

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1887: A bill for an act relating to insurance; providing for refunds on the overpayment of certain annuity consideration taxes; amending Laws 1963, Chapter 87, Section 5, Subdivision 1.

H. Y. TORREY, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1887, A bill for an act relating to insurance; providing for refunds on the overpayment of certain annuity consideration taxes; amending Laws 1963, Chapter 87, Section 5, Subdivision 1.

The bill was read for the first time and referred to the Committee on Rules.

There being no objection, the order of business reverted to Petitions and Communications.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
EXECUTIVE OFFICE
Saint Paul 1

April 29, 1963

*The Honorable Lloyd L. Duxbury
Speaker of the House
State Capitol
St. Paul, Minnesota*

Dear Sir:

I am returning herewith H. F. No. 787, a bill for an act prohibiting certain commercial activities on both of any consecutive Saturday and Sunday and certain other holidays, without my approval.

This bill would restrict freedom of choice and of economic competition, without obtaining its purported objective of establishing a day of repose. The real purpose of this bill is not to provide a uniform day of rest, or to promote family unity, or to encourage religious observance. This legislative proposal seeks to enlist the power of the state to protect narrow commercial interests.

If this bill were truly intended to provide for a day of rest from employment, it would not exempt from its protection persons employed in manufacturing, mining, construction, maintenance, service enterprises, entertainment, farm work, and small businesses. The number of people who would *not* be protected by this bill is so great that it cannot be justified as promoting a uniform day of rest.

If it were the intent of this bill to promote religious observance, it would scarcely have excluded from its scope all forms of recreation and amusement, and the operation of beer taverns. It thus allows precisely those activities most likely to distract from religious observance.

Even if this bill did forbid all secular activity on Sunday, I would still oppose it because I believe the state should never interfere in matters of private conscience. The decision whether to buy or to sell on a religious holiday is a matter for each individual's choice, in accordance with his conscience and the teachings of his church.

The particular measure before me is a bad piece of legislation. Even its sponsors admit its defects. It is confusing, irrational, and inconsistent. However, it will achieve one purpose—it will close down the discount houses on Sunday. Whatever it may do to independent drug stores, whatever it may do to general stores in our resort areas, it will certainly close down the discount houses.

Surely such a law is incompatible with the proclamations concerning the merits of free enterprise which we hear so often from some of the very groups which support this bill. Any intervention in the competitive system as grave as this must be supported by reasons equally grave—and I have noted above that the bill does not accomplish the very purposes advanced in its justification.

In addition to the broad reasons of policy which dictate my action in this case, there are particular defects in this bill sufficient to make it inadvisable:

1. As noted above, it exempts the majority of those who work for a living;
2. It will create insurmountable policing problems, particularly in outlying areas, and cause disrespect for the law by frequent and unpunished violations;
3. It would close many businesses, particularly in resort areas, which do not fit any of the exclusions but which nevertheless make a positive contribution to family enjoyment.
4. The classification of "restricted items" is unreasonable. Why may a restaurant serve food on its premises, or cater it elsewhere, but not sell it for "carry-out" purposes? Why may a lakeshore merchant sell an outboard motor while his competitor on Main Street may not?

5. The enumeration of "restricted items" is extensive, but hardly exhaustive. It is impossible to tell whether items have been unfairly omitted or included.

One seemingly absurd example of this is the fact that one may sell beer, peanuts, and popcorn on Sunday, while pretzels, corn chips, and potato chips apparently fall outside the pale of respectability. How many other such inconsistencies would be discovered if this bill were ever to become law?

In view of the considerations expressed here, I am compelled to refuse my assent to its adoption.

Sincerely yours,

KARL F. ROLVAAG, Governor

Mr. Chilgren moved that H. F. No. 787, together with the veto message from the Governor, be laid on the table. The motion prevailed.

STATE OF MINNESOTA
EXECUTIVE OFFICE
Saint Paul 1

May 3, 1963

*The Honorable Lloyd L. Duxbury
Speaker of the House
State Capitol
St. Paul, Minnesota*

Dear Sir:

I am returning herewith H. F. No. 408, a bill for an act relating to taxes on and measured by net income—commonly known as the reciprocity bill.

I have always advocated that a careful balance be maintained between expenditure and revenue. Careful examination of legislation presently pending before you indicates this balance will be strained. The revenue implications of this measure are severe. Reliable estimates indicate a loss to education in the Minnesota Income Tax School Fund of a minimum of two and one-half million dollars for the biennium.

In order to maintain fiscal stability I cannot in good conscience sanction the substantial loss of revenue which would result from the enactment of H. F. No. 408.

The philosophy that income is taxed in the state in which it is earned is an old and well established tax practice in this nation.