RESOLUTION TO SUPPORT STATE EFFORTS TO PROTECT SECRET BALLOT ELECTIONS

Summary
ALEC supports the efforts of states to guarantee the right of individuals to vote by a private, secret ballot in elections for public office or ballot measures and in designations or authorizations for employee representation.

Model Resolution

WHEREAS, the right to private, secret-ballot elections is a cornerstone of American democracy;

WHEREAS, private, secret-ballot elections are the most fair, reliable, and democratic expression of the decision of a group of people, unaffected by improper outside pressure;

WHEREAS, use of the secret ballot is currently required under provisions of state and federal laws;

WHEREAS, ALEC has already passed a resolution opposing the Employee Free Choice Act, which would eliminate the requirement of private, secret-ballot elections to determine workplace representation;

WHEREAS, ALEC believes that even if federal law changes, states have the right to protect their citizens.

WHEREAS, the U.S. Supreme Court has ruled the National Labor Relations Act preempts state laws unless those laws serve a significant state interest in ways that are not unduly burdensome to the federal regulatory scheme;

WHEREAS, the Court has recognized voting by secret ballot and free association as important interests; and,

NOW, THEREFORE BE IT RESOLVED, that the American Legislative Exchange Council supports democracy at the polls and in the workplace by maintaining the right of every person and worker to privately decide issues of public office, ballot measures, and workplace representation by use of a secret ballot; and

BE IT FURTHER RESOLVED that ALEC supports efforts to enshrine the right to vote by private, secret ballot elections in state constitutions and state law.