

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

992Z0393

## SENATE CONCURRENT RESOLUTION NO. 2

Introduced by: Senators Bolin, Cammack, Haverly, Klumb, Kolbeck, Langer, Nelson, Netherton, Otten (Ernie), Partridge, Peters, Solano, Stalzer, Tidemann, and Wiik and Representatives Jensen (Kevin), Campbell, Clark, Dennert, DiSanto, Goodwin, Latterell, Marty, Peterson (Sue), Pischke, Schoenfish, Tulson, and Willadsen

1 A CONCURRENT RESOLUTION, Endorsing the right to work provisions in the South Dakota  
2 Constitution and in the Labor Management Relations Act that prohibit forced union  
3 membership.

4 WHEREAS, in 1947, the Congress of the United States, in a bipartisan manner, passed the  
5 Labor Management Relations Act (LMRA) over the veto of President Harry Truman; and

6 WHEREAS, one of the most noteworthy portions of the LMRA, Section 14b, allows states  
7 to pass laws and measures prohibiting workers from being fired if they would refuse to join a  
8 union or pay union dues; and

9 WHEREAS, in the 1940's, the Legislature approved and sent to the voters an amendment  
10 to the South Dakota Constitution establishing a prohibition against forced union membership  
11 in the state, and the voters of the state passed the amendment by more than a 2:1 margin; and

12 WHEREAS, twenty-four other states have adopted measures similar or identical to those  
13 approved by the voters of South Dakota on this subject; and



1       WHEREAS, the South Dakota Municipal League lists the endorsement and retention of the  
2 existing state constitutional right to work provision as the first of its core beliefs; and

3       WHEREAS, in the last ten years, the legislatures in the states of Wisconsin and Indiana have  
4 enacted measures similar to those adopted by the South Dakota voters more than sixty years  
5 ago:

6       NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Ninety-Third Legislature  
7 of the State of South Dakota, the House of Representatives concurring therein, that the South  
8 Dakota Legislature endorses Article VI, Section II of the South Dakota Constitution and the  
9 LMRA, better known as the Taft-Hartley Act, and the freedom of association it does provide.