

Delegate Bothe.

DELEGATE BOTHE: Mr. Chairman, I rise to speak against the amendment. I do not intend to amplify the discussion made this morning.

I think the purpose of the amendment was very obviously to permit the moving delegate to make a ten-minute instead of a three-minute speech on the subject, but I would like to correct or speak to the response that the Chair gave to a question asked by Delegate Taylor. On reading Amendment No. 21 in conjunction with Amendment No. 22, it would seem to me that the intent of Amendment No. 22 is very clearly to deny to people in public employment the right to organize and bargain collectively.

They have exercised not the right so much as the ability to organize and bargain collectively up to this time. The purpose of Amendment No. 21 is to guarantee that right in the constitution which this body has chosen to do.

If Amendment No. 22 were accepted, it would seem to me little question but that not only would public employees be expected but they would be constitutionally banned from organizing and bargaining collectively. For that reason, among many others, I emphatically urge this Committee to reject Amendment No. 22.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

The Chair recognizes Delegate Scanlan to speak in opposition.

DELEGATE SCANLAN: As one of the thirty-seven who voted against Amendment No. 21, I guess I am in the words of Delegate Weidemeyer, without sin, but, nevertheless, now that that has been done, I think it very unwise to encumber the constitution further with another unnecessary provision.

As I understand his major concern, it would be the fear that as a result of the adoption of Amendment No. 21, the legislature of this State could not restrict the right to strike under certain conditions, on the part of governmental employees. I do not believe that Amendment No. 21 reaches that subject. I do not believe that there is anything in Amendment No. 21 which would prohibit the legislature of this state from enacting restrictions on the right to strike on the part of governmental employees. I believe in the words of Delegate Sickles that in enacting Amendment No. 21, you

did a very small but perhaps necessary thing.

I also disagree with Delegate Bothe's misconstruction of the comments of the Chair in response to a question put by Delegate Taylor. As I understand Delegate Weidemeyer's amendment, even if adopted, it would not, at least in my opinion, bar unions on the part of governmental employees. It would not give the right to organize the same constitutional status that you have prescribed in Amendment No. 21.

I hope that the amendment is defeated but if it is not defeated, I hope that that intent would carry over. I think this is a perfect example of what happens when you start to encumber the constitution with statutory provisions.

The temptation is irresistible to add the various exceptions, addenda and so forth, and I think that is what is represented here by Amendment No. 22. I think if we are going to raise the right to organize and bargain collectively to constitutional status it should be given to all employees of this State whether they work for state government or not.

There may be those that disagree with me. I read nothing in Amendment No. 21 which would deny the legislature of this State the right to put restrictions on the right to strike on the part of government employees.

The horrible example of the teacher's strike in New York with a minor version of it in Baltimore, certainly attested to the wisdom of leaving in the legislature the power to put restrictions on their employees in the few instances that restrictions should be placed on them.

THE CHAIRMAN: Delegate Mitchell, do you desire to speak?

DELEGATE MITCHELL: No, Delegate Bothe said what I wanted to say.

THE CHAIRMAN: All right.

Are you ready for the question?

*(Call for the question.)*

The question arises on the adoption of Amendment No. 22. The Clerk will ring the quorum bell.

The question arises on the adoption of Amendment No. 22 to Committee Recommendation R&P-1.

A vote Aye is a vote in favor of Amendment No. 22. A vote No is a vote against.