

## STATE OF MINNESOTA

OFFICE OF THE GOVERNOR 130 STATE CAPITOL SAINT PAUL 55155

May 15, 1997

The Honorable Phil Carruthers Speaker of the House of Representatives 463 State Office Building Saint Paul, Minnesota 55155

Dear Speaker Carruthers:

I have vetoed and am returning Chapter 152, House File 1936, a bill which would mandate a binding arbitration process during the initial employer/union contract process.

Mandating third party intervention during the initial contracting stage would upset the delicate balance of interests inherent to the employer/employee relationship. Fundamental workplace issues are best determined by both management and employee representatives. It would not serve in the best interests of either party to have such critical decisions directed from an detached third party intervenor.

In addition to the aforementioned public policy concerns, I believe Chapter 152 will be preempted by the National Labor Relations Act (NLRA). This legislation runs counter to a basic tenet of the NLRA, which is that both parties to an arbitration proceeding must voluntarily surrender to its application. I will not support legislation which will lead the state to needless litigation.

As in 1993 when I vetoed similar language in Chapter 346, I can not support proposals which are disruptive to the workplace environment as well as are legally troublesome.

Warmest regards.

ARNE H. CARLSON

Governor

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c: Senator Allan Spear, President of the Senate
Senator Roger Moe, Majority Leader
Senator Dean Johnson, Minority Leader
Representative Steve Sviggum, Minority Leader
Chief Senate Author(s)
Chief House Author(s)
Mr. Patrick E. Flahaven, Secretary of the Senate
Mr. Edward A. Burdick, Chief Clerk of the House
Ms. Joan Anderson Growe, Secretary of State