

newspapers in the State of Nebraska but unacceptable to our good friends at the World-Herald so that they can just disregard it. Would Senator Warner tell me why then the Banner-Press could not charge more, or could they charge more for a legal notice in David City, just as does the World-Herald? I understand, of course, the difference in the circulations and all of that, but if there is a limit that the Banner-Press can charge, then how does one newspaper circumvent that limit?

SENATOR L. JOHNSON: Senator Warner.

SENATOR WARNER: Senator Schmit, the point I'm trying to raise, it appears to me that the authorization, by law, is a mandate of a maximum that government must pay. They could, obviously, pay less, and it is not a mandate to what a newspaper can charge. As a practical matter, it may come down that way because if they will not run it for that rate it will not be run at all in that newspaper. That is a practical thing. But I seriously doubt if you can mandate, by law, what a newspaper charges for things. But, in any event, this doesn't do it. What it basically does is authorizes what a governmental subdivision can pay, as I view it.

SENATOR SCHMIT: In other words it says that you may pay \$2 a line, you may do it for \$1.50, you may not do it for \$2.50, is that right?

SENATOR WARNER: Local government is not mandated, by law, to pay more than what is the limit set by statute. They could pay less.

SENATOR SCHMIT: Yes, but they cannot pay more, is that right?

SENATOR WARNER: Oh, no, I didn't say they couldn't.

SENATOR SCHMIT: You said they couldn't, or they could? If we passed this...

SENATOR WARNER: I said that I did not believe they could be compelled to pay more, it's optional if they want to pay more.

SENATOR SCHMIT: All right, then suppose that in many counties we have only one newspaper and suppose that in that county the newspaper says they will not print it for the legal rate. But there is a requirement for legal notices to be printed, then