

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL NO. 507

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “matters;” insert “requiring a certain employee organization to indemnify and hold harmless the Board against certain claims, demands, suits, or other forms of liability; requiring the Board to retain without charge to the Board the services of certain counsel with regard to certain claims, demands, suits, or other forms of liability; requiring a certain employee organization to submit a certain audit to the Board annually; requiring the amount of the service or representation fee to be based solely on certain expenses; prohibiting the financing of certain political activities of the exclusive representative with the funds collected from the service or representation fee;”.

AMENDMENT NO. 2

On page 4, after line 6, insert:

“(2) (I) SUBJECT TO THE PROVISIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE EMPLOYEE ORGANIZATION DESIGNATED AS THE EXCLUSIVE REPRESENTATIVE FOR THE PUBLIC SCHOOL EMPLOYEES SHALL INDEMNIFY AND HOLD HARMLESS THE ANNE ARUNDEL COUNTY BOARD OF EDUCATION AGAINST ANY AND ALL CLAIMS, DEMANDS, SUITS, OR ANY OTHER FORMS OF LIABILITY THAT MAY ARISE OUT OF, OR BY REASON OF, ACTION TAKEN BY THE BOARD FOR THE PURPOSE OF COMPLYING WITH ANY OF THE AGENCY OR REPRESENTATION FEE PROVISIONS OF THE NEGOTIATED AGREEMENT.

(II) THE BOARD SHALL RETAIN WITHOUT CHARGE TO THE BOARD THE SERVICES OF COUNSEL THAT ARE DESIGNATED BY THE EXCLUSIVE REPRESENTATIVE WITH REGARD TO ANY CLAIM, DEMAND, SUIT, OR ANY OTHER LIABILITY THAT MAY ARISE OUT OF, OR BY REASON OF, ACTION TAKEN BY THE BOARD FOR THE PURPOSE OF COMPLYING WITH ANY OF THE AGENCY OR

(Over)

REPRESENTATION FEE PROVISIONS OF THE NEGOTIATED AGREEMENT.

(3) THE EMPLOYEE ORGANIZATION DESIGNATED AS THE EXCLUSIVE REPRESENTATIVE SHALL SUBMIT TO THE ANNE ARUNDEL COUNTY BOARD OF EDUCATION AN ANNUAL AUDIT FROM AN EXTERNAL AUDITOR THAT REFLECTS THE OPERATIONAL EXPENSES OF THE EMPLOYEE ORGANIZATION AND EXPLAINS HOW THE SERVICE OR REPRESENTATION FEE IS CALCULATED BASED ON THE AUDIT.

(4) (I) THE SERVICE OR REPRESENTATION FEE SHALL BE BASED ONLY ON THE EXPENSES INCURRED BY THE EMPLOYEE ORGANIZATION IN ITS REPRESENTATION IN NEGOTIATIONS, CONTRACT ADMINISTRATION, INCLUDING GRIEVANCES, AND OTHER ACTIVITIES UNDER THIS SECTION.

(II) POLITICAL ACTIVITIES OF THE EMPLOYEE ORGANIZATION DESIGNATED AS THE EXCLUSIVE REPRESENTATIVE MAY NOT BE FINANCED WITH THE FUNDS COLLECTED FROM THE SERVICE OR REPRESENTATION FEE.”;

in lines 7, 30, and 34, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(5)”, “(6)”, and “(7)”, respectively; in line 32, after “COLLECTED” insert “AND MAINTAINED BY THE LOCAL BARGAINING REPRESENTATIVE”; and in line 35, strike “JULY 1, 2004” and substitute “OCTOBER 1, 2004”.