MOTIONS AND RESOLUTIONS—CONTINUED.

At 10:35 o'clock P. M., Mr. Jordahl moved that the House do now adjourn.

Which motion prevailed.

And the Speaker declared the House adjourned until 10:55 o'clock A. M., tomorrow.

JOHN I. LEVIN,
Chief Clerk, House of Representatives.

SIXTY-THIRD DAY

ST. PAUL, WEDNESDAY, APRIL 10, 1929.

The House met at 10:55 o'clock A. M., and was called to order by the Speaker.

Prayer by the Chaplain.

The roll being called the following members answered to their names:

Adams,	Emerson,	Jordahl,	Moser,	Samec,
Aldrich,	Enstrom,	Keeler,	Mullin,	Sanger,
Anderson, A. G.,	Erickson,	Kempfer,	Munn,	Scallon,
Anderson, G.A.,	Escher,	Kennedy,	Naylor,	Schmitz,
Arvik,	Finstuen,	Kern,	Nelson, J. A.,	Schneider,
Atwood,	Gehan,	Kernan,	Nelson, N. J.,	Scribner,
Berg,	Gilbertson,	Knudsen,	Neuman,	Spelbrink,
Blodgett,	Glaeser,	Kolshorn,	Nolan,	Starkey,
Blum,	Glende,	Kozlak,	Nordine,	Stockwell,
Brophey,	Green,	Kramer,	Norton,	Strandemo,
Campbell,	Hart,	Lager,	Odegard,	Sweitzer,
Chilgren,	Hastings,	Lagerstedt,	Olson,	Swenson,
Christenson,	Hazel,	Lamb,	Opsahl,	Therrien,
Connell,	Helgeson,	Lewer,	Paige,	Thorkelson,
Cullum,	Herfindahl,	Lewis,	Parks,	Wahlstrand,
Dahl,	Hitchcock,	Lightner,	Payne,	Weeks, H. H.,
Dahle,	Hofstad,	Lodin,	Pederson, N. A.,	Weeks, J. A.,
Dahlmeier,	Holm,	Loftsgaarden,	Peterson, C. A.,	White,
Dammann,	Hompe,	Lowe,	Quinlivan,	Wright,
Davidson,	Hulbert,	Lundeen,	Reed,	Youngdahl,
Davis, C. L.,	Iverson, C. M.,	McDonough,	Renick,	Zech,
Davis, R. R.,	Iverson, I. G.,	McNulty,	Retrum.	Zimmerman,
Day,	Johnson, C.,	Masek,	Richards,	Mr. Speaker.
Deming,	Johnson, D. W.,	Melby,	Rodenberg,	
Dilley,	Johnson, G. W.,	Merrill,	Rohne,	
Dunn,	Johnson, H. A.,	Merritt,	Rosetter,	
Eide,	Johnson, R. G.,	Morton,	Salmonson,	

Quorum present.

Messrs. Nordine and Parks were excused.

The Chief Clerk then proceeded to read the Journal of the preceding day, when, on motion of Mr. Christenson, the further reading was dispensed with and the Journal approved as corrected.

Mr. Kozlak voted against the motion.

COMMUNICATIONS FROM THE GOVERNOR.

STATE OF MINNESOTA,
EXECUTIVE DEPARTMENT.
St. Paul, April 9th, 1929.

To Honoroble John A. Johnson, Speaker of the House of Representatives:

I am returning herewith, without approval, H. F. No. 168, "A bill

for an act to require the payment of a living standard of wages in the erection of public buildings for the State of Minnesota."

If the bill provided a practical method of requiring what it purports to require, namely, "the payment of a living standard of wages," I could not and would not object to it. But such is not its purpose. It requires that wages paid to persons employed in the construction of buildings to be erected by the State shall not be less than "the highest prevailing scale of wages."

Ordinarily it has been the practice of public bodies to let contracts to the lowest bidder. Here the novel doctrine is set forth that the highest bidder should be preferred. To be sure this doctrine is made applicable only to that part of the contract which relates to labor. But would not this discrimination involve the State in confusion and embarrassment? On what ground can a law which insures the highest prevailing wage for a carpenter who fits millwork into a building be defended, if the contractor is permitted to buy that millwork from a manufacturer who pays perhaps the lowest wage? It is quite likely that more labor is required to produce the millwork in the factory than to fit it into the building of which it is to form a part. Is the State to prefer the carpenter to the skilled woodworker?

Perhaps more labor is involved in the turning of a stone column and in the chiseling of the figures of its capital, than is required to place the column in its position. This measure seeks to protect the stone mason who places the column but does not recognize the claims of the stonecutter who wrought it from the rough, or the man who quarried the stone from which it was made.

Not only are the millworker and the stonecutter discriminated against in being denied the preference given to the carpenter and the mason; but they are required to pay in higher taxes on their homes the increased cost of construction which must result from the discrimination. Surely a law cannot be defended as a labor measure which places heavier burdens upon many workers in order to increase the emoluments of a few.

If this measure is to become a law, then there ought to be enacted a companion-measure that would prohibit the State from buying flour for its institutions from any miller who would not agree to pay the farmer for the wheat from which it was made a price which would insure him a "living standard of wages," or any ham or bacon from any packer who would not covenant to pay a price for hogs that would equal the cost of production.

Much as I would like to help correct some of the abuses which this measure is designed to correct, I cannot approve of this bill, because it is wrong in principle.

Furthermore, the law would be unworkable in practice. The term "highest prevailing scale of wages" is susceptible of a variety of definitions. It is ambiguous. "Prevailing" may mean "predominant," or it may mean "common," or it may mean "to be in force." All of these definitions have the sanction of authority. The governing body charged with the responsibility of determining what the "highest prevailing scale of wages" was at any particular time in any particular place, would have to determine whether the scale to be made effective was the highest scale "predominant," or the highest scale "common," or the highest scale "in force," at that time and in that place.

The highest scale "in force" might not be a "common" scale, and a "common" scale might not be "predominant."

The City Council of St. Paul, recognizing this difficulty avoided ambiguity by enacting the wages to be paid to different classes of artisans into its ordinance.

Not only would the proposed measure be unworkable because of ambiguity, but it would impose upon the public body charged with fixing the "highest prevailing scale" the almost insuperable task of ascertaining by hearings and otherwise what different scales exist in all of the many places throughout the State where buildings are to be erected. And such determinations must in every case be made before specifications for proposals are made. Such specifications must in many cases be made months before actual construction can commence, for often specifications must be changed several times to bring a building within the scope of the appropriation therefor. A wage scale existing at the time specifications are made might be changed before building operations were commenced. Therefore, a rule which might be applicable to private construction might be not only objectionable, but unworkable in public construction.

The measure is unworkable for the further reason that it does not except from its operation time-keepers, clerks, and other persons employed in technical or clerical capacity in the erection or construction of a building. Such exception was made in the St. Paul ordinance to which I have referred.

Not only would the measure be unworkable in practice, but it would probably interfere with employment by the state of its regular employes for construction of smaller buildings, like garages and barns, at state institutions, and the employment of prisoners for construction work at the prison and the reformatory. In Section 3 it is provided that if a building is constructed by the "day-labor" or "force account" method, all persons employed in its erection shall be paid such "highest prevailing scale of wages." Certainly the bill should be so amended as to make very proper and necessary exceptions.

I further object to the measure because it would have a tendency to substitute political influence for collective bargaining as the means of establishing wage scales. No matter how honest and fearless the officials charged with the determination of the wage-scale might be, they would if possessed of ordinary human characteristics be influenced consciously or unconsciously by the pressure which would be exerted upon them. The labor union movement from the beginning has employed collective bargaining as a means of adjusting differences between employer and employed. By this means it has brought about an amelioration of the conditions of labor which has been one of the outstanding developments of the last few decades. Surely we should not act hastily when there is proposed a measure which would reverse the judgment of every great labor leader of the past by substituting political action for independent bargaining as a means of determining wages.

Respectfully submitted,

THEODORE CHRISTIANSON.
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Peterson, C. A., moved that H. F. No. 168 be laid on the table. Which motion was lost.