



GOVERNOR OF MISSOURI

JEFFERSON CITY  
65102

JEREMIAH W. (JAY) NIXON  
GOVERNOR

P.O. Box 720  
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June 25, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 29 entitled:

AN ACT

To amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

I disapprove of Senate Substitute for Senate Committee Substitute for Senate Bill No. 29. My reasons for disapproval are as follows:

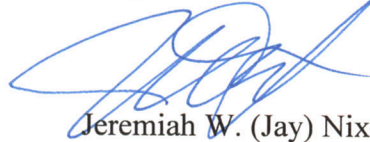
Senate Substitute for Senate Committee Substitute for Senate Bill No. 29 would prohibit public employers from deducting union dues or fees unless an employee provides – on an annual basis – a written authorization for the deduction of a specific amount on a form prescribed by the bill. The legislation also would require public employees to complete a separate written authorization – again on an annual basis – if they want to allow the dues they pay to be used for political purposes. The bill targets a single group of employees and imposes on them an unnecessary and cumbersome process.

There are a number of items that employees may elect to have withheld from their paychecks, including money for college savings accounts, deferred compensation, and 401(k) plans. And, under current law, state employees may elect to have their union dues withheld. Section 33.103 RSMo. In each of these instances, the withholdings are based on one-time authorizations that the employee clearly has the authority to revoke at any time. Employees are not required to take additional steps to cause such withholdings to continue in subsequent years. But under this bill, public employees who are members of unions would be required to complete two separate written authorizations each year. Singling out union dues for these extra processes serves no beneficial purpose. Rather, the bill places unnecessary burdens on public employees for the purpose of weakening labor organizations. I therefore disapprove of Senate Substitute for Senate Committee Substitute for Senate Bill No. 29.

Senate Substitute for Senate Committee Substitute for Senate Bill No. 29 also exempts first responders from its requirements regarding authorizations for deduction and use of union dues. It has been held that such an exemption provides disparate treatment to similarly situated people without a compelling government interest, in violation of the Equal Protection Clause of the United States Constitution. (*See Bailey v. Callaghan*, 873 F.Supp.2d 879, 885-886 (E.D. Mich. 2012)).

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Committee Substitute for Senate Bill No. 29 without my approval.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jeremiah W. Nixon", written over a faint, illegible printed name.

Jeremiah W. (Jay) Nixon  
Governor