

with payoffs or with daily doubles or with quinnella or with numbers operations or 50-50, raffles of clothes and turkeys and bingo and also grab prize machines and any number of other things that we in Maryland have not considered evil?

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: If you are asking me did the Committee consider all of those things, I must say that I cannot speak for what the rest of the Committee did but on some of those items, I know we talked about them. We resolved that what we were dealing with was the issue of lottery, not the other issues.

THE CHAIRMAN: Delegate Weidemeier.

DELEGATE WEIDEMEIER: I can understand where if a man goes to church and wants to get salvation without paying anything into the plate, he might get something for nothing. But I cannot understand the position of the Committee. Did your Committee also give consideration to the fact that if a referendum provision were such that the people could take a bill out on referendum and the people of Maryland did not want anything passed by the legislature, the referendum provisions were liberalized enough so that they could easily vote on it and determine that issue?

DELEGATE SHERBOW: Yes, we considered that because we had before us the referendum of 1938 where there was presented to the people of Maryland the question whether this provision should be taken out of the Constitution and the people voted 123,365 to 90,850 to let the restriction stay in.

THE CHAIRMAN: Delegate Weidemeier.

DELEGATE WEIDEMEIER: Delegate Sherbow, I notice you read from the Washington Post but did you read from the Washington Post on November 26, 1967?

DELEGATE SHERBOW: If I did, I do not recall.

DELEGATE WEIDEMEIER: Mr. Landau, Commissioner of the State Lottery of Israel, said Israel, a small state, made 13 million out of theirs and the only reason New Hampshire and New York were not making money out of it was they did not know how to run it.

(Laughter.)

DELEGATE SHERBOW: All I can say is on behalf of the little State of Israel,

that's not the only thing they think they know how to do. They have been right successful lately.

THE CHAIRMAN: Delegate Weidemeier.

DELEGATE WEIDEMEIER: Would you not consider them good businessmen?

(Laughter.)

DELEGATE SHERBOW: I would say this. That when it comes to preserving one's homeland, when it comes to preserving one's life from overwhelming odds, when everybody rises up to defend, they are without question completely successful.

Whether or not they are good or bad businessmen, the world will have to judge by reason of the fact that a large overwhelming portion of what they need for survival must come from outside that same little state.

DELEGATE WEIDEMEIER: We ought not overlook the fact when they are doing all these good things they have the business acumen to raise the money.

DELEGATE SHERBOW: I overlook nothing that I think will establish what I am hoping will be a good constitution.

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: Delegate Sherbow, I would like to pursue, if I might, your reply to Delegate Cardin. Can I assume from your answer that if you get a bonus ticket of some sort or other from a grocery store or gas station that is dependent upon your either buying something at the grocery store or gas from the gas station that that indeed is a lottery and would be banned by this language.

DELEGATE SHERBOW: I can only say to you that if what you get is not in the nature of a bonus, because I can offer you \$10 worth of merchandise and say if you buy \$11 worth, I will throw in two extra eggs, that is another story. However, if it depends on the wheels of chance operating and in order for you to participate in the results of the wheels of chance, you have to buy something or give up something of value, the answer is that that is a lottery.

THE CHAIRMAN: Delegate Koss, any further questions? Delegate Mosner.

DELEGATE MOSNER: Judge Sherbow, I want to make this statement for the record. I have been informed by one of the delegates that all information you gave us