

spending for the forthcoming fiscal year. The Governor's budget, including the amount available for employee compensation, is dependent on the receipt of these recommendations.

The process created by Senate Bill 348 requires that negotiations be completed before the information about resources and the expected limits on State spending are available. Under the bill, agreement would be required by October 25, almost 6 weeks before the necessary information is available. The fact finder's recommendations are to be made in writing before November 20, several weeks before revenue estimates and the Spending Affordability recommendations are available. The fact finder, unlike both the Governor and the General Assembly, will have no restraints in finding facts or making recommendations and will not have the facts about the State's fiscal condition or outlook.

The bill also authorizes the fact finder to issue subpoenas. Under the bill, the fact finder is not authorized to enforce the subpoenas and judicial action would be required. Since there is a likelihood that 5 fact finders could be appointed and that multiple subpoenas could be issued by each of the 5 fact finders, the State would need to increase significantly the resources dedicated to collective bargaining. This aspect of the bill, like others referenced above, assures that the State employee collective bargaining process will be litigious and expensive.

The bill also changes the composition of the State Labor Relations Board. The composition would be less conducive to impartial determinations because the bill requires that two of the members be nominated by the exclusive bargaining representatives. The change in the composition of the Board will make the Board less accountable to the taxpayers of Maryland and more accountable to the unions.

This bill will imperil State employee privacy and safety, encourage identity theft of State employees, significantly and adversely change the relationships between management and employees, and increase the costs and the bureaucracy relating to the collective bargaining process.

For the above stated reasons, I have vetoed Senate Bill 348.

Very truly yours,  
Robert L. Ehrlich, Jr.  
Governor

### Senate Bill No. 348

AN ACT concerning

#### State Personnel - Collective Bargaining - Revisions

FOR the purpose of altering certain provisions of law governing collective bargaining for certain State employees and certain employees of State institutions of higher education; specifying that provisions of this Act may not limit or interfere with certain powers of the Governor; specifying that the State Labor Relations Board is an independent unit of State government; altering the membership of the Board; requiring that the Board elect a chairman from among its members;