

THE CHAIRMAN: The Chair has a printed copy or typewritten copy of the amendment. The Clerk will read Amendment No. 3.

READING CLERK: Amendment No. 3 to Committee Recommendation GP-1, by Delegate Bamberger. In lines 17 and 18 on page 1 of Committee Recommendation GP-1, strike out the words "in the person of the governor".

THE CHAIRMAN: The question arises on Amendment No. 3 to Committee Recommendation GP-1 moved by Delegate Chabot. Is there a second?

DELEGATE BAMBERGER: Mr. Chairman.

THE CHAIRMAN: Do you rise to second?

DELEGATE BAMBERGER: No. Mr. Chairman.

THE CHAIRMAN: For what purpose does the delegate rise?

DELEGATE BAMBERGER: Mr. Chairman, I rise to correct the record. Delegate Chabot intended to offer an amendment. However, the amendment read by the Clerk is Amendment No. 3, which I intend to offer, but have not yet offered.

THE CHAIRMAN: Sorry. Delegate Chabot, inasmuch as it has been read, would you yield to Delegate Bamberger to submit?

DELEGATE CHABOT: I yield.

THE CHAIRMAN: Amendment No. 3. Delegate Bamberger, do you move Amendment No. 3?

DELEGATE BAMBERGER: I move the adoption of Amendment No. 3 to Committee Recommendation GP-1 which has been read by the Clerk.

THE CHAIRMAN: Is there a second?

*(The motion was duly seconded.)*

THE CHAIRMAN: The Chair recognizes Delegate Bamberger for purposes of debate on the amendment.

DELEGATE BAMBERGER: The purpose of the amendment is to delete from lines 17 and 18 the phrase "in the person of the governor." It is already perfectly clear from the first or the second sentence of the committee recommendation that the governor is the chief officer, the commander-in-chief of the military.

I offer the amendment because it appears to me that the vesting exclusive control over the military in the governor contradicts what I understand is the intention of the Committee, that the General Assembly shall retain the power which it now has to prescribe for the militia, to establish the organization of the militia, to establish the rank and number of officers of the militia, and to set the appropriation for the militia.

I see no reason why civil control must be vested exclusively in the person of the governor. That, simply stated, is the purpose of the amendment.

THE CHAIRMAN: Is there any further discussion? Are you ready for the question? Delegate Boyer.

DELEGATE BOYER: I wonder if the maker of the motion would yield to a question?

THE CHAIRMAN: Delegate Bamberger, do you yield?

DELEGATE BAMBERGER: Yes, Mr. Chairman.

DELEGATE BOYER: If the amendment is adopted, as I understand it, the sentence would then read "The military authority of the state shall be and remain subject to civil control at all times." My question would be, sir, if this were true, would not there be some confusion as to who or what or when was civil control and would not civil control be left up in the nebulous limbo of scrambling for it? Who might have the civil control?

DELEGATE BAMBERGER: My answer is that the first sentence empowers the General Assembly to provide for the militia. In making that provision they would establish such means of civil control as they thought necessary.

THE CHAIRMAN: Is there any further discussion? Delegate Wheatley.

DELEGATE WHEATLEY: Mr. Chairman, I would like to speak in opposition to the amendment at this time.

THE CHAIRMAN: You may proceed.

DELEGATE WHEATLEY: It seems quite clear that one of the intentions of re-drafting a constitution is to delineate powers. One of the frequently heard cries is that we should give the executive of this state greater powers.

One of the responsibilities that I understand the executive of this state to have