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April 12, 2006 LR 449

commission and the electors concerning Hergert's campaign and its finances, expenditures, and borrowings during the course of, and after the conclusion of, his 2004 primary and general election campaigns for the office of University Regent. These unlawful uses of the mail, or private or commercial interstate carriers, occurred during the primary and general election processes, and again after Hergert took office. These acts and omissions constitute violation of 18 USC, Sections 1341 and 1346, prohibiting the use of the mail to effectuate any scheme or artifice to defraud, including his artifices and schemes to abuse public records contrary to Nebraska Revised Statute 28-911, falsely report and conceal actual campaign loans and expenditures, and to commit election fraud contrary to Nebraska Revised Statutes 32-1601 and 49-1401.

13) Clear and convincing evidence persuades the Legislature that C. David Hergert knowingly and intentionally concealed, deceived and misrepresented material facts during his interview of October 8, 2005, conducted by Donald W. Kleine, Chief Prosecutor, Nebraska Attorney General's Office, and Lieutenant Mark Funkhouser, Nebraska State Patrol. By so doing, Hergert violated either or all of the following Nebraska statutes: Nebraska Revised Statutes 28-901, 28-907, and 28-924.

Acts constituting impeachable offenses on or after January 6, 2005:

Article I, False Oath of Office, as prescribed in Nebraska constitutional provision, Article XV, Section 1.

Article II, Mail Fraud, as laid out in Sections 18 USC 1341 and 1346.

Article III, False Reporting, as required by Nebraska Revised Statute 28-907.

Article IV, False Reporting, as required by Nebraska Revised Statute 28-907.

Article V, Obstructing Government Operations, pursuant to the provisions of Nebraska Revised Statute 28-901.