

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **Senate substitute for HB 2326**, on page 2, by striking all in lines 23 through 29; in line 38, by striking "and"; in line 39, by striking all before the period; in line 40, after "(A)" by inserting "Minimum amount of";

On page 3, in line 3, by striking "and nonrenewal"; in line 40, after the comma by inserting "and matters which relate to nonrenewal of contracts";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 4, following line 8, by inserting:

"Sec. 2. K.S.A. 72-5422 is hereby amended to read as follows: 72-5422. (a) Except as otherwise expressly provided ~~herein by law~~, this act shall not operate so as to annul, modify or preclude the renewal or continuation of any lawful agreement ~~heretofore~~ entered into between a board of education and a professional employees' organization covering terms and conditions of professional service.

(b) Any agreement entered into between a board of education and a professional employees' organization prior to July 1, 2015, shall continue beyond such date if the express terms of such agreement provide for a date upon which the agreement terminates or expires that is on or after July 1, 2015. In no event shall any such agreement be extended beyond any such termination date provided therein, nor shall any such agreement be renewed or otherwise continue to be in effect beyond any such termination date."

Also on page 4, in line 34, after "means" by inserting "the minimum amount of";

On page 5, following line 25, by inserting:

"Sec. 4. K.S.A. 72-5429 is hereby amended to read as follows: 72-5429. All of the costs incurred for mediation under K.S.A. 72-5427 ~~and for fact-finding under K.S.A. 72-5428,~~ and amendments thereto, shall be borne equally by the board of education and the professional employees' organization involved therein. The payment of such costs shall be at such time and in such manner as is determined by the secretary.

Sec. 5. K.S.A. 72-5430 is hereby amended to read as follows: 72-5430. (a) The commission of any prohibited practice, as defined in this section, among other actions, shall constitute evidence of bad faith in professional negotiation.

(b) It shall be a prohibited practice for a board of education or its designated representative willfully to:

(1) Interfere with, restrain or coerce professional employees in the exercise of rights granted in K.S.A. 72-5414, and amendments thereto;

(2) dominate, interfere or assist in the formation, existence, or administration of any professional employees' organization;

(3) discriminate in regard to hiring or any term or condition of employment to encourage or discourage membership in any professional employees' organization;

(4) discharge or discriminate against any professional employee because such professional employee has filed any affidavit, petition or complaint or given any information or testimony under this act, or because such professional employee has formed, joined or chosen to be represented by any professional employees' organization;

(5) refuse to negotiate in good faith with representatives of recognized professional employees' organizations as required in K.S.A. 72-5423, and amendments thereto;

(6) deny the rights accompanying recognition of a professional employees' organization which

are granted in K.S.A. 72-5415, and amendments thereto;

(7) refuse to participate in good faith in the mediation as provided in K.S.A. 72-5427 ~~or fact-finding efforts as provided in K.S.A. 72-5428~~, and amendments thereto, or arbitration pursuant to an agreement entered into pursuant to K.S.A. 72-5424, and amendments thereto; or

(8) institute or attempt to institute a lockout.

(c) It shall be a prohibited practice for professional employees or professional employees' organizations or their designated representatives willfully to:

(1) Interfere with, restrain or coerce professional employees in the exercise of rights granted in K.S.A. 72-5414, and amendments thereto;

(2) interfere with, restrain or coerce a board of education with respect to rights or duties which are reserved thereto under K.S.A. 72-5423, and amendments thereto, or with respect to selecting a representative for the purpose of professional negotiation or the adjustment of grievances;

(3) refuse to negotiate in good faith with the board of education or its designated representatives as required in K.S.A. 72-5423, and amendments thereto;

(4) refuse to participate in good faith in the mediation as provided in K.S.A. 72-5427 ~~or fact-finding efforts as provided in K.S.A. 72-5428~~, and amendments thereto, or arbitration pursuant to an agreement entered into pursuant to K.S.A. 72-5424, and amendments thereto; or

(5) authorize, instigate, aid or engage in a strike or in picketing of any facility under the jurisdiction and control of the board of education.";

Also on page 5, in line 26, after the first "K.S.A." by inserting "72-5422,"; also in line 26, after "72-5423" by inserting ", 72-5428, 72-5429 and 72-5430";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the first "K.S.A." by inserting "72-5422,"; also in line 2,

after "72-5423" by inserting ", 72-5429 and 72-5430"; in line 3, after "sections" by inserting "; also repealing K.S.A. 72-5428"

Senator \_\_\_\_\_