

activity, was trying to perform a public service or, in fact, carry out the responsibilities of their job. If, on the other hand, any one of us are offered an honorarium, a speaking fee to participate in some kind of activity that is above and beyond what we normally perform, I think that's a matter of record and we are, at the present time, in a position where we report that. Most of us do that anyway. You have to be extremely careful that you do not find yourself entrapped by ambiguous language which will give you what you can give to several different lawyers and receive several different opinions as to your own responsible course of action. I just want to say that it is awful easy when you try to lean over backward, and I'm going to give my own example here again today, in order to avoid any appearance of improper activity, I installed in my office a telephone so that I would not be tempted to use the state phone for personal business. So what happens? I find that I am the subject of challenge by the Accountability Commission because I leaned over backward to prevent improper use of an instrument. How often are we going to find that in this particular instance? And if we are not very cautious, we're going to find ourself in a position where we are violating a law which may very well lead to serious charges. I'm not trying to alibi for anyone. I'm not trying to put us in a different level than anyone else, but I think we all know the rules, we all know the kind of conduct that is expected of us, and we do not object to that. But I am very concerned about the type of language in the Beutler amendment and I ask you to read it very carefully. I will read it for you. For purposes of sections, etcetera, etcetera, "honorarium shall mean a payment to a public official for a service which the public official is not legally required to perform by reason of his or her public office." The only thing we're legally required to do is perhaps just to vote. Does that open up the whole gambit of opportunity for us?

SENATOR WARNER: One minute.

SENATOR SCHMIT: I suggest that it perhaps does.

SENATOR WARNER: Senator Withem. Excuse me, Mr. Clerk has an announcement.

CLERK: Mr. President, very quickly, excuse me. The Retirement Systems Committee will meet in the senate lounge now. Retirement Systems for Exec Session.