

SPEAKER NICHOL: Yes.

SENATOR V. JOHNSON: Okay. I can see that this is raising a lot of confusion in the minds of members and I will try to narrow the scope and if I can't narrow the scope, I'll withdraw the amendment. I'll just make it very clear I'll do that. I offered this amendment as a friendly act, not as a hostile act. This is not an act of war against any member in this Legislature. This is a friendly act designed to protect you and me from being hit up unexpectedly by the Political Accountability and Disclosure Commission for a vote that we might cast. The reason I have offered this amendment is that last year the commission issued opinions to Senator Schmit, Senator Beutler and Senator Hoagland which says something to me that I didn't know, which said that the commission itself was interpreting some sections of our statute to actually apply criminal sanctions to us when we cast votes. You see, I always thought the rule was that if we thought we had a conflict of interest, we simply disclosed it. That's what I thought the rule was, we simply disclosed the conflict of interest and then we voted, if we chose to vote, and so long as we made the disclosure and voted, we didn't have any problem. But, lo and behold, last year the Political Accountability and Disclosure Commission said in an opinion to Senator Hoagland, if a member was to cast a vote on this given issue when that member has a client, in his case was a client and that client would immediately benefit and so, too, would that member immediately benefit, then that particular vote, that particular vote will cause this member to be subject to criminal sanction. So I'm saying, wait a minute, that's a twist of the law that I wasn't aware of. So I said, is there some way at least of narrowing the law so that none of us unwittingly fall under the very kind of traps we're talking about this morning? You know, the trap of the senator who votes on a farm bill, the trap of the senator who votes on a collection fee allowance, the trap of the senator who votes on a retirement bill, the trap of the senator who votes on the nursing home bill, so what I did is I sat down with Ronald Volkmer and Peter Hoagland on the commission...Peter Hoagland and Ronald Volkmer who is a commission member and I said let's take a look at how we can write this language so that we don't unwittingly fall into a trap. And the expression immediate financial gain was determined to be the one expression that in a sense, in a