

SENATOR VICKERS: Not per se as just political advertising, but I think there have been some instances where there has been some influence placed on the system...

SENATOR HIGGINS: On what?

SENATOR VICKERS: ...to perhaps, on the television system, to perhaps carry some programs and I don't think that that is proper.

SENATOR HIGGINS: Okay, thank you. I don't want to burn up your time.

SPEAKER NICHOL: Senator Hoagland, then Senator Pirsch.

SENATOR HOAGLAND: I don't want to talk the bill to death and do intend to support its movement to Select File, but like Senator Warner and others who have spoken, there are some first amendment concerns that I have about the bill, too, and I think Senator Vickers, I know, will be more than happy to visit about these matters before it comes up again. I'm particularly concerned about the criminal prohibition against influencing directing or attempting to influence or direct program content for the purpose of personal gain or political benefit, direct or indirect. And the problem of course, is that that language is quite broad and could apply to lots and lots of kinds of conduct. It is made a misdemeanor in this situation. There could be...it's not too hard to envision a situation where a prosecutor, unfriendly to an elected official, could bring charges against him based on rather trivial conduct, based on a telephone call to ETV for instance, saying that I haven't been scheduled yet this year for your weekly call in show, why not? That would clearly accrue to someone's political benefit arguably that sort of exposure. So I think there is some overbreadth problems with that one sentence that have me concerned, but I'm sure that we can attempt to work those out and I don't want to take any more time, only to state that for the record. Thank you, Mr. Speaker.

SPEAKER NICHOL: Senator Pirsch, please.

SENATOR PIRSCH: My concerns are similar to Senator Hoagland's. Class I misdemeanor is the top misdemeanor with not more than one year imprisonment or \$1,000 fine; both and I have a real problem with the interpretation and the