## TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

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to weigh here. We have now become the jury. We are going to decide why it is that we're going to proceed down this path on one individual and not another. Both of them are wrong. flat-out are. I know Mr. Hergert. I don't know Mr. Miller. I don't. I don't even know I've ever met the man. Regardless. they are both wrong, and I have never defended either one of their actions. But the other interesting part about this is, is that there is this idea that the results of the election in the 7th District Board of Regents would have somehow changed. Or there is an insinuation that you can prove that those results would have changed if more money would have been given to the candidate who happened to be an incumbent. In the primary, the incumbent received 38.9 percent of the vote. The incumbent spent the allowed \$25,000, or near that, plus another...I believe it was somewhere around \$40,000, or an amount, in public So there was already money that was distributed because of other candidates in the race. And \$40,000 may not be the But I do know that there were other candidates in the race that, because of a result of their timely filings, those who agreed to abide received funding, so they had additional revenue on top of the \$25,000 that was given. That's the portion that Senator Beutler put into law, and that's the portion that worked in the primary. Even with that money, 61 percent of the people...

SENATOR CUDABACK: One minute.

SENATOR ERDMAN: ...voted for the challengers; 61 percent of the people voted for the challengers. I think it's hard to make that conclusion that with more money in a general election, one candidate would have won. Because you see, candidates aren't won based on the amount of money spent; it's based on what is said. And I listened to the same ads that Senator Schrock talked about, and they were from both sides. But again, we go back to the jury. The decision that we have to make as a Legislature is how we proceed. The election has been decided. It is not up to us to decide this election again. How do we proceed? Senator Friend has offered us an interesting proposal. I'm probably similar to where Senator Friend is. I believe there are severe limitations on what we think we can accomplish, based on the current constitutional law, as well as the case