

March 8, 1974

CLERK: Senator Warner, these last amendments, are they to the computer printout or to the bill?

SENATOR WARNER: To the computer. The printout request 2617, I wrote, I wrote it to that bill.

CLERK: That's right. Then they are in order at this time. The Warner amendment is as follows (read) Printed on page 1023 of Journal.

SENATOR MARESH: Mr. President, as the proposed amendment not stands it would prohibit in the case of a vacancy the office of Governor, a nominee for Governor, it prohibits the Lt. Governor from being named by the proper committee of the political party to that position. The amendment would strike that prohibition, the political party would still propose to nominee, but the ..for Governor, but the nominee for Lt. Governor would be eligible to be moved up to the spot and in that event, then the committee of the party would name additional person to the vacancy of Lt. Governor. The reason I offer the amendment, it seems to me a little foolish to prohibit the Lt. Governor from becoming the Governor's candidate, when the death or vacancy occurred after election. The same individual would be eligible for Governor. I move the adoption of the amendment.

PRESIDENT: Any other discussion on the Warner amendment to the Maresh amendment? If not, all those in favor signify by saying aye. Contrary no. The amendment has been adopted.

CLERK: O.K. Now Mr. President I have another amendment to the Maresh amendment. And that is to amend the Maresh amendment by striking sections 5 on page 4 (Signed) Senator Stull.

PRESIDENT: Senator Stull.

SENATOR STULL: Mr. President and members of the Legislature. This section 5, put into the bill the provision for a refund for a person filing for an office. And that would be any time prior to the election. Well, now I don't think that's quite right, because the fellow who filed for the office, he should have at least some intention of winning it. And he should stay in and until election or till after the election. Now, I think it would cause a lot of problems and I would just think it poor legislation, I talked to the Assistant Secretary of State, and they are not too anxious about having it in there. And so I move this amendment.

PRESIDENT: Senator Whitney. Do you want to talk on the amendment of Senator Stull's?

SENATOR WHITNEY: Yes, as I read Section 5, this is the white copy you are talking about. It says here in the event of death the spouse of the candidate may file the claim with the proper governing body, prior to the date of the election. On approval the claim by the proper governing the following fee shall be refunded. I feel that if somebody is running for the Legislature and he dies, and he can't be voted upon, that the spouse should have privilege of filing a claim and getting her or his money. So I'd have to object to striking the amendment. I think I would