

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 1714

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DATE	D-PG	OFFICIAL STATUS
02/08/2012	3761	Introduction and first reading Referred to Jobs and Economic Growth

A bill for an act
proposing an amendment to the Minnesota Constitution, article I, by adding a
section; establishing a freedom of employment.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **CONSTITUTIONAL AMENDMENT PROPOSED.**

An amendment to the Minnesota Constitution is proposed to the people. If the
amendment is adopted, a section shall be added to article I, to read:

Sec. 18. No person shall be required as a condition of obtaining or continuing
public sector or private sector employment to: (1) resign or refrain from membership
in, voluntary affiliation with, or voluntary financial support of a labor organization; (2)
become or remain a member of a labor organization; (3) pay any dues, fees, assessments,
or other charges of any kind or amount, or provide anything else of value, to a labor
organization; or (4) pay to any charity or other third party an amount equivalent to,
or a portion of, dues, fees, assessments, or other charges required of members of a
labor organization. An agreement, contract, understanding, or practice between a labor
organization and an employer that takes force or is extended or renewed after adoption of
this section and that violates this section is unlawful and unenforceable. A person who
suffers an injury or a threatened injury under this section may bring a civil action for
damages, injunctive relief, or both. In addition, a court shall award a prevailing plaintiff
costs and reasonable attorney fees. As used in this section, "labor organization" means any
agency, union, employee representation committee, or organization of any kind that exists
for the purpose, in whole or in part, of dealing with employers concerning wages, rates
of pay, hours of work, other conditions of employment, or other forms of compensation.
If any part of this section is found to be in conflict with the United States Constitution

2.1 or federal law, the section shall be implemented to the maximum extent that the United
2.2 States Constitution and federal law permit. Any provision held invalid or inoperative is
2.3 severable from the remaining portions of this section.

2.4 **Sec. 2. SUBMISSION TO VOTERS.**

2.5 The proposed amendment must be submitted to the people at the 2012 general
2.6 election. The question submitted must be:

2.7 "Shall the Minnesota Constitution be amended to guarantee all citizens the
2.8 individual freedom to decide to join or not join a labor union, and to pay or not pay dues to
2.9 a labor union?

2.10 Yes

2.11 No"