

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 800
Committee Substitute Favorable 6/7/11

Short Title: Preserving the Right to Secret Ballot.

(Public)

Sponsors:

Referred to:

April 7, 2011

1 A BILL TO BE ENTITLED
2 AN ACT PROPOSING AN AMENDMENT TO THE NORTH CAROLINA
3 CONSTITUTION SO AS TO GUARANTEE THE RIGHT OF AN INDIVIDUAL TO
4 VOTE BY SECRET BALLOT FOR A DESIGNATION, A SELECTION, OR AN
5 AUTHORIZATION FOR EMPLOYEE REPRESENTATION BY A LABOR
6 ORGANIZATION.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Article I of the North Carolina Constitution is amended by adding a
9 new section to read:

10 **"Sec. 38. Secret ballot on employee representation by a labor organization.**

11 The fundamental right of an individual to vote by secret ballot is guaranteed for a
12 designation, a selection, or an authorization for employee representation by a labor
13 organization."

14 **SECTION 2.** The amendment set out in Section 1 of this act shall be submitted to
15 the qualified voters of the State at the general election in November 2012, which election shall
16 be conducted under the laws then governing elections in the State. Ballots, voting systems, or
17 both may be used in accordance with Chapter 163 of the General Statutes. The question to be
18 used in the voting systems and ballots shall be:

19 "[] FOR [] AGAINST

20 A constitutional amendment providing that the fundamental right of an individual to
21 vote by secret ballot is guaranteed for a designation, a selection, or an authorization for
22 employee representation by a labor organization."

23 **SECTION 3.** If a majority of votes cast on the question are in favor of the
24 amendment set out in Section 1 of this act, the State Board of Elections shall certify the
25 amendment to the Secretary of State. The amendment becomes effective upon certification.
26 The Secretary of State shall enroll the amendments so certified among the permanent records of
27 that office.

28 **SECTION 4.** This act is effective when it becomes law.

