



Janet T. Mills
GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
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AUGUSTA, MAINE
04333-0001

June 20, 2019

The 129th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 129th Legislature:

By the authority conferred by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 1177, An Act to Improve Public Sector Labor Relations.

This bill would impose a significant change to the public labor relations laws that govern state, judicial, county, municipal, university, community college and Maritime Academy employees. Under current law, the dominant cost items of salaries, pensions and insurance for all these employees are subject to collective bargaining but not to binding arbitration. L.D. 1177 would eliminate this dividing line and require binding arbitration of salaries, pensions and insurance.

There are good reasons why our state has previously rejected this approach. Salaries, pensions and insurance comprise the lion's share of most operating budgets. Together, they set the expenditure platform from which all other strategic objectives of the governmental entity are pursued. To delegate to private binding arbitrators the authority to set those amounts is to forfeit a fundamental function and responsibility of our school boards, city councils, town select boards, boards of trustees and governmental branch leaders.

Forfeiting this responsibility is contrary to the principle of representative democracy that the people through their elected and appointed representatives control the raising and expenditure of public monies. When, for example, municipal citizens elect their city council members, or a governor nominates and the legislature confirms a college trustee, we do so mindful of the candidates' or nominees' local knowledge, fiscal philosophies and strategic priorities. The process of such elections and appointments tests our public trust, conveys our public expectations, and confirms our need for public accountability for how substantial public monies will be spent.

Not so with private arbitrators. They are often chosen by lawyers; are often from away; and their professional focus often divorces them from the local impacts of their decisions. Whatever their many talents, private arbitrators are not elected, not politically appointed, not locally attuned, and not accountable to taxpayers or the greater public. Their decisions under this bill would necessarily implicate the authorities to spend public monies, raise new public monies or adjust public services. Individuals who are publicly accountable – those who are duly elected or duly appointed by an elected official – should be the ones who make decisions of this nature.



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For the foregoing reasons, I return L.D. 1177 unsigned and urge the Legislature to sustain this veto.

Sincerely,



Janet T. Mills
Governor
State of Maine



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