

SENATOR DECAMP: Yes, Mr. President, I'd like to deal with a couple of the statements made because they are inaccurate. Senator Landis suggested that this was to regulate candidates, to regulate candidates and make sure the candidates don't say anything false. I would like to read you what the law is. The law says no person, including Lincoln Journal-Star editorial writers, and Omaha World-Herald or any other editorial writers shall write, print, publish, post or circulate, or cause to be written, so on and so forth, relating to any candidate or committee or any material fact relating to any ballot question. Now, if indeed the Lincoln newspaper is right that this gives you "a right to lie," then that right to lie apparently exists now for them because they have always contended they are not bound by this law, even though the law specifically says they are. So I guess my first action would be say that editorial is, itself, a lie. You do not have a right to lie as stated in their newspaper, and that statement, with all the lawyers they have, has to be known by them certainly to be a lie, and the first complaint that should be filed would be against the newspaper who wrote that editorial. Indeed I'll file it and we'll watch what will happen. Now, Senator Landis also brought up something else, New York Times v. Sullivan, and he made it very clear that New York Times v. Sullivan is pretty wide open, which it is, and that this attempts to make a much more restrictive standard than New York Times v. Sullivan. The reason I go through this and get it into the record is this is the proof of the pudding of the unconstitutionality. That is what the courts have said. You can't get more restrictive than New York Times v. Sullivan when it gets to political campaigns and debate. There is the one area where you have to allow the maximum freedoms, the maximum ability to debate and discuss, the maximum show of emotions, temper, whatever. Senator Landis says the very purpose of this is to squeeze down New York Times v. Sullivan with respect to political campaigns. So if ever somebody stood up and offered the proof of the unconstitutionality it was Senator Landis. I urge you not to strike the amendment, not to make the Accountability Commission a star chamber that will be used by one political party or another, whoever happens to dominate and be able to give the appointment of members over there, a star chamber that will decide who can or can't say what or when in whatever political debate and discussion. Because when it comes to the heavy issues, the seat belts, the 662's, the