

machines by these organizations. While the former Speaker of the House was a very skillful legislator and the Act did strike language expressly linking the awarding of prizes by gaming devices at carnivals, bazaars, or raffles, it can hardly be read to effect a substantive exception to the slot machine law. The context of §255 remained totally the same and contained other expressly linking language. The title reflected no substantive change except the addition of the two counties. Also of relevance is the fact that in 1969, House Bill 722 was reported favorably out of the Judiciary Committee to permit slots in fraternal lodge organizations and private clubs. The bill failed for want of a constitutional majority. A similar bill failed in 1973.

In my view, a fair reading of this legislative history (with the knowledge that in Maryland slot machine bills are not ordinary legislation) leads to the generally accepted conclusion that, except for antique slot machines and in other very limited circumstances, mere possession of slot machines is currently prohibited on both sides of the Chesapeake Bay. From a practical standpoint, effective enforcement on § 264B must be against distributors and transporters of illegal slot machines. Because Senate Bill 744 establishes a legal basis for possession of slot machines in Maryland, it makes enforcement of § 264B against distributors and other transporters extremely difficult. Distributors and transporters could always assert a defense that they are holding the machines for lawful purposes in this State. Rather than tightening Maryland's slot machine law, this bill creates a large loophole and seriously undermines its effectiveness.

As partly reflected in this veto message, governmental attitudes towards gambling have fluctuated over the last 5 decades. We have prohibited slot machines but established a State run lottery and permit betting at State licensed racetracks. Even with comprehensive and tight regulatory controls, the accessibility and extent to which gambling is to be legally permitted is a matter of degree and requires a balancing of interests with a subjective judgment as to the type of environment in which we wish to live and raise our children. While gambling is unquestionably a component of modern life, in excess it can become a compulsive disease with undesirable personal and societal results including the potential for corruption.

The allure of the instant payoff of the traditional one armed bandit is legendary and, because of adverse personal and societal effects, it is not an accident that it and similar mechanical devices operating solely on the basis of chance are illegal in Maryland and most other jurisdictions in the United States. My view is that the round-the-clock uncontrolled slot machine activity permitted under this legislation, is far more pervasive than that allowed at periodic carnivals, bazaars, bingo games, or at raffles (even if held on a daily basis as seemingly authorized under American Legion v. State, 294 Md. 1 (1982)). Aside from the substantial difficulties in law enforcement that