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general election. In other words, he committed the same crime in the primary election he did in the...in the general election as he did in the primary election. So it's not as if he didn't know he hadn't done wrong in the primary. He not only did it in the primary, he did it in the general also. Notice was not given in the general election until ten days after the election. He accepted more than \$25,000 in campaign loans than the amount allowed by statute. In general, his campaign finance strategies involved violation of law and failure to timely disclose what he was spending, undetermined...I'm sorry, that undermined our fair election laws. Hergert's was no minor infraction. In violation of our campaign finance statutes, he created an unfair fight in the regents race to the tune of \$63,000, enough to reasonably conclude that his spending may have changed the outcome of the election. He did this after a similar type of violation and warning in the primary. And the warning was by Accountability and Disclosure. By declaring to spend \$25,000, but spending \$88,000, and not declaring his actual spending until it was too late, he not only violated the statutes in obtaining office, he trampled on the state's expectation of fair elections. This was bold, but not so bold as expecting that we will stand by and do nothing and allow him to retain benefit of his illegal activity. Hergert will say he paid his fine, it's over and done with, it was a plea bargain. The Accountability and Disclosure Commission could have chosen criminal prosecution, but the penalty for criminal offenses was no different than for civil offenses. His plea bargain amounts to an admission of the offenses. And whether civil or criminal, they are offenses of statute which amount to a misdemeanor in office, required for impeachment. If we do nothing as a result, this body violates an essential principle of the rule of law--no one may get something through breaking the law and then keep the ill-gotten gains after they've been caught. And I'm going to repeat that. No one may gain something by breaking the law and then keep the ill-gotten gains after they've been caught. This resolution creates a do-over for the tainted election. It is simple. There are two separate questions. The first is, at the bare minimum, given the bold facts, whether we resolve to ask Hergert to resign. If he resigns, we suggest a process for succession in order to quickly let the election decide again...the electors decide again, knowing the facts of the matter, who should be