

1 amended at this time and opposed to amendment No. 10 and
2 ready to tackle 5 through 9 when we get to them.

3 THE CHAIRMAN: Any further discussion? The
4 Chair recognizes Delegate Scanlan.

5 DELEGATE SCANLAN: I have a question of the
6 sponsor of the amendment. Is it your intention by the
7 amendment to leave it to the legislature to determine
8 the circumstance under which the Governor may call out
9 the militia or is it your intention to leave with the
10 Governor the right to call out the militia when in his
11 judgment in the exercise of the executive power it is
12 necessary or is it your intention to leave it in a
13 combination, the legislature designating certain occasions
14 and the executive having inherent right to call them out
15 on other occasions, and if so, what are those occasions.

16 THE CHAIRMAN: Delegate Fox.

17 DELEGATE FOX: I believe that the legislature
18 would pass the necessary enabling act so we would have
19 a state militia and in that act I think they would set up
20 the conditions under which and by whom it could be called
21 out -- I believe it should be left to the legislature.