

distinction in regard to the question in debate. I believe by way of illustration that the State should not seek to legislate in the area of morality and therefore I would tend to feel that perhaps the motion we have just approved was not entirely to my liking.

On the other hand, I must say that I am very much concerned about the fact that the State itself should create an image that to me seems most contradictory. Whenever I get up to New York City and see the advertisements and the subway ads which say, "Buy New York State Lottery Tickets so we can support our educational purposes," I then recognize the anomalous situation of that advertisement and the contradictory role it plays in terms of education.

It seems to me that this kind of action on the part of the State itself cancels out the very functions and aims and goals which public education seeks, so from this point of view I see the amendment that might be offered if we reconsidered as one which serves the purposes of those who do not seek to legislate morality on one hand, but on the other hand do not desire to have the State itself enter into a contradictory role. These are the education and taxation roles.

THE CHAIRMAN: Delegate Burdette.

DELEGATE BURDETTE: I have a very brief statement, and a parliamentary inquiry, if I may.

THE CHAIRMAN: State the inquiry.

DELEGATE BURDETTE: The brief statement is that the debate this evening has caused me to change my pre-dinner position and take the view that our vote a few minutes ago was absolutely right.

The parliamentary inquiry is this: If this motion to reconsider should be adopted and if a subsequent motion should be defeated, would the Chair rule that it is possible in a parliamentary sense to return to the recently adopted recommendation of the committee?

THE CHAIRMAN: What is the subsequent motion. You said if a subsequent motion were defeated.

Delegate Burdette.

DELEGATE BURDETTE: I presume the subsequent motion after reconsideration is the motion which Delegate Scanlan has offered. If it is defeated would we be in a situation where there is nothing in the

Constitution, or would we be in a parliamentary situation where we could return to some other provision.

THE CHAIRMAN: Let the Chair make this statement hopefully to remove any further doubt, if there is any, as to what the situation is. Committee Recommendation SF-2 was adopted with the very explicit understanding that its meaning was to prohibit in and of itself without legislative implementation all lotteries in the State of Maryland whether conducted by governmental unit or by private persons or corporations and that the language would be so modified by the Committee on Style to make it abundantly clear that the provision in the constitution was a self-executing absolute prohibition against lotteries being conducted in the State of Maryland. That recommendation with that interpretation was approved. If the vote by which it was approved is reconsidered, the recommendation is still before the Committee of the Whole. There will be an amendment offered. If the amendment fails, the recommendation is still before the Committee of the Whole either subject to further amendment or subject to approval in its then form.

Are there any questions as to the parliamentary procedure.

The Chair recognizes Delegate Weidemeier.

DELEGATE WEIDEMEYER: Mr. President, and members of the Committee: I want to speak in favor of the motion to reconsider. I want it clearly understood that if the motion to reconsider is adopted that I shall vote against it, if Amendment C is offered, because I think that probably the State may at some time want to operate a lottery for legitimate purposes and probably if the State operated it properly that might be the best way to do it. However, I do not want to preclude the State from doing that as Amendment C would, but I would want the motion to reconsider carried so that we can further define what we mean by "lottery". There has been a lot bandied around here today as to a 50-50 raffle and, as I understood the Chairman of the Committee to say, a 50-50 raffle by a club would be considered a lottery. I want to read you something from the brief of Rufus King in the recent case on bingo and the Chairman said that bingo would not be included as lottery but Mr. Rufus King in writing his brief for the Court of Appeals said this on page 29 of his appellant brief. He says, "Only two courts in the United States, at least as far as coun-