

Amendment No. 5, in favor of deletion. A vote No is a vote against Amendment No. 5, against deletion.

Cast your votes.

Has every delegate voted? Delegate Boileau.

DELEGATE BOILEAU: Mr. President, please record me as voting No.

THE PRESIDENT: Delegate Boileau votes No. Has every other delegate voted? Does any other delegate desire to change his vote?

The Clerk will record the vote.

There being 69 votes in the affirmative, and 69 in the negative, the motion is lost. Amendment No. 5 is rejected.

You now have before you section 1.17 open to amendment. Amendment GG has been distributed. It will be Amendment No. 14.

Delegate Adkins.

DELEGATE ADKINS: A parliamentary inquiry.

THE PRESIDENT: State the inquiry.

DELEGATE ADKINS: I understand by the vote just taken that section 1.17 was just deleted. Am I correct in that statement?

THE PRESIDENT: No, sir. The effect of the tie vote was to reject the amendment and leaves before you section 1.17 subject to amendment.

DELEGATE ADKINS: Then I do wish to offer amendment GG.

THE PRESIDENT: This will be Amendment No. 14. The Clerk will read the amendment.

READING CLERK: Amendment No. 14 to Committee Recommendations R&P-1 and R&P-2 as amended by S&D-9 by Delegate Adkins. On page 4, section 1.17, Collective Bargaining, in line 40 after the word "bargain" add the words "individually or".

THE PRESIDENT: The amendment is offered by Delegate Adkins.

Is there a second?

*(The motion was duly seconded.)*

The amendment is seconded by Delegate Cardin.

The Chair recognizes Delegate Adkins to speak to the amendment.

DELEGATE ADKINS: Mr. President and ladies and gentlemen, the substance of this amendment is quite simple in its language implications. It simply would insert the word "individual" in section 1.17 in order to make constitutionally clear the right of an employee to bargain on his own behalf, as well as his right to select a collective bargaining unit other than himself.

I think there is no great reason to debate the matter at considerable length, except to say that I think the amendment is one that practically every delegate would at least subscribe to in theory, and I would hope that after consideration they would realize if the Constitutional Convention sees fit to make this a constitutional right that at least they will protect the right of the individual to conduct his own affairs should he elect to do so.

That, I think, is the sole substance of this amendment, and I would urge the Convention to adopt it.

THE PRESIDENT: Delegate Sickles.

DELEGATE SICKLES: Mr. President, I rise in opposition to the amendment, and I do it reluctantly, not as far as the substance of the amendment is concerned, but because I had hoped that as a result of a lot of work by many of us in the past few days we had come to some language which clearly showed that we were talking about a concept of collective bargaining with a minimum guarantee in the constitution, but that we were allowing the legislature broad latitude. I subscribe to everything that Delegate Scanlan has said with respect to the limitations of the language that we currently have in this section, but I think that the mischief of this amendment, and I really question whether the sponsor intends the mischief, but the mischief is that as it reads, the basic concept of collective bargaining has implications far beyond what those of us who have had some experience in this field can really imagine, because what we are talking about really is not an individual right. The reason we want the right to bargain collectively is because we want to respect and understand that there is this class right, and the problem over the years has been that individual bargaining has been a device which has been very, very divisive.

There was a time in our history when the employers required individual employees who were about to work for them to sign contracts which said that they would not form labor organizations; that they would not try to bargain collectively. These