

DELEGATE STORM: I have an un-numbered amendment.

THE CHAIRMAN: Just a second. We will see if we can get it for you. Chief Page.

DELEGATE STORM: This is an extremely modified Fox amendment, you might say, a modified Marion amendment.

THE CHAIRMAN: Just a second, Delegate Storm. Is the amendment written, Delegate Storm?

DELEGATE STORM: Yes, but I will wait until it is more widely distributed.

THE CHAIRMAN: This will be Amendment No. 9. Please mark your copy as Amendment No. 9 by Delegate Storm. The Clerk will read the amendment.

READING CLERK: Amendment No. 9 to Committee Recommendation GP-1, by Delegate Storm: In line 10 on page 1 of Committee Recommendation No. GP-1, after the word "Chief", insert a period and strike out the remainder of the sentence.

THE CHAIRMAN: Is there a second?

*(The motion was duly seconded.)*

THE CHAIRMAN: The amendment is seconded. The Chair recognizes Delegate Storm to speak to the amendment.

DELEGATE STORM: Thank you, Mr. Chairman. This approaches the problem which Delegate Marion previously had recognized and simply eliminates the trouble we would have had over providing that the commander-in-chief shall appoint all the officers. It appears to me that the uncertainty over whether we meant commissioned or noncommissioned officers, or just how far down it was meant to go might cause difficulty. This amendment would simply allow the legislature to provide for the details.

In other words, the governor would be commander-in-chief, and would still have all other powers outlined in the rest of the section, and the only other question would be on the appointment of officers. I suppose the legislature would say that commissioned officers: colonels, captains and lieutenants, would be appointed by the governor and noncommissioned officers could be chosen by the commissioned officers and so on. These details, it seems to me, could be worked out by the General Assembly better than this Convention.

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

DELEGATE WHEATLEY: Point of parliamentary inquiry, Mr. Chairman.

THE CHAIRMAN: You may proceed.

DELEGATE WHEATLEY: Is it the ruling of the Chair that this matter has been dealt with in another amendment or does he rule this is a different amendment?

THE CHAIRMAN: The Chair would rule this is not the same amendment. It is related but not the same amendment and is therefore proper.

DELEGATE WHEATLEY: In that case, I would like to speak against the amendment.

THE CHAIRMAN: You may proceed.

DELEGATE WHEATLEY: For the same reasons previously stated, I think it is incumbent upon us not to be vague. When it comes to the important matter of who shall appoint the officers of the militia, I think it is the prerogative of the commander-in-chief to exercise authority and leadership. By striking out these words, we are really abdicating our responsibility to determine the person responsible for appointing officers. I suggest for the reasons earlier stated that the governor should be responsible for the appointment and, therefore, I urge the defeat of the amendment.

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

DELEGATE WEIDEMEYER: I also rise in opposition to the amendment. While it is not the same amendment because it is not by the same sponsor, it looks like a good attempt to give two bites at the same apple. We withdrew the apple previously on the proposal or amendment by Delegate Fox which would have accomplished the same purpose that is accomplished by this amendment. I think we determined the matter. I am, therefore, opposed to this second attempt.

THE CHAIRMAN: Is there any further debate? Delegate Storm.

DELEGATE STORM: A question of Mr. Wheatley or Mr. Weidemeyer. Under the original proposal, how far down the ladder would the governor go? Would he appoint warrant officers, staff sergeants, sergeants, private first class, second class?

DELEGATE WHEATLEY: My interpretation is exactly the word officers as it would be defined by law. I would go all the way down to the lowest officer, whatever that might be. My understanding is that