

CLERK: Mr. President, Senator Preister would move to amend.  
(Read FA31 as found on page 696 of the Legislative Journal.)

SENATOR WILL: Senator Preister, to open on your amendment.

SENATOR PREISTER: Thank you, Honorable President, friends all, I offer this amendment. I also share the concern that Senator Chambers and Senator Hall have expressed for people being able to use their own personal time to do those things that they choose to do and should have a right to do as long as those are legal activities, and I'm not disputing that. Where I have a concern and where my amendment comes into play, if you have the bill in front of you, it is on page 2. The Pages are passing the amendment out at this time. I have some questions and concern about the use of nonprofit. It would strike on line 15, (a), and then on line 16, "nonprofit", and it would then apply to "an organization". And I do that because I believe that nonprofit is a designated organization and class that probably, although not defined here, has a definition that may include 501C3 and other definitions that would apply specifically and be filed with the Secretary of State. I think there are organizations that would be considered associations. Some of them might be university organizations. Some of them could be less affiliated and not have the financial wherewithal to actually file or choose not to file as an actual nonprofit corporation. Those organizations, as I read this, would not be able to...and I don't know if it would be a person who could be hired as a lobbyist to lobby for their cause or if it would be somebody who would be hired to do petitioning or other activities, but I think there should be room to have other organizations be able to be covered by the fact that they can choose who is going to be promoting or not promoting something that they feel very strongly about and that they think they should have someone who represents them adequately and appropriately by not modeling something that they are opposed to. And the reason that I struck the "with regard to any lawful product" is because it seems superfluous language to me as it reads, Sections 1 to 4 of this act do not apply, and if they do not apply, they just simply do not apply to an organization when the primary purpose of that or objective of such organization is to promote, control, limit or eliminate the use of such lawful product. So the purpose behind the first part was because I think there is a legitimate concern for organizations that might not actually be nonprofits and there may, although right now I'm not having any come to mind, there may also be some for-profit