

United States, as well as such regulations issued thereunder, shall be in force and regarded as part of this article until said forces shall be duly relieved from such duty. As to offenses committed when such articles of war are in force, courts-martial shall possess, in addition to the jurisdiction and power of sentence and punishment therein vested to them, all additional jurisdiction and power of sentence and punishment exercisable by like courts under such articles of war or the regulations and laws governing the Army of the United States, or the customs and usages thereof; but no punishment under such rules and articles, which shall extend to the taking of life, shall in any case be inflicted, except in time of actual war, invasion or insurrection, and then only after the approval by the Governor of the sentence inflicting such punishment. Imprisonment other than in guardhouse shall be executed in jails or prisons designated by the Governor for the purpose.]

4.

Every member of the UNORGANIZED militia ordered out, or who volunteers, who does not appear at the time and place designated by his commanding officer [or the sheriff aforesaid within twenty-four hours from such time, or who does not produce a sworn certificate of physical disability, to so appear, from a physician in good standing, shall be taken to be a deserter and dealt with as prescribed in the articles of war, Army of the United States] SHALL BE SUBJECT TO COURT-MARTIAL UNDER THIS ARTICLE.

5.

(A) The militia of this State shall be divided into two classes: The organized militia and the unorganized militia.

(B) The organized militia of the State shall consist of [officers appointed and commissioned by the Governor, and of such able-bodied citizens of the State, and such able-bodied persons of foreign birth as have declared their intentions to become citizens of the State, resident therein, as shall be regularly enlisted therein, including the National Guard, the Maryland Defense Force and the reserve militia (Minute Men)] THE MARYLAND ARMY NATIONAL GUARD, THE MARYLAND AIR NATIONAL GUARD, THE INACTIVE NATIONAL GUARD, AND THE MARYLAND DEFENSE FORCE. A military office for which no salary is provided in the budget shall not be considered an office of profit.

(C) The unorganized militia shall consist of all those liable to serve but not regularly enlisted OR COMMISSIONED IN THE ORGANIZED MILITIA.

7.

[The several sections of this article that are applicable to the naval militia organized under § 3-303 of the State Government Article shall have the same force and effect as if the term naval militia had been specifically designated in any or all of such sections.]

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE ADJUTANT GENERAL MAY APPOINT:

(1) AN EXECUTIVE OFFICER;