

State is going to campaign on. It is an emotional issue, I am emotional about it, so is Delegate Kosakowski.

Let us leave it the way it is if you want to protect what you have done for the legislative and the executive and the judicial. If you want it all to go down the drain, just vote to take this provision out.

THE PRESIDENT: Does any other delegate desire to speak in opposition to the section?

Delegate Kahl.

DELEGATE KAHL: Mr. Chairman, may I move the previous question?

THE PRESIDENT: Delegate Sherbow.

DELEGATE SHERBOW: I know it is not debatable, but the question was put to me—

THE PRESIDENT: Delegate Kahl, would you withdraw your motion long enough to let Delegate Sherbow make a comment with respect to the question asked by Delegate Bamberger?

DELEGATE KAHL: Yes, I will.

DELEGATE SHERBOW: When the proposal came from the Committee, there was an outright ban on all lotteries. There was some discussion as to whether those churches, fire departments and others who were conducting these lotteries would be affected.

The chairman of the Committee on Finance and Taxation gave as his opinion that that type of bingo operation was not included in the definition of lottery. Thereafter, the proposal from our Committee was amended and thereafter it turned out that the Court of Appeal's decision showed that lottery did not include bingo.

As it stands now, this proposal does these things. Neither the State nor any unit of a local government shall operate or authorize a lottery for the purpose of financing any expense of government.

I have a great deal of respect for Mr. Miles, but I did not read Mr. Miles' statement as having the same meaning that Delegate Bamberger had. As I recall it, it was something along these lines that it would not stop the local subdivisions or the State from authorizing private lotteries.

Now if the local subdivisions or the State are going to allow churches to continue with bingo, they have already done it. They know now it is not included in

lottery. I could not conceive of local subdivisions since they could not raise the money for themselves authorizing somebody else to have a lottery for his own private benefit. I doubt if they would remain in office very long. If the state legislature cannot raise money by a lottery for some so-called educational purpose so that they would hope the burdens of what the costs of this constitution would be taken off the taxpayers and put on other people, I doubt that they would take that right and give it to some private organization. There at least the legislature would know and so would the subdivision legislatures know also that they could not give away the people's rights. I do not conceive it as having anything like the meaning that has been suggested with respect to the statement by Mr. Miles.

Mr. Chairman, I have been given the time solely to answer the question. May I, and I do not want to ask this except—

THE PRESIDENT: Delegate Sherbow, I think Delegate Kahl graciously withdrew her motion so you could answer the question. I do not think we should put her to the task of deciding that she yield further.

DELEGATE SHERBOW: I shall not. I yield as graciously and as hopefully as she has.

DELEGATE KAHL: I move the previous question.

THE PRESIDENT: The question arises on moving the previous question by which section 6.17 was not adopted. The vote now only is on reconsideration. If the motion carries, section 6.17 will again be before you. If it fails, it will not.

For what purpose does Delegate Smith rise?

DELEGATE M. SMITH: Point of order. The motion before us is a motion to order the previous question.

THE PRESIDENT: Thank you very much. The question before us is a motion to order the previous question. All those in favor signify by saying Aye; opposed, No. The Ayes have it. It is so ordered.

The question arises on the motion that 6.17 was not adopted. The motion is to reconsider. If the motion carries, then 6.17 will be before you. If it fails, then it will not be before you. A vote Aye is a vote in favor of reconsideration; a vote No is a vote against. Cast your vote.

*(Whereupon, a roll call vote was taken.)*