

Maryland General Assembly - Senate Finance Committee

Hearing: Thursday, February 16, 2023, 1:00 p.m.

Dear Madam Chair Griffith and Members of the Committee:

As the incoming President of the Board of Trustees of the Walters Art Museum, I am writing to ask you to reject Senate Bill 284, "Trustees of the Walters Art Gallery - Collective Bargaining," filed by Senator Jill P. Carter.

SB 284 is unnecessary: **there is no reason for the City of Baltimore's Labor Commissioner to be involved in the organizing activities of a group of workers who are not City employees.** Our executive director has been unequivocal in her respect for the museum's employees' rights to consider a union—and having taken the first step of presenting management with a proposed voluntary recognition agreement, the parties are now negotiating the best pathway for employees to get to a vote.

But SB 284 is also concerningly broad—and certainly concerning to me as a Trustee and the incoming President. This legislation raises many more questions than it answers about the ongoing operation, funding, governance, and management of the museum. Much as we respect the desire of some museum employees to form a union, I respect Senator Carter's desire to support them. Yet I am not clear on how the Finance Committee envisions the Trustees continuing to operate the Walters were it to be redefined as "a unit and instrumentality of the state and the city." Will the City be reimbursing the Trustees for the cost of repairs made to the museum's City owned buildings—but which have been paid for by the Trustees? Should we be planning to relocate the 30% of the collection that is owned by the Trustees and not by the City? And so on.

These are very relevant questions because among the essential roles of any nonprofit board of trustees are responsibilities such as fundraising—in our case for both funds and gifts to the collection—and fiduciary duties, which include understanding our liabilities. Indeed, as the next President of the Board, these responsibilities are already top of mind. But where we currently have clarity, SB 284 introduces great uncertainty. On top of which, there will be significant budgetary challenges for the museum as a result of fighting such legislation in court—budget challenges that will ultimately hurt the very employees Senator Carter seeks to help.

Please reconsider advancing this bill.

Peter L. Bain, President-Elect and Treasurer
Board of Trustees, The Walters Art Museum