

says there "to repel invasions, suppress insurrections, and enforce the execution of the laws." This is a pretty broad blanket coverage, to "enforce the execution of laws, and provide assistance."

DELEGATE WEIDEMEYER: That would give four categories of power.

DELEGATE BOYER: Yes, sir.

DELEGATE WEIDEMEYER: That is what I wanted to clear up and find out.

DELEGATE BOYER: Thank you.

THE CHAIRMAN: Delegate Carson is recognized for the purpose of asking questions.

DELEGATE CARSON: Delegate Boyer, was the sentence "The military authority of the State shall be and remain subject to civil control in the person of the Governor at all times" meant to preclude the federal government from federalizing the guard at any time.

DELEGATE BOYER: In my humble opinion, this would not preclude the federal government from federalizing the guard. I think the federal law would be paramount in dealing with this and in times of emergency when the federal government decided or declared the Maryland national guard was necessary, it would certainly have the right to supersede and override any conflict there might be. I do not think there is a conflict because it is not our intention to handcuff the federal government.

THE CHAIRMAN: The Chair recognizes Delegate Johnson for the purpose of asking a question.

DELEGATE JOHNSON: Mr. Chairman, I believe that Delegate Weidemeyer asked the question that I was about to ask. Without suggesting an amendment, perhaps I could find out from the Chairman of the General Provisions Committee whether or not by inserting the word "other" on line 14 and making the phrase read, "such other times," that represents the sense of the Committee.

DELEGATE BOYER: I think it would be appropriate to say that this did represent the sense of the Committee.

DELEGATE JOHNSON: I just wanted to understand it, thank you.

THE CHAIRMAN: The Chair recognizes Delegate Bennett for the purpose of asking a question.

DELEGATE BENNETT: Mr. Chairman, did you take into account the situation which arose in California during the Watts riot when the governor was out of the country and they were unable to mobilize the national guard on that occasion?

DELEGATE BOYER: Yes, sir, we considered not specifically the Watts problem but the general area of your discussion. We made a recommendation that we would limit civil control in the person of the governor and not specifically enumerate the chain of command if he were disabled or out of the country or unavailable for any reason whatsoever, on the assumption and provision that this language of succession of command would be included by the Committee on the Executive Branch.

THE CHAIRMAN: Are there any further questions of the Chairman of the Committee on General Provisions for clarification? Delegate Groh.

DELEGATE GROH: Mr. Boyer, I again return to lines 17 and 18. Did the Committee find any conflict with the situation where the President of the United States might, if desirable, take command of the militia or might federalize the militia?

DELEGATE BOYER: We could find no conflict. I do not in fact recall that it was even mentioned in the Committee. I do not think that any of the witnesses intended or that it was our intention to run eyeball to eyeball or muzzle to muzzle with the federal government in conflict on this. We felt federal law would certainly supersede anything if there was a conflict.

THE CHAIRMAN: Are there any further questions of the Chairman of the Committee on General Provisions for the purpose of clarification? If not, thank you, Delegate Boyer.

DELEGATE BOYER: Thank you, Mr. President. We will perhaps have another phase of this, the minority report.

THE CHAIRMAN: Yes, we will now proceed to the next step which is the general debate. I mention to you again that this is not the time for offering or debating amendments. It is a time for general debate on the entire section, as, for instance, whether you think such a section is or is not necessary. The Chair recognizes Delegate Boyer. Do you wish to continue in general debate?

DELEGATE BOYER: Mr. President, I think that in line with the Committee recommendation that everyone has available,