

HJR 37 -- RIGHT TO VOTE BY SECRET BALLOT

SPONSOR: Cunningham

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Workforce Development and Workplace Safety by a vote 7 of 5.

Upon voter approval, this proposed constitutional amendment guarantees the right to vote by secret ballot for all public offices, initiatives and referendums, and any authorizations or designations regarding employee representation.

FISCAL NOTE: No impact on state funds in FY 2010, FY 2011, and FY 2012.

PROPOSERS: Supporters say that the right to vote by secret ballot is the cornerstone of American democracy. States have the right to constitutionally address any matter not addressed in the United States Constitution. Every worker should have the right to join or leave a union and should not be coerced by the employer or a union representative.

Testifying for the bill were Representatives Cunningham and Wilson (130); Missouri Retailers Association; Missouri Grocers' Association; Glenn Schwarts, KNS Wire Products; National Federation of Independent Business; Associated Builders and Contractors, Heart of America Chapter; Missouri Chamber of Commerce and Industry; Dan Shaul; Missouri Restaurant Association; Independent Electric Contractors Association of Greater St. Louis; Associated Industries of Missouri; Gina Loudon; and Concerned Women for America of Missouri.

OPPOSERS: Those who oppose the bill say that the bill, if approved, would be preempted by the Federal National Labor Relations Act. The Employee Free Choice Act, currently being considered by Congress, does not eliminate the secret ballot election process for choosing union representation. The bill is an attempt to fix what is not broken.

Testifying against the bill were Missouri AFL-CIO; United Steelworkers District 11; Jim Kabell, Missouri - Kansas Conference of Teamsters; Carpenters' District Council of Greater St. Louis; Carpenters' District Council of Kansas City; Clark Brown, Missouri/Kansas State Council, Service Employees' International Union; Missouri Federation of Teachers and School Related Personnel; Missouri State Labor Utility Conference; and Missouri National Education Association.