

DELEGATE WEIDEMEYER: It has not been circulated, as far as I know.

THE CHAIRMAN: Just a second, Delegate Weidemeyer. The amendment is now being circulated. Please mark it Amendment No. 7. The Clerk will read the amendment.

READING CLERK: Amendment No. 7 to Committee Recommendation GP-1, by Delegate Scanlan and Weidemeyer. In line 13 on page 1 of Committee Recommendation GP-1, after the word "laws", insert a comma.

THE CHAIRMAN: Is there a second?

*(The motion was duly seconded.)*

THE CHAIRMAN: Delegate Weidemeyer, you may speak to the amendment.

DELEGATE WEIDEMEYER: Mr. President, and members of the Convention, this is one of the longer amendments that has been introduced today, just inserting a comma on line 13 after the word "laws." We feel that by the insertion of the comma it will clarify the meaning and comply with the intention of the Committee that there be no doubt about there being four categories of power.

THE CHAIRMAN: Is there any further discussion?

*(There was no response.)*

Are you ready for the question?

*(Call for the question.)*

The question arises on the adoption of amendment No. 7 to insert a comma after the word "laws" in line 13 on page 1 of Committee Recommendation GP-1. A vote Aye is a vote in favor of Amendment No. 7. A vote No is a vote against.

All those in favor, signify by saying Aye; contrary, No. The Ayes seem to have it. The Ayes have it. The motion is carried and the amendment is adopted.

Are there any further amendments? The Chair recognizes Delegate Marion.

DELEGATE MARION: I rise, Mr. Chairman, to offer Amendment No. 8, which is presently designated Amendment No. 8.

THE CHAIRMAN: Just a second. The amendment is now being distributed. The Clerk will read the amendment. Will the Committee of the Whole please come to order.

READING CLERK: Amendment No. 8 to Committee Recommendation GP-1, by Delegate Marion: on page 1 of Committee Recommendation GP-1, strike out the last sentence and add "A member of the militia may be subject to trial by a military court in this state only for offenses committed while the member is in actual service."

THE CHAIRMAN: Is there a second?

*(The motion was duly seconded.)*

THE CHAIRMAN: The Chair recognizes Delegate Marion to speak to the amendment.

DELEGATE MARION: Mr. Chairman, the purpose of the amendment is to clarify what seems to me either an ambiguity in the last sentence of the Committee's recommendation or a misinterpretation which could well be put on the language of that sentence. Its purpose is to indicate that "when in actual service" refers not to the time when the member may be tried but to the offenses for which he may be tried.

As I understood the Chairman of the Committee in answer to a question earlier, it was this which he indicated the Committee had in mind when it reported out Recommendation GP-1.

THE CHAIRMAN: Is there any further discussion? The Chair recognizes Delegate Ritter.

DELEGATE RITTER: I would like to ask a question of the maker of the amendment. In your opinion, do you feel this would cover any offense committed while the man was in training?

THE CHAIRMAN: Would you repeat the question?

DELEGATE RITTER: Would it cover any offense during the time a man is in training, say the night the national guard meets?

DELEGATE MARION: It incorporates only the language which the Committee recommends, which is when in actual service. I confess I am somewhat at a loss to explain what that means either in the Committee Recommendation or here. There was some discussion whether it should be "active duty" in the last line. My purpose is just to restructure the sentence so that it provided for the time of the commission of the offense rather than the time of the trial.

THE CHAIRMAN: Delegate Weidemeyer.