

1 less that the question of the prohibition of the lot-
2 tery should be left to the General Assembly, and it is
3 for this reason therefore, that the Report recommends
4 that Article III, Section 36 be eliminated.

5 THE CHAIRMAN: Any questions.

6 MRS. FREEDLANDER: I want to ask Mr. Case a
7 question. Could a Governor in an emergency situation by
8 executive order permit a lottery?

9 MR. CASE: Well, I don't think that he could
10 now. Certainly not in the present stance of our Consti-
11 tution. If this is eliminated, I don't think I would --
12 I would doubt it very seriously.

13 THE CHAIRMAN: Mr. Haile?

14 MR. HAILE: I have a question arising out of
15 my ignorance, I suppose. Could a lottery bill or act be
16 framed so as to be a tax measure to meet the budget?

17 MR. CASE: Well, it could never be a tax
18 because an elephant can't be a giraffe, and a lottery
19 can't be a tax, but it can be a revenue-raising measure
20 because both an elephant and giraffe run through the
21 jungle and maybe they could go both on the same path.