
House Bill No. 1129 - Baltimore City Police Department

AN ACT to add new Section 16-41 to the Code of Public Local Laws of Baltimore City (1969 Edition, being Article 4 of the Public Local Laws of Maryland), title "Baltimore City", subtitle "Police Department", to follow immediately after Section 16-40 thereof and to be under the new subtitle "Employee Relations", to provide that the Police Department of Baltimore City and members of the Department may be included within the coverage of Section 110-125, Article 1 of the Baltimore City Code, entitled "Municipal Employee Relations".

June 1, 1973.

Honorable Thomas Hunter Lowe
Speaker of the House of Delegates
State House
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed House Bill 1129.

This bill would permit the Mayor and City Council of Baltimore City, by appropriate ordinance, to include the Baltimore City Police Department and its members within the coverage of the City's Municipal Employee Relations Law, Article 1, §§110-125 of the Baltimore City Code (1966 Edition, as amended).

Subtitle 16 of the Code of Public Local Laws of Baltimore City (1969 Edition, being Article 4 of the Public Local Laws of Maryland) sets forth the general provisions relating to and governing the Police Department of Baltimore City. As therein expressly set forth, the Police Department was "constituted and established as an agency and instrumentality of the State of Maryland." § 16-2. Thus, House Bill 1129 would have the unprecedented effect of permitting a local subdivision to require that a State agency be subject to that subdivisions's own, local collective bargaining ordinances.

The General Assembly has heretofore recognized that members of the Department have problems which are uniquely different from civilian personnel. Consequently, in 1966, the legislature established new grievance procedures for the Department. §16-12. Other provisions of the subtitle similarly act to protect the rights of these members. There is no evidence to suggest that the present system fails to achieve its intended purpose. Conversely, there is no evidence to suggest that this purpose could be better accomplished by the placement of the Department within the City's Municipal Employee Relations Law.

Placing the Department within the provisions of a collective bargaining act would best be considered if and when the General Assembly should decide to enact a State-wide employee relations law covering State agencies and other State instrumentalities.

For the foregoing reasons, I have decided to veto House Bill 1129.

Sincerely,

/s/ Marvin Mandel
Governor