



STATE OF MINNESOTA

Office of Governor Mark Dayton

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

May 9, 2012

The Honorable Michelle L. Fischbach
President of the Senate
226 State Capitol
St. Paul, Minnesota 55155

Dear Madam President:

I have vetoed and am returning Chapter 291, Senate File 1755, a bill relating to state employee layoffs.

Section 1 of this bill would fundamentally change collective bargaining by allowing the Legislature to participate in the negotiation process and mediation efforts. The Legislature's involvement at those stages would disrupt the long-established process between the Executive Branch and its employees.

Section 2 of the bill would interfere with the day-to-day flexibility needed by the Executive Branch to manage most effectively and efficiently. Labor contracts between the Executive Branch and its employees are two years in duration. A Memorandum of Understanding is a tool used by the Executive Branch to address issues, which were not contemplated when the contract was negotiated, but which have arisen during that two year time frame. This process has worked well in the past, and I am not aware of any legislative attempts to change it during the eight years my predecessor was in this office.

Section 3 of this bill would allow appointing authorities to implement unpaid leave and reductions in hours, instead of imposing layoffs at the time of state employee contract negotiations. However, Minnesota law already authorizes appointing authorities to take those actions; thus Section 3 of the bill is redundant.

Minnesota's collective bargaining system is based upon an appropriate separation of powers. It assigns to the Executive Branch the authority to manage its employees, including the negotiating of collective bargaining agreements. The Legislature, as set forth in Chapter 179A, approves or disapproves those agreements, once they are negotiated. This system has worked well for many years. I see no compelling reasons to change it so drastically.

For those reasons, I am vetoing this bill.

Sincerely,


Mark Dayton
Governor

cc: Senator David H. Senjem, Senate Majority Leader
Senator Thomas M. Bakk, Senate Minority Leader
Senator Paul Gazelka
Representative Kurt Zellers, Speaker of the House
Representative Paul Thissen, House Minority Leader
Representative Steve Drazkowski
The Honorable Mark Ritchie, Secretary of State
Mr. Cal R. Ludeman, Secretary of the Senate
Mr. Albin A. Mathiowetz, Chief Clerk of the House of Representatives