

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL NO. 179

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike the third “Board” and substitute “Secretary of Budget and Management”; in line 8, after “enforce” insert “certain”; in the same line, after “regulations” insert “guidelines, and policies”; in line 9, strike the first “the” and substitute “certain”; strike beginning with “collective” in line 14 down through “agreement” in line 15 and substitute “memorandum of understanding”; strike beginning with “authorizing” in line 15 down through the semicolon in line 17; and in line 21, after the semicolon, insert “providing that certain definitions shall remain in effect until a certain time; requiring the Board of Regents of the University System of Maryland to establish and implement a certain collective bargaining plan; requiring certain reports;”.

On page 2, in line 2, strike “3-701” and substitute “3-601”; and strike in their entirety lines 6 through 10, inclusive.

AMENDMENT NO. 2

On page 2, in line 29, strike “COLLECTIVE BARGAINING AGREEMENT” and substitute “MEMORANDUM OF UNDERSTANDING”; strike in their entirety lines 30 and 31; and in line 32, strike “(E)” and substitute “(D)”.

AMENDMENT NO. 3

On page 3, in line 1, strike “(F)” and substitute “(E)”; strike in their entirety lines 4 and 5; strike line 11 in its entirety; and in lines 12, 13, and 14, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively.

On page 4, strike in their entirety lines 15 and 16; and in lines 17, 19, and 21, strike “(9)”, “(10)”, and “(11)”, respectively, and substitute “(8)”, “(9)”, and “(10)”, respectively.

AMENDMENT NO. 4

(Over)

On page 4, in line 32, strike “AND”.

On page 5, in line 1, strike “FOUR MEMBERS OF THE GENERAL PUBLIC” and substitute “TWO MEMBERS WITH KNOWLEDGE OF LABOR ISSUES”; in line 3, strike the second “OF”; in line 5, after “JUDGMENT” insert “; AND”

(3) TWO MEMBERS OF THE BUSINESS COMMUNITY, APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, WHO ARE KNOWN FOR OBJECTIVE AND INDEPENDENT JUDGMENT”;

in line 15, strike “OCTOBER” and substitute “JULY”; in line 27, after the semicolon insert “OR”; in line 28, strike the semicolon; and in line 29, strike “(3)”.

On page 6, in line 23, strike “TO ADMINISTER AND ENFORCE” and substitute “FOR ADMINISTERING AND ENFORCING”; and in line 24, strike “POWER OR DUTY” and substitute “POWERS OR DUTIES PROVIDED FOR”.

AMENDMENT NO. 5

On page 7, in line 1, strike “RECOMMENDATION” and substitute “RECOMMENDATIONS”; strike beginning with “AND” in line 2 down through “DESIGNEES” in line 3; strike beginning with the colon in line 15 down through “(I)” in line 16; strike beginning with the semicolon in line 16 down through “BARGAINING” in line 18; and in line 21, strike “THAT” and substitute “WHICH”.

On page 8, strike in their entirety lines 4 through 17, inclusive; and in line 21, strike “3-211.” and substitute “3-210.”.

AMENDMENT NO. 6

On page 9, in line 4, strike “(1)”; strike beginning with “AND” in line 6 down through “RESOLUTION” in line 14; and in line 16, strike “(A)”.

On page 10, in line 3, strike the comma and substitute “AND”; in line 4, strike “TO”; strike in their entirety lines 11 through 16, inclusive; in line 22, strike “EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,”; and strike in their entirety lines 29 through 31, inclusive.

AMENDMENT NO. 7

On page 11, in lines 26 and 29, in each instance, strike “BOARD” and substitute

“SECRETARY”; and strike in their entirety lines 30 and 31.

On page 12, in line 10, strike “(1)”; in line 11, strike “IN” and substitute “OF”; strike beginning with the colon in line 11 down through “(I)” in line 12; strike beginning with the semicolon in line 13 down through “EXPIRES” in line 18; and in line 29, strike “MUST”.

On page 13, in line 4, after “OF” insert “THE ESTABLISHMENT OF”; in line 5, strike “SOUGHT”; in line 7, after “OF” insert “THE ESTABLISHMENT OF”; in line 8, strike “SOUGHT”; in line 22, after “OR” insert “THE SECRETARY’S”; in line 25, strike “(A)”; strike in their entirety lines 31 and 32; and in line 33, strike “(III)” and substitute “(II)”.

On page 14, in lines 1 and 3, strike “(IV)” and “(V)”, respectively, and substitute “(III)” and “(IV)”, respectively; and in line 4, after “MEMBERS” insert “OF THE APPROPRIATE BARGAINING UNIT”.

AMENDMENT NO. 8

On pages 15 and 16, strike in their entirety the lines beginning with line 31 on page 15 through line 13 on page 16, inclusive.

On page 16, in line 25, after “(D)” insert “(1)”; in line 26, strike “WRITTEN AGREEMENT” and substitute “MEMORANDUM OF UNDERSTANDING”; after line 27, insert:

“(2) TO THE EXTENT THESE MATTERS REQUIRE LEGISLATIVE APPROVAL OR THE APPROPRIATION OF FUNDS, THE MATTERS SHALL BE RECOMMENDED TO THE GENERAL ASSEMBLY FOR APPROVAL OR FOR THE APPROPRIATION OF FUNDS.”;

in line 31, strike “3-503.” and substitute “3-502.”; in line 32, before “COLLECTIVE” insert “(A)”; strike beginning with the colon in line 32 down through “(1)” in line 33; in line 34, strike “; AND” and substitute a period; and strike in their entirety lines 35 and 36, and substitute:

“(B) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, THE GOVERNOR OR THE GOVERNOR’S DESIGNEE:

(Over)

(1) SHALL NOT BE REQUIRED TO NEGOTIATE OVER ANY MATTER THAT IS INCONSISTENT WITH APPLICABLE LAW; AND

(2) MAY NEGOTIATE AND REACH AGREEMENT WITH REGARD TO ANY SUCH MATTER ONLY IF IT IS UNDERSTOOD THAT THE AGREEMENT WITH RESPECT TO SUCH MATTER CANNOT BECOME EFFECTIVE UNLESS THE APPLICABLE LAW IS AMENDED BY THE GENERAL ASSEMBLY.”.

AMENDMENT NO. 9

On pages 17 through 19, strike in their entirety the lines beginning with line 1 on page 17 through line 15 on page 19, inclusive.

On page 19, in line 16, strike “COLLECTIVE BARGAINING AGREEMENT” and substitute “MEMORANDUM OF UNDERSTANDING”; in line 18, strike “COLLECTIVE BARGAINING AGREEMENT” and substitute “MEMORANDUM OF UNDERSTANDING”; in line 20, strike “AGREEMENT” and substitute “MEMORANDUM”; strike beginning with “(1)” in line 23 down through the comma in line 27; in line 27, strike “COLLECTIVE BARGAINING AGREEMENT” and substitute “MEMORANDUM OF UNDERSTANDING”; in line 29, strike “COLLECTIVE BARGAINING AGREEMENT” and substitute “MEMORANDUM OF UNDERSTANDING”; and in line 30, after “AND” insert “A MAJORITY OF THE VOTES CAST BY”.

On pages 19 through 21, strike in their entirety the lines beginning with line 31 on page 19 through line 3 on page 21, inclusive.

AMENDMENT NO. 10

On page 21, strike beginning with the second “and” in line 12 down through the comma in line 13; strike in their entirety lines 15 through 17, inclusive, and substitute:

“SECTION 5. AND BE IT FURTHER ENACTED, That the definitions of “supervisor”, “managerial employee”, and “confidential employee” under Executive Order 01.01.1996.13 shall remain in effect until new regulations defining supervisory employee, managerial employee, and confidential employee are adopted by the Secretary of Budget and Management, as provided for

under Section 2 of this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That the Board of Regents of the University System of Maryland shall establish and implement a collective bargaining plan, consistent with the principles and goals of Executive Order 01.01.1996.13, for the system's nonfaculty employees. The collective bargaining plan shall be developed and submitted to the Senate Budget and Taxation Committee, the Senate Finance Committee, and the House Appropriations Committee, on or before September 1, 1999. The committees will have 30 days to review and comment on the plan, with the intent that the plan take effect on October 1, 1999. Two years after the implementation of the collective bargaining plan, the Board of Regents shall study the outcomes of the collective bargaining plan. The study shall assess the plan's effect on the relationship between nonfaculty employees and the Board of Regents, and determine the fiscal impact of the plan on the University System of Maryland's operations. The Board of Regents shall report on or before December 1, 2001, subject to § 2-1246 of the State Government Article, to the Senate Budget and Taxation Committee, the Senate Finance Committee, and the House Appropriations Committee on the findings of the study. The Committees shall evaluate the report findings with the intent of possibly codifying the collective bargaining plan.”;

and in lines 18 and 24, strike “6.” and “7.”, respectively, and substitute “7.” and “8.”, respectively.