

1 AMENDMENT TO SENATE BILL 73

2 AMENDMENT NO. _____. Amend Senate Bill 73 on page 1, by
3 replacing lines 22 through 24 with the following:

4 "State agency" or "agency" means executive offices,
5 departments, divisions, bureaus, authorities, bodies
6 corporate and public of the State, boards, commissions, or
7 other offices or officers in the executive branch of State
8 government."; and

9 on page 2, by replacing line 7 with the following:

10 "person or the person's employer as a result of reporting a
11 violation of this Act, including the cancellation"; and

12 on page 2, by replacing lines 15 through 17 with the
13 following:

14 "Person" means an individual, corporation, partnership,
15 firm, organization or association acting individually or as a
16 group, institution, federal, State, or local governmental
17 entity, or any other public or private entity."; and

18 on page 2, by replacing line 24 with the following:

19 "in part, by regular employees of an agency. Any agreement
20 entered into prior to the effective date of this Act,
21 including any agreement resulting from a rebidding or
22 previously privatized service or an agreement renewing or

1 extending a privatization contract shall not be considered a
2 privatization contract under this Act."; and

3 on page 2, by replacing line 30 with the following:

4 "Public record" means a public record as defined in"; and

5 on page 3, by replacing line 3 with the following:

6 "method but excluding those documents that would be
7 considered as exemptions under the Freedom of Information Act
8 which include trade secrets, bid proposals, formulae, and
9 designs."; and

10 on page 3, by replacing line 28 with the following:

11 ", without identifying employee names, for each similar or
12 comparable position in which a bidder will employ any person
13 pursuant to the privatization contract and for which the
14 duties are substantially similar to the duties performed by a
15 regular agency employee or employees. In addition, the"; and

16 on page 4, by replacing lines 30 through 34 with the
17 following:

18 "employee whose duties are most similar is paid plus
19 provision of comparable health insurance and pension
20 contributions equivalent to the benefit paid by the
21 agency for those employees or the cash value of the
22 benefit; or

23 (2) the private sector compensation rate, or
24 prevailing rate, including the value of health insurance
25 and other benefits, for that position"; and

26 on page 5, by replacing lines 23 and 24 with the following:

27 "failure to disclose as required by either the Freedom of
28 Information Act or this Act."; and

29 on page 5, by replacing line 33 with the following:

30 "employee benefit costs. Upon completion of the cost
31 estimate, the State agency shall notify any employee

1 organization representing agency employees who may be
2 affected and provide a copy of the written estimate and
3 notification of consideration to enter into a privatization
4 contract. For the purposes of this estimate, any employee
5 organization may propose amendments to any relevant
6 collective bargaining agreement to which it is a party. An
7 employee organization must submit amendments for
8 consideration within 35 working days prior to the final day
9 for the agency to receive sealed bids."; and

10 on page 6, by deleting lines 1 through 4; and

11 on page 6, line 5, by deleting "reduce the cost estimate."
12 and

13 on page 7, by replacing line 24 with the following:

14 "disclosures and certification requirements required by this
15 Act. A bidder who does not satisfy the disclosure and
16 certification requirements of this Section shall not be
17 awarded a privatization contract under this Act."