

March 25, 1974

SENATOR CHAMBERS: Senator Warner, would you be opposed to striking the new language on page 3, line 1 through 7. It tells when a person will be considered a candidate.

SENATOR WARNER: Well, Senator Chambers, I'd yield to I suppose if 25 members wanted to support that, I wouldn't object to it. I do feel that one of the problems that has existed all the time is that when do you start acknowledging the acceptance of contributions. As a matter of fact, I don't see where this makes a great deal of difference, if it didn't. Or at least if you eventually file, because the present law you have to show the money that you have on balance at the time you did file, and what the source of that money was, or is. And I'm not sure that that's all that significant. The only purpose again, is to require people, who, if they are accepting contributions even though they are not officially filed that they report them.

SENATOR CHAMBERS: Thank you, Senator Warner, here is my reason for being somewhat leery of this provision. You know where there equal time provisions where television stations are concerned. I'll give you a concrete example of what happened at this time. And I think that the ETV people were right. They are offering time for anybody that is going to be a candidate for Governor or Lt. Governor. But since I have not filed petitions yet, and don't have to be placed on the ballot until the general election. I am not considered a candidate for governor. Which I think is proper. But under a statute like this, the fact that I have declared that intention would compel them to give me equal time with anyother governor candidate, and anybody else that has declared that they were going to run, whether they ultimately filed or not. And the same with any other office in the state. Equal time provisions would be based upon who is a candidate according to the state law, if I understand it correctly. And based on terminology of this statute, all an individual would have to do is go to a public meeting, or meet any of the other requirements here. General statement, declaring an intention to become a candidate. That person by state law is a candidate. And every provision dealing with equal time would have to apply. This particular statute does not limit the number of offices a person can declar for. So if it was an individual like one gentleman in Omaha, filing for the County Board, saying that he filed only for the publicity because he has a business. He could declare his candidacy for every office, would not even have to go to the expense of paying a filing fee, or the trouble of filing. And once they began to allow candidates to speak he would have to be given equal time and his declared purpose would be to obtain publicity. Nevertheless, according to this statute he would be a candidate. The only thing for the news media would be to do then, the electronics media anyway, would be to deny time to anybody, unless it was paid for. I think this provision is not appropriate.

PRESIDENT: Senator Nore. The motion is just to return 877 to Select File. And strike the enacting clause.

SENATOR NORE: Mr. President, I'd like to ask Senator Warner a question, if he would yield.

PRESIDENT: Warner yield?