

# THE WALL STREET JOURNAL

## A Reverse Wisconsin

*In Michigan, unions try to enshrine union power in the constitution.*

### REVIEW & OUTLOOK

The latest evidence of Big Labor's dismay over its declining national clout is playing out in Michigan, where a measure headed for the ballot in November would entrench monopoly union power in the state constitution. The amendment would reduce the ability of Michigan lawmakers to change labor laws and end-run efforts to give workers a choice about whether to join a union.

The proposed amendment text would make the "rights" to organize and bargain collectively a constitutional guarantee, and any state law that would "abridge, impair or limit" collective bargaining would be repealed. Last Monday, the Michigan court of appeals ruled that the measure could appear on the ballot, and the state Supreme Court heard arguments on the case Thursday.

In a filing to challenge the ballot measure, Michigan Governor Rick Snyder and Attorney General Bill Schuette say the huge impact of the law can't possibly be captured in the 100 words of a ballot measure. It is misleading, Mr. Schuette wrote, for unions to "propose an innocuous-sounding constitutional amendment that has the secret effect of wholesale changes in Michigan law."

The problem is that the amendment language is so broad that the courts could interpret any union-related measure as a violation. It explicitly refers to all current and future laws. In 1997, for instance, Michigan moved new state employees to a defined-contribution pension from a defined-benefit plan. If the amendment passes, unions will challenge the new plan as unconstitutional

and it could be invalidated at a cost of hundreds of millions of dollars a year.

Also in jeopardy would be so-called 80-20 laws that require state government employees to contribute 20% of their health-care premiums. Ditto the Michigan law signed by Mr. Snyder in March ending the government's role in automatically deducting union dues from worker paychecks. The same would go for past and future reforms to the Michigan public schools, laws on teacher merit pay and charter schools, right-to-work laws and more.

The unions know that the amendment could also undermine their favorite current legislation, including binding arbitration laws for public-safety employees and laws on the living wage. But they'll take that risk if they can shield union power from future taxpayer and legislative scrutiny.

The ballot measure is being pushed by a Who's Who of national unions, including the Teamsters, United Auto Workers and the American Federation of Teachers. Collective bargaining is already legal in Michigan, but the union goal is to block reforms of the kind that passed last year in Wisconsin. Taxpayers would be put at a permanent political disadvantage, regardless of future economic conditions.

A recent Detroit News poll found the measure with 55% voter support and 36% opposed, and other states are sure to see similar efforts if it passes in the Wolverine State. If the Michigan Supreme Court doesn't stop this power grab, the voters will have to.