



Minneapolis Charter Commission

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PROPOSED MINNEAPOLIS CHARTER AMENDMENTS NOVEMBER 2013 FREQUENTLY ASKED QUESTIONS

Q: What is the Minneapolis City Charter and what does it do?

A: The easiest way to explain it is to say that the Charter is the constitution of our City. It spells out how the City is governed and establishes the roles of the Mayor, the City Council, the various departments of City government and the independent Boards we have in Minneapolis, the Park and Recreation Board and the Board of Estimate and Taxation.

Q: How is the Charter amended?

A: The Charter Commission can place proposed amendments on the ballot and they become effective if approved by the voters.

Q: Who is on the Charter Commission and what is its job?

A: The Charter Commission is authorized by Minnesota law. It has 15 citizen members who are appointed by the Chief Judge of Hennepin County on a non-partisan basis. Its job, as defined in State law, is to consider and propose to the voters appropriate amendments to the City's Charter.

Q: What are the amendments that are on the ballot this November?

A: The Charter Commission is proposing two amendments which completely rewrite and modernize the City's Charter. The revision simplifies the Charter, redrafts it for clarity, removes inconsistencies and organizes it in a logical way. At the same time, the new Charter preserves the way Minneapolis is governed, the roles of the Mayor and City Council and the roles of our independent Boards. It is called the Plain Language Charter.

Q: Why is this complete rewrite needed?

A: Most of the Minneapolis Charter was written 93 years ago, in 1920. At the time, because Minneapolis voters couldn't agree on anything else, the Charter was just a compilation of existing State laws that related to the City. So it was disorganized in 1920 and it's even worse now. Since 1920 the Charter has been amended over 100 times, by the City Council, by the voters and by the State Legislature. It's a mess.

Q: Can you give us some examples of how the Charter is outdated?

A: The current Charter gives the City Council the authority to regulate the cleaning of tanneries and stables, the sprinkling of streets to keep down dust and manure, the discharge of steam by locomotives, the size and weight of bread and the weighing of hay and straw. There are many other provisions that are just as silly. All these provisions can and should be removed and the Plain Language Charter includes none of them.

Q: Other than removing antiquated provisions, what else does the Plain Language Charter do?

A: Right now the Charter is disorganized and often contradictory. Our Charter contains four separate provisions about appointing officers, three of them are wrong when read in isolation and are inconsistent with each other and you have to do legal research to know which is the more recently adopted and therefore correct. The Charter Commission made those provisions consistent and put them all in one place. The Charter Commission also eliminated provisions that are no longer applicable. There's an entire article of the existing Charter that covers the Minneapolis Library Board, which hasn't existed in five years.

Q: What process did the Charter Commission go through to create this revision?

A: The Charter Commission has been working on this revision for 11 years, spending literally thousands of volunteer hours and have involved the Mayor, the City Council, department heads and our independent Boards. The City Attorney's Office was also involved and spent three years reviewing various drafts. It wasn't easy to accommodate all these interests but the Charter Commission ended up with a document that doesn't make any changes in the basic structure of our City or the way it's governed, that preserves our independent Boards but shortens our Charter by over two-thirds and makes it understandable to an average reader.

Q: Is there precedent for such a complete rewrite?

A: Yes there is, the St. Paul Charter was completely redrafted in the early 70's. In addition, the entire Minnesota Constitution was redrafted and approved by voters in 1974. It was shortened by two-thirds and eliminated references like describing Canada as the "British possessions." Both of these revisions were approved by the voters and smoothly adopted.

Q: Did the Charter Commission ever talk to the voters and citizens of Minneapolis during this process?

A: Yes, there have been numerous public hearings on the different drafts and input from independent readers and interested citizens throughout the process.

Q: Is the Plain Language Charter shorter than our existing Charter?

A: Yes. The current Charter is 192 pages long. The Plain Language Charter is only 63 pages long. Part of the reason the new Charter is shorter is that it eliminates obsolete language, like the provisions dealing with steam whistles and the Library Board. There are other provisions which are removed that are better suited to ordinance, instead of charter, and those will be forwarded to the City Council.

Q: Why are there two proposals on the ballot instead of just one?

A: State law requires that Charter provisions dealing with liquor laws be approved by a higher percentage, 55%. So the first question deals with everything except the liquor law provisions and the second question deals with just the liquor law provisions.

Q: If it passes, when will the new Charter become law?

A: If it passes in November of 2013, the new Charter will be effective in January of 2015. This leaves a year for the City Council to consider and adopt ordinances that might be appropriate under the new Charter.

Q: Can you sum up why the Charter Commission thinks we need a new Charter?

A: Right now, the average citizen can't read and understand our Charter. Even lawyers have a hard time understanding what it means without a lot of legal research or experience with the Charter. It's important for our citizens and voters to be able to read and understand our governing document, our "constitution." The Charter Commission wants to make that happen and that's why these amendments are on the ballot in November.