

DELEGATE SCANLAN: Yes, sir.

THE CHAIRMAN: Delegate Gleason.

DELEGATE GLEASON: Do I understand that the question before us is for reconsideration, and if we vote to reconsider, then the amendment that has been distributed will be voted upon?

DELEGATE SCANLAN: Why, certainly.

THE CHAIRMAN: Delegate Gleason.

DELEGATE GLEASON: The other question I have is as this amendment is now written, would this be stretched enough to cover race track operation within the State of Maryland?

THE CHAIRMAN: Delegate Scanlan.

DELEGATE SCANLAN: I gather from the definition of lottery that has grown up, that lottery would not include race track operations on the ground; that is a sport. There is skill involved and not pure chance. Let me say very frankly, Delegate Gleason, you know that I have the greatest reservation about any provision but it seems to me that at least the proposed amendment if the vote were reconsidered, would make it perfectly clear the only thing we are prohibiting is state operation or local operation of what is considered to be a lottery and hopefully horse racing is not a lottery.

THE CHAIRMAN: Delegate Henderson.

DELEGATE HENDERSON: Could I ask Delegate Scanlan if it is not true that the purpose of financing any expenses of the government would allow you to have a lottery for the State to build the Washington Monument or any other good work or evil work.

THE CHAIRMAN: Delegate Scanlan.

DELEGATE SCANLAN: I would think, Judge Henderson, building a monument or doing other good or evil works if authorized by the General Assembly would be regarded as an expense of government and the General Assembly could be called to act on that basis.

The purpose of the amendment would be to make clear the only thing we are prohibiting is the conduct of the lottery by the General Assembly or the political subdivision for the purpose of raising public funds.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Mr. Chairman, may I ask whether Delegate Scanlan

would consider revising this in view of what he has just now said to say that neither the General Assembly nor the governing body of any political subdivision of the State shall authorize or operate a lottery for any purpose.

THE CHAIRMAN: Delegate Bennett, the amendment is not before us. At the proper time, if it comes before us you could submit that question to Delegate Scanlan.

Delegate Bennett.

DELEGATE BENNETT: If the motion to reconsider prevails, that must be borne in mind.

THE CHAIRMAN: Very well.

Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Mr. Chairman, in fairness I think we should vote on the motion as it is now on the floor. This is the very first debate I have ever heard in my lifetime on the question of lottery. It has been an education to me and I am sure most of the delegates here. Most of us went into this vote without amendment in the belief that there were going to be amendments, so that if that be the case, it seems right and proper that we go ahead with the motion to reconsider. There has been a lot of law thrown out this afternoon that is awfully hard to comprehend.

THE CHAIRMAN: Delegate E. Churchill Murray.

DELEGATE E. C. MURRAY: I am not sure about the propriety. Yet we have been told what amendment will be applied if we reconsidered. We ought to have a clear understanding. What is your intention here? I gaze with some alarm at what appears to be the breadth of this amendment.

THE CHAIRMAN: Let the Chair state what he understood Delegate Scanlan to indicate the purpose of the amendment to be without trying to phrase it exactly and Delegate Scanlan can correct the Chair if he is wrong.

He would propose to offer the amendment which would forbid lotteries being conducted by or for a State or political subdivision, but would not include private lotteries which would leave it to the legislature to permit or forbid private lotteries, is that correct?

Delegate Scanlan.

DELEGATE SCANLAN: Yes.