

March 25, 1974

this amendment, or to reject it. And I still say in spite of what Senator Fellman indicates, that a person's candidacy in the state is determined by the laws in that state, and not the federal government. And once television stations and radios begin to grant time, they are bound by certain federal regulations to extend that same opportunity to all recognized candidates, and candidates are determined by the laws of that state. Not by the federal government. There is nothing in federal go...law that establishes as how a person becomes governor in this state. But there would be a requirement at the federal level that the same requirement would apply to everybody who would seek that particular office. So what I'm trying to get you to understand this morning. Not that a person would not want to be considered a candidate and would accidentally be considered one by saying he or she might file, but the fact that people could deliberately say that they are candidates that they intend to file, and obtain the utilization of the airways on the equal time principals while in reality they have no intention to file. Once the filing occurs, that person has done everything to show an intent to be a candidate, and if he or she would subsequently change his mind or her mind then the penalty would be the forfeiture of the filing fee, if there be one. This is not a trifling amendment. And I think if some of the members...I've not talked to anybody from television or radio. This is something that I looked at and the way I understand provisions of law. I think what I'm saying is correct. But if some of you want to talk to the people from the television and the radio industry and ask them what they would think would happen, should a candidate be determined by a provisions of this statute, I think they would agree with what I'm saying, and not what Senator Fellman is saying. I'm not talking in this amendment about changing the \$1,000 limit or anything else. But simply doing away with this new definition of what a candidate is. Or a description of when a person becomes a candidate. I think the amendment is valid. I think it would assist the bill, and I ask you to return it for that specific amendment.

PRESIDENT: The motion is to return 877 to select file for specific amendment. As offered by Senator Carpenter. All those in favor of returning the bill, will vote aye, all those opposed will vote no. Senator Richendifer we are on Final Reading. The motion is to return the bill for specific amendment. Senator Chambers motion and amendment. Once again have you all voted? Clerk will record.

CLERK: 26 ayes, 15 nays.

PRESIDENT: Very good, the bill is returned. We will continue with Final Reading of LB897 at this time.

CLERK: Motion on the desk.

PRESIDENT: Motion on the desk..read the motion.

CLERK: Mr. President, I move to return LB897 to Select File for specific amendment. To restore the stricken language on page 8, and on page 11. (Signed) Senator Fowler.

PRESIDENT: Chair recognizes Senator Fowler for his motion on 897.