

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 3

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LANT.

0583H.011

D. ADAM CRUMBLISS, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article XIII of the Constitution of Missouri, by adopting one new section relating to public employee earnings.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2016, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article I of the Constitution of the state of Missouri:

Section A. Article XIII, Constitution of Missouri, is amended by adding one new section, to be known as section 4, to read as follows:

Section 4. 1. No sum shall be withheld from the earnings of any public employee for the purpose of paying any portion of dues, agency shop fees, or any other fees paid by public employee members of a public labor organization, public employees who are nonmembers except upon the annual written authorization of the public employee member, or the public employees who are nonmembers.

2. No public labor organization shall use or obtain any portion of dues, agency shop fees, or any other fees paid by public employee members of the labor organization, or public employees who are nonmembers to make contributions or expenditures as defined by law, except on the written authorization of such member or nonmember received within the previous twelve months.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11 **3. Individuals who do not authorize contributions or expenditures under subsection**
12 **2 of this section shall not have their dues, agency shop fees, or other fees increased in lieu**
13 **of contributions or expenditures.**

14 **4. The requirements of this section shall not be waived by the member or non**
15 **member, and waiver of the requirements shall not be made a condition of employment or**
16 **continued employment.**

17 **5. Signing or refraining from signing the authorizations referred to in subsections**
18 **1 and 2 of this section shall not be made a condition of employment or continued**
19 **employment.**

20 **6. This section shall not apply to first responders or any labor organization that**
21 **represents such an individual.**

22 **7. For the purposes of this section, the following terms shall mean:**

23 **(1) “Agency shop”, an arrangement that requires an employee, as a condition of**
24 **continued employment, either to join the recognized employee organization or to pay the**
25 **organization a service fee;**

26 **(2) “First responder”, any person trained and authorized by law or rule to render**
27 **emergency medical assistance or treatment which shall include, but not be limited to,**
28 **emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters,**
29 **ambulance attendants and attendant drivers, emergency medical technicians, mobile**
30 **emergency medical technicians, emergency medical technician-paramedics, registered**
31 **nurses, and physicians;**

32 **(3) “Public labor organization”, any organization which exists and is constituted for**
33 **the purpose, in whole or in part, of collective bargaining or dealing with public employers**
34 **concerning grievances, terms, conditions of employment, or other mutual aid or protection.**

Section B. Pursuant to chapter 116, RSMo, and other applicable constitutional provisions
2 and laws of this state allowing the general assembly to adopt ballot language for the submission
3 of this referendum to the voters of this state, the official summary statement of this referendum
4 shall be as follows:

5 “Shall Missouri statutes be amended to, excepting first responders, prohibit public labor
6 organizations from withholding sums from the earnings of public employee members and
7 nonmembers for the payment of dues or fees without consent, or use dues or fees paid by such
8 members and nonmembers for political contributions or expenditures without consent?”.

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