plans for projects, knowing they would have to be submitted to an often disinterested public for approval.

The result, they say, would be a passive city

government at a time when the problems of the city demand an aggressive, forward approach. Decision by referendum, say the opponents, is decision by slogan and makes no allowance for thoughtful study of an issue.

Proponents argue, however, that the need for voter approval would prod city officials to plan projects more carefully, and force them to bring the plans before the public for discussion and consideration — increasing the public's role in government.

They point to the admission of several aldermen that the domed stadium proposal should have been more fully presented to the public before a decision was made as bolstering their case.

But opponents fear that referendums would strait-jacket city plans. Referendums, they point out, require a simple "yes" or "no" vote and make no allowances for the modifications and compromises necessary to put together complicated financing and planning packages.

Amid all the complexities and unknowns of the amendment, one thing seems certain: Its legality will be tested in court if it passes. Judge Leslie, in ordering the election to be held, said he found the anti-amendment arguments "persuasive" and that his ruling did not mean those arguments ultimately will not prevail in court.

In the meantime, the amendment and the causes behind it have prompted serious discussion of charter reform to allow greater citizen involvement in planning. Some groups that oppose the amendment, such as the Citizens League, also have called for reforms to reduce what they consider alienation between City Hall and the public.

The city's Charter Commission, in fact, has adopted such a carrot-and-stick stance and ordered a subcommittee to propose reforms while going on record as opposed to the amendment.

Former Mayor Arthur Naftalin agreed with the need for reform in a recent interview. Referendums, he said, "amount to closing the barn door after the horse is out, after the decision is made," and will inhibit city progress.

The amendment, he said, "grew out of a feeling that the whole system is a faulty one that ought to be improved. It's not just the stadium; it's a feeling that the whole process is wrong."

To improve the process, Naftalin and others are suggesting that the mayor's office be given increased authority and responsibility for city planning. The mayor, they observe, is elected citywide, unlike aldermen, and, therefore, has a greater political responsibility to the voters, and is more likely to be responsive to their feelings.

But possible charter reform, like the proposed amendment itself, will have to await tomorrow's outcome at the polls.

Nudes

Continued from page 1A

The calendar idea came right after the Burt Reynolds nude photo was published in Cosmopolitan magazine, and the time seemed ripe.

Women across the country quickly accepted the calendars and snatched them up at \$4.50 each. (Several Minneapolis bookstores, including Shinder's and Savran's, had to reorder several times.)

But a problem surfaced. Men in general, and the business world in particular, didn't like the idea of nude pictures of men.

When the "Ladies Home Companion" calendars went on sale, a fair number of men said they were offended or refused even to look at it. Ms. Horst said others flipped glumly through the pages, without smile or comment.

Playboy's advertising department called the calendar "not acceptable," even though it had been described in the editorial section of the magazine. Vogue and Ms. magazines also turned down ads showing the calendar. Cosmopolitan, Glamour and Mademoiselle completely refused to sell advertising space.

The negative reaction from some men surprised Ms. Horst. She thought she was dealing with liberal and liberated publications, ad men and retail outlets. What particularly stunned her was the "get it out of my house" voiced by the husband of a close friend. And she couldn't understand the thinking of male sales people who said, "It doesn't turn me on; who'd buy it?"

After months of such exasperation, Ms. Horst concluded that there are several reasons why some men are so upset by the nude photos:

■ Men aren't used to having their bodies compared to others; they're afraid to have women judge their bodies.

Charter amendment passed by wide margin

By Nick Coleman
Staff Writer

Minneapolis voters, going to the polls in the lowest numbers in years, approved an amendment to the City Charter Tuesday by nearly a 3-to-1 margin.

Unofficial returns from all 218 of the city's election precincts showed the amendment was passed by a vote of 33,324 to 12,929. Fewer than one in every five registered voters turned out for the special election.

Passage of the amendment, which requires the city to seek voter approval in order to sell bonds for capital-improvement projects costing more than \$15 million, was a victory for a loose coalition called Citizens for a Stadium Vote.

The group, born out of opposition to the abandoned proposal for a downtown domed football stadium, succeeded in placing the amendment on the ballot last March, when it collected more than 15,000 signatures on petitions within three weeks.

Jack Cann, a leader of the group, hailed the amendment's passage as "a clean victory of the people against Big Money and the politicians who serve it." He called

it "an important first step in the process by which people can begin to assume democratic decision-making power over the economic resources of our city."

The election turnout of 46,253 voters — about 19.2 percent of the city's 240,237 registered voters — was described as the lowest turnout in memory by city officials who had predicted a 30-percent turnout. City Clerk Lyall Schwarzkopf called it "the lowest turnout in any

election in modern times."

Voting was very light throughout the city. Some precincts reported the first votes weren't cast until a couple hours after the polls opened at 7 a.m. Only one of 55 registered voters in the 6th Ward precinct that includes City Hall cast a ballot on the amendment.

Although the vote was low, it was overwhelmingly in

Result indicates voter suspicion

By Bernie Shellum
Staff Writer



In adopting the amendment to the Minneapolis Charter, a large majority of the city's voters demonstrated its continuing distrust of governmental power and opposition to public spending.

The amendment, which re-

quires a referendum for bonded capital improvements costing more than \$15 million, drew its heaviest support from voters who, in past elections, have:

■ Opposed changes in the

charter that would have strengthened the mayor's office.

■ Rejected such governmental intervention as the pairing of schools for racial integration.

■ Voted against additional bonding authority for a new Hennepin County General Hospital.

■ Provided Mayor Charles Stenvig, a political independent, his strongest base.

This populist grouping, with its generalized suspicions of government an elected officials, emerged

Analysis
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favor of the controversial amendment. Only six precincts reported more votes against the amendment than for it.

The light voter turnout was attributed by observers to a lack of campaigning on the issue, voter indifference, and confusion over the meaning of the amendment.

Amendment opponents, which include the city's business, labor and political leaders, failed to mount any significant efforts against it, apparently fearing a strong campaign against it would backfire.

The thrust of the anti-amendment campaign came last week when George F. Humphrey, a former state legislator, filed a court suit seeking to block the election on grounds that the amendment is unconstitutional.

A Hennepin County District judge first blocked the election only to reverse himself two days later and order it to proceed, saying a court challenge should come after the election. A court test seems likely, but it is uncertain who will initiate it.

Humphrey, contacted last night, said he doubts he will proceed with his challenge. "I haven't the money and

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Election

Continued from page 1A

it's not my deal at this point," he said. Possible challenges, he said, probably would come from buyers of city bonds who are concerned about the legality of bond issues.

City Council President Richard Erdall said the amendment "will create a period of significant confusion initially" as to its effect on city planning and bond sales. "It's an unfortunate thing in the long run and will probably have a deleterious effect on the community," he said.

Amendment opponents had argued that referendum usually draw low voter turnouts, allowing a minority of citizens to make decisions for the entire city. Cann said his group wasn't concerned about yesterday's light voting and attributed it to a widespread assumption the amendment would win easy approval.

The next step for the pro-amendment group, he said, will be the writing of "a people's platform" and finding candidates to run on it in this fall's city elections.

Approval of the amendment, he said, "means people can fight City Hall, and that nothing like the domed stadium affair is going to happen again in Minneapolis."

Ward-by-ward vote

1st Ward		7th Ward	
Yes	2,735	Yes	2,146
No	1,028	No	1,596
2nd Ward		8th Ward	
Yes	2,387	Yes	2,118
No	1,039	No	650
3rd Ward		9th Ward	
Yes	2,252	Yes	2,081
No	645	No	620
4th Ward		10th Ward	
Yes	3,648	Yes	2,214
No	1,014	No	932
5th Ward		11th Ward	
Yes	1,136	Yes	3,823
No	540	No	1,423
6th Ward		12th Ward	
Yes	1,511	Yes	3,834
No	719	No	1,916
		13th Ward	
		Yes	3,420
		No	1,715

Minneapolis Tribune

Established 1847
Charles W. Bailey Editor
Wallace Allen Managing Editor
Leonard Inghip Editorial Director
Volume CVII Number 12

Gas-tax increase: the wrong answer

Trial balloons wafted by the Nixon administration suggest that it will ask Congress for an increase in the federal gasoline tax. As an added inducement to accept this back-door approach to the energy problem, administration sources cite the anti-inflation benefits such a tax increase would produce. For a number of reasons, we think the idea is a bad one.

First, it is an evasion of federal responsibility. A gasoline-tax increase would be federal action of sorts, but would slide around the problem of regional scarcities by relying on higher costs to consumers to discourage consumption. But the price push on fuel is already gathering momentum. Oil companies agreed last year to accept oil-exporting countries' demands for increased prices. They did so again Friday night.

All forecasts point to an increasing percentage of American oil requirements being met by imports, and the upward trend in fuel prices is therefore clear. In other words, the disincentive of rising prices is already at work. Instead of accelerating that trend, the administration should view exert a stronger force on allocations around the country. So far, the White House has called only for voluntary allocations.

A second point against a gasoline-tax increase is that it would be regressive. The theory that the increase would inspire greater use of mass transit is

sound — except that for millions mass transit is not a realistic option. In an automobile-developed society, the auto is an occupational necessity for many at all income levels. The proportionate burden of a gasoline-tax increase would be heaviest on those of lowest incomes.

That leads to our third objection: the fiscal bonus. The suggestion is made that such an increase would not only cool the overheated economy, but provide funds which, by legislative mandate, could be put into energy research and public transportation. If those are worthy national purposes — we think they are — then the funds should come by the more equitable route of an increase in income taxes. The related purpose of slowing the rate of increase in automotive energy consumption could better be fulfilled by excise taxes on new autos (being sold at record rates this year) in proportion to weight or horsepower.

Americans are accustomed to cheap, plentiful fuel produced domestically and distributed competitively. With domestic production inadequate, with world demand for oil now exceeding the discovery of new world reserves, fuel is neither plentiful nor cheap. But the Nixon administration seems reluctant to face a situation requiring allocation by means other than price. The latest evidence of that reluctance is its apparent hope for a "solution" by means of gasoline taxes.

Only drinkers become alcoholics

Drinking was not a new experience for many young people who imbibed legally in Minnesota for the first time over the weekend. The Johnson Institute, a local counseling, referral and educational organization on alcohol and drug abuse, believes, though, that there will be a rise in teen-age drinking in Minnesota because drinking is legal now for persons 18 to 21. This is a proper time for young Minnesotans to pause and reflect on drinking, not as the pleasant social habit it can be, but as an inherent danger.

Literature on alcohol tends to emphasize that science has not determined why some drinkers become alcoholics and others do not. A Johnson Institute counselor notes, however, that "although some people are more prone to become alcoholics than others, almost anyone who drinks too much can become an alcoholic."

There is a frequently quoted statistic that about 10 percent of all drinkers are alcoholics. But the Johnson Institute says that figure is being revised upward. The institute now estimates that a figure of 15 percent is more nearly correct. That means that one out of about every six or seven young people who start drinking routinely now and who continue the habit will become alcoholics.

The Johnson Institute believes that one result of lowering the legal drinking age will be the surfacing at an earlier age of those who are prone to become alcoholics. On the whole, that could be worthwhile if it leads to earlier treatment and earlier arrest of alcoholism. Young people should heed danger signs, too, and should remember that alcohol is no respecter of intelligence, sophistication, income or social status.

Ira Reiss, director of the University of Minnesota's Family Study Center, commented that if alcohol is used as part of a special occasion, with emphasis on ritual and savoring rather than on getting drunk, the chances of abuse are minimal. That is good advice. To allow drinking to become part of daily life can be perilous for persons who are prone to becoming addicted.

Expanding on that advice, we suggest to young people one safe rule advocated by alcoholic counselors: Never take a drink when you feel the need for one. It is wise to remember, too, that drinking is not an obligation because it is legal. The simple truth is that people who don't drink don't have drinking problems.

Selected short subjects

By William Safire
New York Times Service

Washington
Fred Allen had an idea for a pocket-sized Look magazine, which he called Squint. Similarly, Stewart Alsop, whose insights make his fellow columnists whiny in reaction, has invented "mini-columns" — short takes and pithy ideas that might lose flavor in longer development.

Freely appropriating that format, I will from time to time provide "instant essays," hasty profundities for quick thinkers.

Easy answer

How come no candidate for mayor of New York or any other big city has made a simple democratic

In this way, economic incentives would be provided to stagger working hours, loosen up the traffic flow, encourage car pools, profit bondholders and provide a subsidy for the subway.

That solves that; on to other matters.

Newspaper talk

Learned the other day about the meaning of the phrase "newspaper talk." Here in Washington, we tend to interpret events in the light of what is interesting and topical, rather



than in terms of the old, dull politics.

Therefore, when the Senate voted to override the President's veto and demanded that the President's appointment of the director of the Office of Management and Budget be subjected to Senate confirmation, sobersided analysts diagnosed this as the first sneeze in a presidential disease called "Watergate weakness."

Then, when the House sustained the veto, and left the appointment solely up to the President, some unapologetic apologists countered with the claim that the President was sitting up and taking nourishment.

In fact, however, sustaining Mr. Nixon's veto on

The answers lie in the Constitu

By Clark Clifford
White House counsel in the Truman administration and secretary of defense in the Johnson administration

Washington
As each new chapter in the Watergate tragedy unfolds, I have an increasing sense of grim foreboding as I look at the future. The extent of the damage already sustained; and the worsening of the administration's posture as further revelations occur, emphasize the need for Americans to work together to save this country.

Under our system of government, a president cannot function without the confidence of the American people. Parliamentary systems recognize the fact,

and a government resigns following a vote of no confidence. Under our system, however, the country finds itself facing three and a half years of spreading paralysis.

The executive branch has virtually ceased to function, and I cannot see it getting any better, only worse. It seems clear that the statements and testimony already made public are only the visible tip of the iceberg. Much more damaging facts will be revealed as additional witnesses tell their stories and as men, faced with the forbidding prospect of a lengthy prison sentence, decide to tell the truth.

But we already know the damage done to the Nixon administration is irreparable. For over four years, power has been inexorably drawn into the hands of a few men in the White House. As their power increased, so did their contempt for our laws, our institutions, our form of government and the traditional American policy of fair play.

The public's loss of confidence is widespread and increasing. The credibility of Mr. Nixon has been seriously affected by four public statements he has made that are sharply contradictory. The public senses that additional admissions are made only as new revelations appear.

Our problem is compounded by the fact that the present administration has come to treat Congress as an inferior branch of the government. Instead of finding a basis of working cooperatively with the legislative branch, Mr. Nixon has criticized the Congress, disregarded its authority and denigrated its importance in our system. I feel strongly that if he had chosen to work with the Congress, our country would not be in such dire straits because of inflation, the loss of confidence in the dollar and his unilateral decision to bomb Cambodia and Laos and remain hopelessly entangled in Indochina.

Our country cannot afford to conduct its business in this manner any longer. Our problems at home are proliferating, while our position in the world is deteriorating. Every signpost indicates that conditions will continue to worsen on both fronts.

However, I suggest that the present posture of affairs is not hopeless. In searching for a solution, I recommend that we go to that noblest of all documents, the Constitution of the United States. It is here that the solution can be found. Although we do not have the parliamentary system, there is more flexibility in our Constitution than first meets the eye.

The 25th Amendment provides in Section 1 that the president of the United States can resign and, if so, shall be succeeded by the vice-president. Section 2 provides that when there is a vacancy in the office of the vice-president, the president shall nominate a vice-president, who shall take office upon confirmation by a majority vote of both houses of Congress.

Under the authority of this amendment, Mr. Nixon could announce that he and Vice-President Agnew had decided to resign. Agnew would then resign immediately. Mr. Nixon would then ask the Congress to present him with a list of three qualified individuals from which he would select a new vice-president.

The three persons named by the Congress could be Republicans, Democrats or Independents, and



Letters from readers

Patients' rights

Reporter Lewis Cope did the public a service in his May 28 story describing a University Hospitals experiment with a patient's bill of rights. But Cope failed to acknowledge an act of the 1973 Minnesota Legislature which makes many parts of the university's bill of rights a matter of public law.

The legislative bill, now state statute, was authored by Rep. Gary Flakne (R-Minneapolis). The implications of the legislative act are of serious consequence. For example, it is now state policy that "every patient and resident shall have the right to considerate and respectful care."

Lost in the joke

I have been told by youth that the world is crazy, mixed up and grossly disoriented. By the world I have been told that youth is mad, rebellious and lacking any respect. I am 18 and lost in this joke God calls the universe. What am I to believe?

A friend, 19, could be said to fit all of the six adjectives used above. He, too, is lost in a fog, and at one time, while mixed up in drugs, got himself into severe trouble. Being a minor, he was given a choice: a nice institution with white walls and barred windows, or enlistment in the armed forces. Personally, I see little choice. After a year, he got into a jam with drugs. He was committed to medical treatment to aid his withdrawal. Then he found that he was destined for two years in military prison, merely for becoming an addict. He ran. I would have, too.

For 10 months he was living in south Minneapolis with his parents. The other day, after lunch, the military police were waiting for him. All they want is to take away his life again, right when he was beginning to adjust. The question isn't only, "Hasn't he already paid for his first mistake?" It's much more than that.

I used to believe children play the world, and adults are the world. Today, when one hears talk of Orwell's

sible, if not shameful.

In addition to the senseless direct waste of gasoline, the event does much to spur on the "hot-rodgers" on all of our highways and further dissipate our diminishing natural resources. — J. S. Braun, Minneapolis.

The value of school athletics

I read with dismay the fact that some school districts are considering cutting athletic budgets. This would be a serious mistake, as high-school students not only achieve goals and learn the spirit of sportsmanship, which are great things in themselves, but athletics also develop stronger, healthier and therefore better students.

The money spent seems a small thing indeed compared to these assets, which could have a large effect on students' later lives.—Steve Cloutier, sophomore, Roosevelt High School, Minneapolis.

Will Nixon let the people judge?

The Watergate furor has inspired many to dredge up memories of Sen. Edward Kennedy and the Chappaquiddick episode. What no one seems to recall is that Kennedy, in his nationally televised speech, offered to resign and said he would await the verdict of the people. The people overweighed only urged him to remain in office. Does President Nixon have the guts to let the people judge him in the same way, as regards the Watergate scandal?—Mark Bratvold, Columbia Heights.

Organizations, Council 'elitist'

As a member of several of the organizations listed as opposed to the June 12 City Charter amendment (May 30 Tribune), I would like to point out what seems to be the uniform way by which these groups made their decision on the referendum issue.

Most of the committees listed consist of only the leaders of the various groups they are supposed to represent. I doubt that these leaders went to the grass roots of their organizations to learn how their members felt on this issue before dictating the policy of the organization.

In reaction to this type of elitist attitude, I and other members of these groups joined with the "Citizens for a Stadium Vote" to bring responsive government back to the City Council. When the 15,000 people who signed our petition voted yes on June 12, we may remove some of the elitism from these organizations as well as from the City Council.—Roger Hankey, Minneapolis.

Judge blocks city vote on charter amendment until hearing is held

By Nick Coleman
Staff Writer



George F. Humphrey

A Hennepin County district judge issued a temporary restraining order Tuesday, blocking a special election on an amendment to the Minneapolis City Charter which was to be held next Tuesday.

The proposed amendment, placed on the ballot by petitions gathered by a citizens group that opposes a downtown domed football stadium, would require the city to hold referendums on projects costing more than \$15 million.

After hearing a complaint by an opponent of the amendment that it is "manifestly illegal and unconstitutional," Judge David R. Leslie ordered the city to "cease, desist and refrain from holding or proceeding with preparations" for the special election until a hearing can be held on the complaint.

The complaint was filed by George F. Humphrey, director of the Referendum Information Committee, a group organized by city business, labor and political leaders opposed to the amendment.

In a 10-page brief, Humphrey contended that the charter amendment "is unconstitutionally vague and imprecise, is incapable of effective enforcement, and will result in a chaotic situation in the conduct of Minneapolis fiscal affairs."

The proposed amendment, Humphrey alleged, violates several provisions of state law limiting public referendums to certain types of bond issues and requiring petitions on individual projects before holding a referendum.

Referendum

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nd

illustrates where Israeli society

Ruppin, for example. Born in orphaned as a child, joined the s a teen-ager and became an il- of 18 in 1939.

a ship packed with 1,600 Jews a little food or anything else, ol boats, looking for a way captured them near Cyprus. the shores of Palestine, and the ort them. The Haganah decided losion aboard the ship, enough it and the illegal immigrants in was too powerful. It killed 250 Voy and the rest of the survi- r clothes, sent to a prison camp

said with his customary under- difficult time, and we were de-

oy returned to Palestine with a was supposed to become pilots. fter arrival and joined the kib-

Ruppin," he said, "there were amps and malaria. We slept in oms at night because it was too

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The language of the amendment, he said, contains a "multitude of ambiguities and imprecisions" that make it unclear whether it would apply to the city's entire capital improvements program or just single projects.

In an interview Humphrey said he asked for the restraining order because "I feel it's essential that we know whether this thing can be enacted and be usable."

"We have to know that before it passes," he said. "It would be the ultimate mistake of we passed it now and found out later it was unconstitutional."

Humphrey said he was uncertain whether he was acting on behalf of the referendum committee, which is officially neutral on the amendment because of the fears that an active campaign against the amendment would be politically unwise.

He said he filed the complaint on his own and submitted his resignation to the referendum committee, but said, "I sense so far that they're not going to take it up."

Humphrey and committee members previously indicated that attempting to block the amendment would be futile and would only worsen the alienation

between some citizens and City Hall that erupted over the stadium.

At the same hour that his attorneys were requesting the restraining order yesterday, Humphrey was telling the city's Capital Long-Range Improvements Committee (CLIC) that a tough campaign "would tear the city apart instead of saving it."

Gordy Raup, a spokesman for Citizens for a Stadium Vote, sponsors of the amendment, called the action "a last-minute effort by a small minority of downtown businessmen to deprive citizens of their right to vote on the amendment."

Opponents of the amendment, Raup said, "know it would pass overwhelmingly and that this is the only way they could defeat it."

Raup said the citizens group will hold a press conference today to announce its response to the suit and plans to challenge it in court. He said the group will act quickly but that its chance to preserve Tuesday's election date "looks pretty bleak."

City Atty. Keith Stidd said he expects a hearing to be set soon on the amendment after the sponsors of the amendment intervene in the suit.

Stenvig says he'll try to get court to allow charter election Tuesday

By Nick Coleman
Staff Writer

Minneapolis Mayor Charles Stenvig said Wednesday that he will attempt to intervene in a lawsuit that has blocked a special election on a proposed amendment to the city charter and ask that the election be held Tuesday as originally scheduled.

Stenvig's entry into the



her young son.

nd

as is what the Israelis call the Western Jews who first settled the land. The Moshe Schraga and his family.

ie gap every day from the win-Right next to the low-slung, strewn apartments of Shmuel v towers of Ramat Eshkol, a and Western European im-ire money and goods, far better oshe Schraga and his family.

hmucl Hanavi have 5 to 10 chil-he same size apartments as the f Ramat Eshkol. The Moshe

confused election picture brought immediate angry reaction from sponsors of the amendment.

The election on the amendment, which would require referendums on city projects costing more than \$15 million, was blocked Tuesday by an order of Hennepin County District Judge David R. Leslie.

Acting on a complaint filed by George F. Humphrey, director of the anti-amendment Referendum Information Committee, Judge Leslie temporarily restrained the city from holding the election until a hearing on the suit can be held.

Stenvig said yesterday that he will ask Judge Leslie at 2:30 p.m. today to be permitted to intervene in the suit "because I feel the citizens should have a chance to vote."

Stenvig, who says he is neutral on the amendment, called the suit against it a political move to prevent its passage and "an abridgement of the rights of the voters."

Stenvig said he thinks the suit will fail and that it will only "get the citizens of Minneapolis even madder, so they'll find out more about the issue and pass it even more overwhelmingly."

Stenvig's support for the people's right to vote on the amendment brought heated criticism from the people who are sponsoring the amendment.

"It's the cheapest kind of bullshit political trick," said Jack Cann, a leading member of Citizens for a Stadium Vote.

"I think the mayor is a political coward," Cann said. "He never took the slightest interest in campaigning for it, never lifted a finger. Now he's taking an action that can cost him nothing. Taking the valiant stand to uphold the people when he's got nothing to lose."

Cann said that amendment supporters are afraid a hasty judgment on Humphrey's allegations that the amendment is illegal

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and unconstitutional would go against them and that they need time to prepare a legal defense against the charges.

The citizens group, he said, is willing to pass up the June 12 election date in order to have time to prepare its response to the suit. By asking that the legal questions be re-

solved in time to hold the election Tuesday, Cann said, "the mayor is playing the worst kind of political games which will almost certainly cost the people the charter amendment."

However, Frank C. LaGrange, one of two assistant city attorneys representing Stenvig in the case, said the mayor probably would not ask for an immediate judgment on the lawsuit. Instead, the mayor is likely to attempt to get a Minnesota Supreme Court judge to issue a writ of prohibition preventing the election from being blocked by Judge Leslie's order.

LaGrange said Stenvig, if allowed to intervene in the suit, will argue Humphrey's allegations are not sufficient to justify a postponement of the election.

City Clerk Lyall Schwarzkopf, however, said that, unless such a ruling is obtained quickly, the city will be unable to prepare in time for an election Tuesday. The city has stopped placing voting machines in polling places and training election judg-

es as a result of Judge Leslie's ruling.

Only 248 of 580 voting machines have been placed and only about half of the 1,018 judges trained, he said. "Unless the restraining order is lifted very quickly, I doubt that there could be an election," he said.

The city, Schwarzkopf estimated, already has spent about \$7,000 in preparing for the election. Normally, he said, the cost of an election runs between \$30,000 and \$40,000.

Judge Leslie said last night that he is uncertain whether he will allow Stenvig to intervene in the suit and that "the possibility of a Tuesday election at this point is remote" unless a Supreme Court judge orders it to go forward.

He said there is no urgent need to hold the election Tuesday and that he "won't make a hasty decision" and will allow all parties to the suit enough time to prepare their cases.

April residential building permits down from '72

Residential building per-

Livestock

South St. Paul

SOUTH ST. PAUL, MINN. THURS. (AP-USDA)

Cattle 3,200; slaughter steers and heifers fairly active; steers steady to 25c higher; upturn on high choice and prime; heifers steady; cows fully steady; bulls and vealers steady; choice 1,000-1,300 lb \$46.00-47.25; mixed high good and choice \$45.00-46.00; choice 850-1,050 lb slaughter heifers \$44.50-45.50; mixed high good and choice \$43.50-44.50; good \$41.00-43.80; utility and commercial slaughter cows \$33.00-36.00; cutter \$31.50-33.50; conner \$28.00-31.50; utility and commercial slaughter bulls \$38.00-42.00; cutter \$35.00-38.00; choice vealers \$60.00-68.00; prime up to \$78.50; good \$50.00-61.00.

Hogs 4,500; barrows and gilts opened steady to 25c lower; U.S. 1-2 190-240 lb \$38.00-38.25; 1-3 190-240 lb \$37.75-38.00; 2-4 240-260 lb \$37.25-37.75; 2-4 260-280 lb \$36.50-37.50; sows steady to 25c lower; 1-3 300-400 lb \$33.50-34.25; 1-3 400-600 lb \$32.50-33.75; boars steady, 31.00-34.00.

Sheep 500; all classes moderately active; steady; choice and prime 90-105 lb shorn slaughter lambs with No. 2 fall shorn pelts \$37.00-38.00; 105-115 lb \$34.00-37.00; choice and prime 80-110 lb spring slaughter lambs \$38.00-39.25; 110-120 lb \$37.00-38.00; utility and good slaughter ewes \$10.00-13.00; good and choice 60-90 lb feed-ey lambs \$28.00-30.00.

Friday

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Final

Charter election ordered by judge

By Nick Coleman
Staff Writer

A Hennepin County District Court judge Thursday reversed an earlier decision and ordered that a special election on a proposed amendment to the Minneapolis City Charter be held next Tuesday as originally planned.

"Occasionally," said Judge David R. Leslie in announcing his decision, "even a judge has to eat humble pie."

"It's not easy to sit up

here in a black robe and admit that you were wrong," he told a courtroom full of amendment proponents. "But I have concluded I should make that difficult decision and back down from the order I previously signed."

On Tuesday, Judge Leslie had signed a temporary restraining order preventing the city from preparing for the election. He signed the order after hearing a complaint by George F. Humphrey, director of the anti-amendment Referendum Infor-

mation Committee, that the proposed amendment is "manifestly illegal and unconstitutional."

The amendment, sponsored by a group called Citizens for a Stadium Vote, would require referendums on city bonding projects costing \$15 million or more.

Judge Leslie, in reversing his earlier decision, obliquely criticized city officials for not fighting Hum-

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phrey's request to block the election and suggested the original complaint was a political maneuver aimed at stopping passage of the amendment.

He said he decided to reverse his earlier decision after considering the 11th-hour nature of the suit against the amendment, the lack of time for amendment proponents to prepare a response to it, and his discovery that the city had gone much further in preparing for the election than he had been led to believe.

Judge Leslie cautioned that his decision that the election should be held did not mean that Humphrey's arguments "may not ultimately prevail" if the amendment should pass. But, he said, the time for a court test of its legality should come after it is voted on.

Judge Leslie said that Humphrey's complaint had been "submitted to the court with very little notice" and in a manner which allowed for "no appearance by many interested parties who should have had a right to be heard."

In addition, he said, he was told Tuesday that the city had not yet begun to prepare for the election, and found out later that more than half of the city's voting machines had been delivered to polling places and more than half of 1,018 election judges had been trained at a cost of about \$7,000.

The judge said he also was troubled by the "rather passive position" taken by the city, which was the defendant in Humphrey's action. City Clerk Lyall Swartzkopf has said the city's position was that it was obligated to hold the election unless ordered not to by the judge.

However, Judge Leslie said, the city made no arguments against Humphrey's request to have the election blocked.

Those circumstances, he said, "may suggest to the court that the matter was, in fact, as some people have suggested," brought at "the midnight hour" in order to stall the election "rather than at a time when the matter might have been more fully aired."

In an interview, Judge Leslie said he had considered using the word "conspiracy" to describe the circumstances surrounding the anti-amendment action, but "thought it was too strong to use."

He said "there was really no reason it couldn't have been brought sooner" and that Humphrey's attorneys were "over-zealous" and "overstated their case" in asking for the restraining order.

The lateness of the action, and the passiveness of the city response to it, he said, suggests that "they really didn't want people to be able to respond to it."

He said the request of Mayor Charles Stenvig to be allowed to intervene in the suit was a factor in his decision but that it really came after "I pondered the whole manner in which the matter was brought before the court."

He ordered that the election be held as planned, he said, "because I did not want the people to feel that the judiciary preempt-



Divorced

Actress Al MacGraw was granted a divorce Thursday in Santa Monica, Calif., from producer Robert Evans after nearly four years of marriage. She was given custody of their 2-year-old son, Josh.

ed the right of the people to a vote."

Miles Mogulescu, a spokesman for Citizens for a Stadium Vote, said the decision "indicates that Humphrey's suit was a cheap political ploy in the first place. The people will see that," he said, "and vote yes on Tuesday."

Skylab

Continued from page 1A

time, when Conrad, muffled in a white space suit and attached to a long rope-like tether which provided him with air, opened a hatch and drifted into space.

There were initial difficulties working in weightlessness without adequate built-in hand and foot restraints.

The first task was for Dr. Kerwin to climb to a position at one end of Skylab and work the pole with the cutters attached out to the debris. It was clamped there by pulling a rope, closing the cutter jaws. It took almost an hour and a half to get this done.

At one point, Weitz turned on Skylab's color television camera to show live views of Dr. Kerwin's struggling to get the pole secured so Conrad could use it as a handrail.

With that task accomplished, Conrad crawled hand-over-hand along Skylab's side and guided the bolt cutter while Dr. Kerwin tugged a rope to make the jaws bite through the half-inch strip of metal pinning the wing.

Then Conrad stood up, braced his feet against Skylab's side and hauled on another rope to swing the wing open.

Read Ann Landers

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