

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

April 12, 2006 LR 449

Accountability Commission. It was received on the 11th. He may have prepared part of it on the 4th, but it was not received by the Accountability Commission till the 11th, and that evidence is clear. What Senator Bourne seems to be saying is, if I lied on the 4th and was clever enough not to send it to the...till the 11th, thinking I'd be okay, my gosh, should we accept that kind of thought? But you don't have to accept that kind of thought, because the law is, the act is not completed until it's filed; it's not filed until it's received by the commission. It was received by the commission on January 11; that's after January 6, when he took office; it was an act committed while he was in office. With respect to the oath, and I'm not sure what Senator Bourne was trying to say there, but let me just read again from the Nebraska Supreme Court and their general statement about how they think the law should be interpreted. Quote: The result is that an unimpeachable...an impeachable high crime or misdemeanor is one in its nature or consequences subversive of some fundamental or essential principle of government, or highly prejudiced to the public interest, and this may consist of a violation of the constitution, of law, of an official oath--of an official oath--or of duty by an act committed or omitted, or by violating a positive law by the abuse of discretionary powers from improper motives or from an improper purpose. The court's statement of what they might look at is very broad and just because the election laws don't happen to have come before them doesn't mean that they wouldn't look very seriously at including election laws in that category of laws that are related to the office. In fact, I have little doubt in my mind but they would.

SENATOR CUDABACK: One minute.

SENATOR BEUTLER: Mr. Domina has no doubt in his mind. You know, the number of articles that are in this petition, when this was handed over to Mr. Domina, nobody said, you know, find four articles, or find five, or find six. He came back with ten different instances and, you know, he was conservative at that. With regard to that January 6 meeting that Senator Mines and I talked about that had involved the \$13,000 of expenditures for opinion...or for opponent research early on, there were two other things, two other expenditures that he made that were not