

the comments that have been made up to this point. Senator Landis thought it advisable as the sponsor of the bill not to discuss the merits, the other side, if you will, on this issue brought to us by the Miscellaneous Subjects Committee and Senator Johnson. I think it might be helpful if in opposition to this amendment 12 I set out a little bit of the merits, the problems that we can have with this. Now, I respect Senator Johnson greatly. He and I go back a long, long ways and our thinking along these lines is almost always the same, but I think here I have got to disagree with him on an essential point. Senator Johnson, in his comments, talked about this being a conflict of interest provision. Now this is not a conflict of interest provision. This is a bribery provision. Now, there is a conflict of interest provision earlier in the statute and I have the statute right here before me. It is Section 49-1499. In Section 49-1499 the conflict of interest procedure is set out where it is stated that if we have a conflict and we recognize it, we have got to file a statement with the Speaker disclosing the conflict and if we decide to abstain, we can abstain. If we decide to vote in spite of the conflict, we have got to state why it is in the public interest for us to vote in spite of the conflict. That is the conflict of interest procedure we are currently governed by in that section. Section 49-1499 says, "Nothing in this section shall be construed to prohibit any member of the Legislature from voting, deliberating or taking other action on that or any other matter that comes before the body." Now, that is the same language that is now, through this amendment, being slipped into section...or is being found in this amendment to Section 14-101. Now, here is the crux. Here is the crux of the problem and this is why it is an important difference. Section 14-101 prohibits a public official holding public office from obtaining financial gain through the use of his office and so forth. Now let me read the pertinent language there particularly. "No public official shall use that person's public office or any confidential information received through the holding of public office to obtain financial gain." Now that is narrower than a general conflict of interest statute. That is personal financial gain. That is bribery. That is other associated things, perhaps not straight bribery, perhaps also in the nature of conflict of interest. But we are talking about a narrower subject matter here. And this language would effectively gut that bribery or quasi bribery statute. By saying that, we can't be prosecuted, no member