

DELEGATE BAMBERGER: Amendments are being distributed on the desk which have not yet been offered. For instance, I had prepared an Amendment No. 4. I had it prepared in the eventuality that I would want to offer it. I have not offered it.

THE CHAIRMAN: I was just recognizing you for that purpose. Do you desire to offer it?

DELEGATE BAMBERGER: No, sir.

THE CHAIRMAN: Delegate Bamberger, the Chair has another amendment which bears the number 5 by you. Do you desire to offer it?

DELEGATE BAMBERGER: Yes, Mr. Chairman, I offer it.

THE CHAIRMAN: The Chair recognizes Delegate Bamberger. Will you please mark this as Amendment No. 4. The Clerk will read the amendment.

READING CLERK: Amendment No. 4 to Committee Recommendation GP-1, by Delegate Bamberger. In line 14 of page 1 of Committee Recommendation GP-1, strike out the words "at such time," and in line 15, strike out the words "may occur" and insert in lieu thereof the words "is imminent".

THE CHAIRMAN: Is there a second?

*(The motion was duly seconded.)*

THE CHAIRMAN: The Chair recognizes Delegate Bamberger for the purpose of speaking to Amendment No. 4.

DELEGATE BAMBERGER: Mr. Chairman, the purpose of the amendment is to clear up the ambiguity pointed out by Delegate Henderson with respect to the words "at such time," to make it clear that they do not refer back to the antecedent paragraph. Its second purpose is to make more definite that future calamitous events may occur and the governor should be empowered to order the militia to active duty. The words now in the draft or in the committee recommendations are too indefinite. I suggest that the substitution of the words "is imminent" makes it more definite, and somewhat more restrictive of when the governor may exercise power to take such drastic action as to order the militia to active duty.

DELEGATE JAMES: Point of inquiry.

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: Would the sponsor of the amendment accept a request for a division of the question?

DELEGATE BAMBERGER: Yes.

THE CHAIRMAN: All right, the amendment will be divided and we will take separately the portion embraced in lines 1, 2, and 3, and the portion embraced in lines 5 and 6. We will consider first the portions embraced in lines 1, 2, and 3. Delegate Wheatley, do you desire the floor with respect to that portion of the amendment?

DELEGATE WHEATLEY: Will the sponsor of the amendment yield for a question as to the first section of the amendment as presented?

DELEGATE BAMBERGER: I would if I knew what was expected of me.

DELEGATE WHEATLEY: I am wondering what the effect would be if the first part of the amendment were passed and the second part defeated. Would the proponent of the amendment care to speak?

DELEGATE BAMBERGER: I think they are clearly divisible and they have been divided.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: In that case, Mr. President, I would like to speak in opposition to this amendment.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: The Committee spent great time and delved into this matter very deeply. Perhaps the history of this fourth aspect would best clear up the matter under discussion.

The proposal as presently stated would indicate four categories, the first being external causes, "to repel invasion"; the second, "to suppress insurrection", to be interpreted as those attempts to overthrow the government from an internal source; the third portion to be a more general provision, that of the traditional role of the executive "to enforce the execution of the laws" of the State; and the fourth to provide for those situations not specifically enumerated in the preceding three, "at such times" being to designate national disasters and in some instances perhaps man-made disasters.

It would seem to me that a comma after the word "laws" would accomplish the purpose intended by the maker of the motion if his intention is to divide the four into