

1 THE CHAIRMAN: The Chair recognizes Delegate
2 Schneider.

3 DELEGATE SCHNEIDER: Mr. Chairman, generally
4 there is no good reason for putting provision in the
5 Constitution that says the General Assembly may do something
6 unless its omission would infer they may not do it. That
7 I do not think would be the case here.

8 However, we do have certain qualifications on
9 the right of the General Assembly and on the militia
10 once it is established. I think we can argue and agree
11 that they will establish the militia in the legislature.
12 There are certain rights involved here such as right of
13 not being tried by court martial unless you are in actual
14 service of the militia at the time the offense occurred
15 among others.

16 I think for the reason of putting these quali-
17 fications in the Constitution and not put them in just
18 with the Declaration of Rights saying if the General
19 Assembly does establish a militia, we should have these
20 rights, I think they fit better in a general section on
21 militia. I am in favor of the section as it has been