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TESTIMONY NEITHER FOR NOR AGAINST L.D. 1724

“An Act to Create a Logging Dispute Resolution Board and To Require Proof of Ownership Documents to Be Available within 14 Days of Request”

**Neil P. Daly, Executive Director
Maine Labor Relations Board
March 8, 2022**

Senator Daughtry, Representative Sylvester, and members of the Joint Standing Committee on Labor and Housing, my name is Neil Daly, and it is my privilege to serve as the Executive Director of the Maine Labor Relations Board (MLRB), and its affiliate, the State Board of Arbitration and Conciliation (BAC).

Today, I'm here to testify neither for nor against L.D. 1724, with a focus on the implementation of this bill in relation to the operations of the BAC.

As you may be aware, the BAC is a tri-partite panel charged with facilitating resolution of labor-management disputes. Most frequently, the BAC provides arbitration services for contract grievances. From 2004 until a 2009 change in law, the BAC chair also served as the chair of a forestry rate proceedings panel, through which forestry-related parties could petition the panel to determine compensation rates for harvesting and hauling services.

In part, L.D. 1724 proposes the creation of a tri-partite panel within Maine's Department of Labor to “hear disputes related to the logging industry, including disputes regarding pay violations, payout amounts, contract violations, hiring disputes and other topics as determined appropriate by the Board.” The chair of this proposed board would be a member of the BAC. As drafted, L.D. 1724 would provide the board all powers necessary to carry out its functions.

As it relates to the BAC, it is unclear how L.D. 1724 would be implemented. Apart from jurisdictional questions which will be addressed in separate testimony from the Department of Labor, L.D. 1724 does not specify which member(s) of the BAC will be appointed to the Logging Dispute Resolution Board. It is unclear who will provide administrative services for the proposed board and from what budget allocation those services will be funded. Additionally, while L.D. 1724 indicates one party will be responsible for the costs of arbitration before the board, it does not define the method of board members' compensation. In particular, will board members be subject to a statutory per-diem (like the BAC) or be free to set their own rates of compensation?

Depending upon the answers to these questions, the BAC, through the Maine Labor Relations Board may request a supplemental budget allocation to address the potential impact to administrative operations.

Thank you for this opportunity to discuss L.D. 1724. I will try to answer any questions you have.