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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3333

05/19/2023

Authored by Berg

The bill was read for the first time and referred to the Committee on Labor and Industry Finance and Policy

1.1 A bill for an act  
1.2 relating to collective bargaining; proposing an amendment to the Minnesota  
1.3 Constitution.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. CONSTITUTIONAL AMENDMENT PROPOSED.

1.6 An amendment to the Minnesota Constitution is proposed to the people. If the amendment  
1.7 is adopted, article IV shall be added to read:

1.8 ARTICLE IV

1.9 COLLECTIVE BARGAINING RIGHTS

1.10 Section 1. The people shall have the rights to organize together to form, join, or assist  
1.11 labor organizations, and to bargain collectively with a public or private employer through  
1.12 an exclusive representative of the employees' choosing, to the fullest extent not preempted  
1.13 by the laws of the United States.

1.14 Sec. 2. As used in section 1, to bargain collectively is to perform the mutual obligation  
1.15 of the employer and the exclusive representative of the employees to negotiate in good faith  
1.16 regarding wages, hours, and other terms and conditions of employment, and to execute and  
1.17 comply with any agreement reached, but this obligation does not compel either party to  
1.18 agree to a proposal or make a concession.

1.19 Sec. 3. No existing or future law of the state or its political subdivisions shall abridge,  
1.20 impair, or limit the foregoing rights, provided that the state may prohibit or restrict strikes  
1.21 by employees of the state and its political subdivisions. The legislature's exercise of its

2.1 power to enact laws relative to the hours and conditions of employment shall not abridge,  
 2.2 impair, or limit the right to collectively bargain for wages, hours, and other terms and  
 2.3 conditions of employment that exceed minimum levels established by the legislature.

2.4 Sec. 4. No existing or future law of the state or its political subdivisions shall impair,  
 2.5 restrict, or limit the negotiation and enforcement of any collectively bargained agreement  
 2.6 with a public or private employer respecting financial support by employees of their collective  
 2.7 bargaining representative according to the terms of that agreement.

2.8 Sec. 5. For purposes of this article, "employee" means a person who works for any  
 2.9 employer for compensation, and "employer" means a person or entity employing one or  
 2.10 more employees.

2.11 Sec. 6. This article and each part thereof shall be self-executing. If any part of this article  
 2.12 is found to be in conflict with or preempted by the United States Constitution or federal  
 2.13 law, such part shall be severable from the remainder of this section, and such part and the  
 2.14 remainder of this article shall be effective to the fullest extent that the United States  
 2.15 Constitution and federal law permit.

2.16 Sec. 2. **SUBMISSION TO VOTERS.**

2.17 The proposed amendment must be submitted to the people at the 2024 general election.  
 2.18 The question submitted must be:

2.19 "Shall the Minnesota Constitution be amended to:

2.20 (1) grant public and private employees the constitutional right to organize and bargain  
 2.21 collectively through labor unions;

2.22 (2) invalidate existing or future state or local laws that limit the ability to join unions  
 2.23 and bargain collectively, and to negotiate and enforce collective bargaining agreements,  
 2.24 including employees' financial support of their labor unions; and

2.25 (3) override state laws that regulate hours and conditions of employment to the extent  
 2.26 that those laws conflict with collective bargaining agreements?

2.27 Yes .....  
 2.28 No ..... "