## SEVENTIETH DAY.

St. Paul, Thursday, April 12, 1945.

The Senate met at 10:00 o'clock A. M., and was called to order by the President.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Almen	Dietz	Johanson	Neumeier	Solstad
Anderson	Dougherty	Johnson, C. E.	Newton	Starks
Baughman	Duemke	Johnson, E. A.	Novak	Stiening
Berglund	Engebretson	Julkowski	O'Brien	Sullivan
Bridgeman	Finstad	Larson, H. A.	Orr	Swenson
Butler	Friberg	Larson, N. J.	Ranum	Wagener
Carey	Gage	Ledin	Richardson	Wahlstrand
Carley	Galvin	Lightner	Rockne	Weber
Carr	Goodhue	Masek	Rogers	Welch
Cole	Hagen	Mayhood	Seifert	Welle
Dahle	Harrison	Miller	Siegel	Wright
Dahlquist	Huhtala	Mullin	Simonson	Young
Dennison	Imm	Nelsen	Sletvold	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS.

## State of Minnesota.

St. Paul, April 12, 1945.

Hon. C. Elmer Anderson, President of the Senate, State Capitol. Sir:

I return to you herewith without my approval S. F. No. 107.

The heart of the Minnesota Labor Relations Act is the provision for the "cooling off period". It has been the opportunity for conciliation that the "cooling off period" provides which has made possible the settlement of so many labor controversies since 1939.

Without the "cooling off period" we would risk a return to the conditions which existed prior to the enactment of the Labor Act

in 1939, both as to industries coming under the ten day conciliation requirements and industries affected with a public interest.

The Attorney General advises me that the legal effect of the new definitions of "labor disputes" and of "labor difficulties" contained in S. F. No. 107 is to limit the working machinery of the present law in a very vital respect. The Attorney General particularly calls my attention to the fact that under S. F. No. 107 a controversy involving a minority of employes in a union in an industry engaged, for example, in the distribution of food, may lawfully walk off their jobs without being required to wait for the ten day period for conciliation or the thirty day period for investigation as required under the present act.

My own study of this subject has brought to my attention the fact that in several states statutes embodying similar principles to those in S. F. No. 107 have been declared unconstitutional, including, among others, the acts passed in Oregon and Kansas. Should S. F. No. 107 destroy any vital part of the Minnesota Labor Relations Act we might well lose the benefits which have been derived from that law. I cannot assume the responsibility of taking these risks in view of the fine results which have come from the operation of the existing law since 1939.

The penalties provided in S. F. No. 107, in my judgment, are more severe than necessary and are more severe than those provided for in similar acts in other states. The Minnesota Act has functioned effectively since 1939 not because of penalty provisions but because the Minnesota Legislature wisely provided machinery for getting people together voluntarily in a friendly atmosphere under the sponsorship of government to negotiate their differences. The mere presence of severe penalties may tend to create an atmosphere of antagonism rather than an atmosphere of conciliation. We should keep our emphasis on voluntary conciliation rather than on efforts to place in the law penalties and restrictions designed to strengthen or weaken one side or the other for conflict.

One of the major problems which has led to the presentation of this legislation has been the complaints that certain unions have interfered with the rights of livestock truckers to carry return loads as required by ODT regulations to qualify for gas and tires, and that trucks have been stopped until the drivers paid union membership fees. I am advised by the Attorney General that S. F. No. 107 does not prevent such interference with livestock truckers. A measure is now pending before the Legislature which would prevent interference with these truckers without in any way endangering the existing labor Relations Law.

For these reasons I have therefore concluded that the approval of this legislation would not be in the public interests.

Respectfully submitted,

EDWARD J. THYE,

Governor.

## MOTIONS AND RESOLUTIONS.

Mr. Carley moved that S. F. No. 107, together with the Governor message, be laid on the table.

Which motion prevailed.