

**HB0122/925563/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 122  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Calvert County Delegation” and substitute “Delegates Kullen, Proctor, and Vallario”; in line 2, after “Education –” insert “Certificated”; in lines 2 and 3, strike “Employee Service or Representation Fee” and substitute “Collective Bargaining Representation Fees”; in line 4, after the second “the” insert “Board of Education of”; in the same line, strike “Board of Education”; in the same line, after “negotiate” insert “a certain fee”; in line 5, strike “employee organization a service or representation fee” and substitute “certificated employee organization”; in line 6, strike “nonmember school employees” and substitute “nonmembers”; in the same line, strike “purposes; requiring” and substitute “representation;”; strike beginning with “the” in line 7 down through “date;” in line 10; strike beginning with “the” in line 10 down through “the” in line 12 and substitute “education and collective bargaining fees for certain certificated school personnel in”; in line 12, strike “Board of Education”; after line 12, insert:

“BY repealing and reenacting, without amendments,

Article - Education

Section 6-401 and 6-407(a) and (b)

Annotated Code of Maryland

(2008 Replacement Volume)”;

and in line 15, strike “6-407 and 6-504” and substitute “6-407(d)”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“6-401.

(Over)

(a) In this subtitle the following words have the meanings indicated.

(b) “Employee organization” means an organization that:

(1) Includes certificated employees of a public school employer or individuals of equivalent status in Baltimore City; and

(2) Has as one of its main purposes the representation of the employees in their relations with that public school employer.

(c) (1) “Home and hospital teacher” means a teacher employed by a public school employer to provide instructional services to a public school student who is unable to function effectively in the classroom setting due to the student’s medical, physical, or emotional condition.

(2) A home and hospital teacher may teach in:

(i) A private home;

(ii) A hospital;

(iii) A therapeutic center;

(iv) A school; or

(v) Any other appropriate site.

(d) (1) “Public school employee” means a certificated professional individual who is employed by a public school employer or an individual of equivalent status in Baltimore City, except for a county superintendent or an individual designated by the public school employer to act in a negotiating capacity as provided in § 6–408(b) of this subtitle.

(2) In Montgomery County, “public school employees” include:

(i) Certificated and noncertificated substitute teachers employed by the public school employer for at least 7 days before March 1 of the school fiscal year ending June 30, 1978, and each year after; and

(ii) Home and hospital teachers employed by the public school employer for at least 7 days before March 1 of the school fiscal year ending June 30, 2000, and each year after.

(3) In Baltimore County, “public school employee” includes:

(i) A secondary school nurse, an elementary school nurse, and a special school nurse; and

(ii) Supervisory noncertificated employees as defined under § 6–501(h) of this title.

(4) In Frederick County, “public school employee” includes a social worker employed by a public school employer.

(5) In Prince George’s County, “public school employee” includes home and hospital teachers and Junior Reserve Officer Training Corps (JROTC) instructors.

(6) In Charles County and Garrett County, “public school employee” includes Junior Reserve Officer Training Corps (JROTC) instructors.

(7) In Carroll County, “public school employee” includes supervisory noncertificated employees as defined under § 6–501(h) of this title.

(e) “Public school employer” means a county board of education or the Baltimore City Board of School Commissioners.”

On pages 2 and 3, strike in their entirety the lines beginning with line 7 on page 2 through line 19 on page 3, inclusive.

On page 3, strike beginning with “**IN**” in line 26 down through “**(3)**” in line 29.

On pages 3 through 6, strike in their entirety the lines beginning with line 31 on page 3 through line 32 on page 6, inclusive.

On page 6, in line 34, strike “July” and substitute “October”.