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

April 12, 2006 LR 449

takes. The rich people, they don't have to abide by the laws; poor folks do. That's what this is about. A rich person can afford to break the campaign finance laws. Rich people can. I have a problem with that. Then there's the integrity of the election process. I'm concerned about integrity. Senator Chambers, no one has answered to my satisfaction if whether you break the law in obtaining that office, does that become then a part of holding office? No one has answered that for me. Would you answer that for me?

SENATOR CUDABACK: Is that a question, Senator Schrock?

SENATOR SCHROCK: Yes.

SENATOR CUDABACK: Senator Chambers.

SENATOR CHAMBERS: Senator Schrock, in a lengthy memo that I put together, my answer to that question is yes; that as soon as a person becomes a candidate there are statutes that equate the status of a candidate with that of an incumbent who is seeking reelection. Even when it comes to disclosure of criminal history, it says certain things will not be available to the public unless a person is an incumbent or an announced candidate. So the two are put on the same basis. And this issue has not been decided by the court yet, but things that a person who is an incumbent and running can be held accountable for what was done in a previous term. My belief is that once you become a candidate, everything that you do is subject to scrutiny by the court if you win election. That is a continuum. From the time you become a candidate until the time you enter and complete your term of office, that's my view.

SENATOR SCHROCK: My only other comment is, I will always wonder, till the day I die, what would the Supreme Court have said? And if we don't have 25 votes, we don't know. And if there's anybody in this body--they all think they know--if anybody who knows with any certainty, let me know. Thank you for your time.

SENATOR CUDABACK: Thank you, Senator Schrock. (Visitors introduced.) On with discussion of LR 449. Senator Louden,