

SB0422/487370/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 422

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “employers” insert “in all jurisdictions of the State”; in line 5, after “employees” insert “a requirement of”; in line 6, after the semicolon insert “exempting certain employees from certain requirements for paying service or representation fees; requiring certain public school employers and certain exclusive bargaining representatives to negotiate whether service or representation fees are applicable to certain employees under certain circumstances; providing for the ratification of certain contracts in certain counties by certain employees after a certain date;”; and in line 12, after “negotiations;” insert “making conforming changes; providing for the application of this Act;”.

On page 2, in line 1, after “6-407(d)” insert “, (e), and (f)”.

AMENDMENT NO. 2

On page 2, in line 9, strike “**THE**” and substitute “**SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE**”; and in line 11, strike “**REQUIRED**” and substitute “**REQUIREMENT OF A**”.

On page 3, in lines 26 and 28, in each instance, strike the bracket; in line 26, strike “In Montgomery County, an” and substitute “**AN**”; and in line 29, strike “**(6)**” and substitute “**(7)**”.

On page 5, after line 23, insert:

“(D) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER

(Over)

AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(E) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(I) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(II) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.

(3) THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE SHALL BE RATIFIED BY A MAJORITY OF VOTES CAST BY THE EMPLOYEES ELIGIBLE TO VOTE UNDER PARAGRAPH (2) OF THIS SUBSECTION.”;

and in line 24, strike “(D)” and substitute “(F)”.

AMENDMENT NO. 3

On page 5, in line 33, strike “THE” and substitute “SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE”;

On page 6, in lines 21 and 23, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively.

On page 8, after line 7, insert:

“(E) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL FIRST NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(F) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(i) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(ii) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.

(3) THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE SHALL BE RATIFIED BY A MAJORITY OF VOTES CAST BY THE EMPLOYEES ELIGIBLE TO VOTE UNDER PARAGRAPH (2) OF THIS SUBSECTION.”;

in line 8, strike “(E)” and substitute “(G)”; after line 12, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to require any further negotiations regarding provisions of applicability to employees based on date of hire that are contained in an implementing agreement that provided for a service or representation fee negotiated prior to July 1, 2013.”;

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and in line 13, strike "2." and substitute "3.".