

bill, I would like them, because I put the challenge to Senator McFarland, and maybe it was unfair, to show me a rule promulgated by the Secretary of State the violation of which is a crime, and you all know who the lawyers are in here, and they know who they are and not one can show me that, yet they are going for this bill. Why? It can't be because they think it is a good bill. It is because of who is offering the bill and who is making the recommendations to amend it and bring sense to it. Yes, I am laying all this out in the record because I want to distance myself from it as much as I possibly can. There is a responsibility when we come in here to read this legislation and to try to enact that which will reflect well on the Legislature. For those of you who don't know it yet, this is a criminal statute that you are enacting. This is a criminal statute that you are enacting. All criminal statutes are strictly construed, meaning, that there cannot be vagueness or uncertainty about anything in that statute that is going to be an element of the crime. Senator McFarland cannot tell us what all is a crime under this bill because the Secretary of State is allowed to put together the elements of the crime through his rules and regulations. The university is allowed to create elements of the crime by setting up conditions under which these interviews will occur, and a violation of any part of this bill is a crime. That is crazy, and yet this Legislature is going to advance the bill in this form. I know sometimes I am acerbic, I irritate people, but I have been doing this for 19 years and I am not going to change. And certainly am I not going to change because the legislators get their backs up and decide they are going to pass a bad piece of legislation to fix me. They are not fixing me. They are not showing me. They are showing the public that either they don't read or they can't understand what they read. The courts have said repeatedly that when a person is dealing with a crime, they must be able to go to the statute and find out from reading the law in the books what conduct is prohibited. I would like to ask Senator McFarland a question, if I may.

PRESIDENT: Senator McFarland, please.

SENATOR CHAMBERS: Senator McFarland, if a person violates the rules and regulations put together by the Secretary of State, would that be a violation of this bill?

SENATOR MCFARLAND: It could very well be. As a matter of fact, I talked with Secretary of State Beermann yesterday and we were