

**2009 DRAFTING REQUEST**

**Assembly Joint Resolution**

Received: **02/12/2009**

Received By: **smiller**

Wanted: **As time permits**

Identical to LRB:

For: **Leah Vukmir (608) 266-9180**

By/Representing: **dean cady**

This file may be shown to any legislator: **NO**

Drafter: **smiller**

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Vukmir@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Worker's right to vote by secret ballot

---

**Instructions:**

see S.Carolina H-3305 (2009)

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller 02/24/2009	kfollett 02/28/2009		_____			
/1	smiller 05/19/2009	kfollett 05/19/2009	rschluet 03/02/2009	_____	sbasford 03/02/2009	cduerst 03/25/2009	
/2			jfrantze 05/19/2009	_____	sbasford 05/19/2009	sbasford 05/19/2009	

FE Sent For:

**<END>**

**2009 DRAFTING REQUEST**

**Assembly Joint Resolution**

Received: **02/12/2009**

Received By: **smiller**

Wanted: **As time permits**

Identical to LRB:

For: **Leah Vukmir (608) 266-9180**

By/Representing: **dean cady**

This file may be shown to any legislator: **NO**

Drafter: **smiller**

May Contact:

Adl. Drafters:

Subject: **Constitutional Amendments**

Extra Copies:

KSF  
JLD

Submit via email: **YES**

Requester's email: **Rep.Vukmir@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Worker's right to vote by secret ballot

---

**Instructions:**

see S.Carolina H-3305 (2009)

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller 02/24/2009	kfollett 02/28/2009		_____			
/1			rschluet 03/02/2009	_____	sbasford 03/02/2009	cduerst 03/25/2009	

FE Sent For:

  
<END>

**2009 DRAFTING REQUEST**

**Assembly Joint Resolution**

Received: **02/12/2009**

Received By: **smiller**

Wanted: **As time permits**

Identical to LRB:

For: **Leah Vukmir (608) 266-9180**

By/Representing: **dean cady**

This file may be shown to any legislator: **NO**

Drafter: **smiller**

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Vukmir@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Worker's right to vote by secret ballot

---

**Instructions:**

see S.Carolina H-3305 (2009)

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller 02/24/2009	kfollett 02/28/2009		_____			
/1			rschluet 03/02/2009	_____	sbasford 03/02/2009		

FE Sent For:

**<END>**

**2009 DRAFTING REQUEST**

**Assembly Joint Resolution**

Received: **02/12/2009**

Received By: **smiller**

Wanted: **As time permits**

Identical to LRB:

For: **Leah Vukmir (608) 266-9180**

By/Representing: **dean cady**

This file may be shown to any legislator: **NO**

Drafter: **smiller**

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Vukmir@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

worker's right to vote by secret ballot

---

**Instructions:**

see S.Carolina H-3305 (2009)

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	smiller	1/15/09 2/28					
----	---------	-----------------	---	--	--	--	--

FE Sent For:

<END>

**Miller, Steve**

---

**From:** Cady, Dean  
**Sent:** Thursday, February 12, 2009 3:54 PM  
**To:** Miller, Steve  
**Subject:** Constitutional Amendment draft

09-2114

Hi Steve, this is deano from Representative Vukmir's office. Leah asked me to see if she could have a constitutional amendment drafted that will protect an individual worker's right to vote by secret ballot. The following is sample legislation that could be used (here's a link that might be helpful too [http://www.scstatehouse.gov/cgi-bin/query.exe?first=DOC&querytext=3305&category=Legislation&session=118&conid=4358552&result\\_pos=0&keyval=1183305](http://www.scstatehouse.gov/cgi-bin/query.exe?first=DOC&querytext=3305&category=Legislation&session=118&conid=4358552&result_pos=0&keyval=1183305)) :

To preserve and protect the fundamental right of individuals to vote by secret ballot, where local, state, or federal law requires elections for public office or ballot measures, or requires designations or authorizations for employee representation, the right of individuals to vote by secret ballot is guaranteed.

Actually, whatever language works Steve is fine. :) Let me know if you have any questions, Thankx a mil.  
deano

H 3305

**H 3305Next** Joint Resolution, By Bedingfield, Merrill, Bingham, Duncan, Loftis, G.R. Smith, Cato, Owens, Crawford, A.D. Young, Nanney, Bannister, Daning, Harrison, Horne, Kirsh, Lowe, Lucas, E.H. Pitts, Stringer, Thompson, Toole, Wylie, T.R. Young, Long, Rice, Parker, Allison, Littlejohn, Cole, Hiott, Edge, Whitmire, Hearn, Hardwick, D.C. Smith, Pinson, J.R. Smith, Simrill, Brantley, Willis, Hamilton, Erickson, Sottile, Scott, Harrell, Delleney and Gullick

Similar(S 316)

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO ELECTIONS BY SECRET BALLOT AND PROTECTION OF THE RIGHT OF SUFFRAGE, SO AS TO PROVIDE THAT THE GUARANTEE OF THE RIGHT TO VOTE BY SECRET BALLOT APPLIES IN REQUIRED DESIGNATIONS OR AUTHORIZATIONS FOR EMPLOYEE REPRESENTATION.

- 01/15/09 House Introduced and read first time HJ-440
- 01/15/09 House Referred to Committee on Judiciary HJ-440
- 01/27/09 House Member(s) request name added as sponsor: T.R.Young
- 01/28/09 House Member(s) request name added as sponsor: Long
- 02/10/09 House Member(s) request name added as sponsor: Rice, Parker, Allison, Littlejohn, Cole, Hiott, Edge, Whitmire, Hearn, Hardwick
- 02/10/09 House Member(s) request name removed as sponsor: McLeod
- 02/10/09 House Member(s) request name added as sponsor: D.C.Smith, Pinson, J.R.Smith, Simrill, Brantley, Willis, Hamilton, Erickson, Sottile, Scott
- 02/11/09 House Member(s) request name added as sponsor: Harrell, Delleney, Gullick

---

**VERSIONS OF THIS BILL**

1/15/2009

---

**H. Previous3305**

**A JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO ELECTIONS BY SECRET BALLOT AND PROTECTION OF THE RIGHT OF SUFFRAGE, SO AS TO PROVIDE THAT THE GUARANTEE OF THE RIGHT TO VOTE BY SECRET BALLOT APPLIES IN REQUIRED DESIGNATIONS OR AUTHORIZATIONS FOR EMPLOYEE REPRESENTATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. It is proposed that Section SECTION 1, Article II of the Constitution of this State be

amended to read:

"Section 1. All elections by the people shall be by secret ballot, but the ballots shall not be counted in secret. The right of suffrage, as regulated in this Constitution, shall be protected by laws regulating elections and prohibiting, under adequate penalties, all undue influence from power, bribery, tumult, or improper conduct. To preserve and protect the fundamental right of individuals to vote by secret ballot, where local, state, or federal law requires elections for public office or ballot measures, or requires designations or authorizations for employee representation, the right of individuals to vote by secret ballot is guaranteed."

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 1, Article II of the Constitution of this State be amended so as to provide that the guarantee of the right to vote by secret ballot applies in required designations or authorizations for employee representation?"

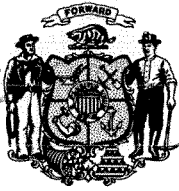
Yes

No

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

---XX---





*Handwritten initials*

# 2009 ASSEMBLY JOINT RESOLUTION

*UPS  
Fix  
request  
sheet  
please*

*m 2-24*

*Gen*

1 **Relating to:** secret ballot for employee representation elections.

*insert  
anal: filler  
by MB*

## EXPLANATION OF PROPOSAL

This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, requires that elections for designation or authorization of employee representation in collective bargaining shall be by secret ballot. *two*

X A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

2 **Resolved by the assembly, the senate concurring, That:**

3 **SECTION 1.** Section <sup>14</sup>~~13~~ of article XIII of the constitution is created to read:

4 [Article XIII] Section <sup>14</sup>~~13~~. When elections for designation or authorization for  
5 employee representation in collective bargaining are required by law, the election  
6 shall be by secret ballot.

7 **SECTION 2. Numbering of new provision.** The new section <sup>14</sup>~~13~~ of article XIII  
8 of the constitution created in this joint resolution shall be designated by the next  
9 higher open whole subsection number in that section in that article if, before the  
10 ratification by the people of the amendment proposed in this joint resolution, any

1 other ratified amendment has created a section 13 of article XIII of the constitution  
2 of this state. If one or more joint resolutions create a section 13 of article XIII  
3 simultaneously with the ratification by the people of the amendment proposed in this  
4 joint resolution, the subsections created shall be numbered and placed in a sequence  
5 so that the subsections created by the joint resolution having the lowest enrolled joint  
6 resolution number have the numbers designated in that joint resolution and the  
7 subsections created by the other joint resolutions have numbers that are in the same  
8 ascending order as are the numbers of the enrolled joint resolutions creating the  
9 subsections.

10 ***Be it further resolved, That*** this proposed amendment be referred to the  
11 legislature to be chosen at the next general election and that it be published for 3  
12 months previous to the time of holding such election.

13 (END)

**Duerst, Christina**

---

**From:** Vukmir, Leah  
**Sent:** Wednesday, March 25, 2009 11:40 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-2114/1 Topic: Worker's right to vote by secret ballot

Please Jacket LRB 09-2114/1 for the ASSEMBLY.

RMNR

1/2

# 2009 ASSEMBLY JOINT RESOLUTION

(first consideration)

1

**To create** section 14 of article XIII of the constitution; **relating to:** secret ballot for employee representation elections.

2

## EXPLANATION OF PROPOSAL

This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, requires that elections for designation or authorization of employee representation in collective bargaining shall be by secret ballot.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

3

**Resolved by the assembly, the senate concurring, That:**

4

**SECTION 1.** Section 14 of article XIII of the constitution is created to read:

5

[Article XIII] Section 14. When elections for designation or authorization for

6

employee representation in collective bargaining are required by law, the election

7

shall be by secret ballot.

8

**SECTION 2. Numbering of new provision.** The new section 14 of article XIII

9

of the constitution created in this joint resolution shall be designated by the next

10

higher open whole subsection number in that section in that article if, before the

1 ratification by the people of the amendment proposed in this joint resolution, any  
2 other ratified amendment has created a section 14 of article XIII of the constitution  
3 of this state. If one or more joint resolutions create a section 14 of article XIII  
4 simultaneously with the ratification by the people of the amendment proposed in this  
5 joint resolution, the subsections created shall be numbered and placed in a sequence  
6 so that the subsections created by the joint resolution having the lowest enrolled joint  
7 resolution number have the numbers designated in that joint resolution and the  
8 subsections created by the other joint resolutions have numbers that are in the same  
9 ascending order as are the numbers of the enrolled joint resolutions creating the  
10 subsections.

11 ***Be it further resolved, That*** this proposed amendment be referred to the  
12 legislature to be chosen at the next general election and that it be published for 3  
13 months previous to the time of holding such election.

14 (END)