understanding and use of the English language, I would like
to read some language for you and ask you what that language
means, in your opinion. "For the purpose of this act, the
practice of optometry is defined as being one, or a
combination of the following without the use of surgery",
and one of the items is "refer for consultation or
treatment". To whom would that apply?

SENATOR V. JOHNSON: Well, at first blush it appears to
apply to you, Senator Chambers, when you go to take the mote
out of someone's eye and you decided to refer that
individual to anybody to take the mote out. You have
suddenly become an optometrist.

SENATOR CHAMBERS: And if this language is in the law, and
there is a licensing requirement, and I make a referral
contrary to the law, am I in violation of the licensing
requirements of the law?

SENATOR V. JOHNSON: Well, it is hard to say that totally
without looking at the entire licensing statutes that deal
with this issue. But my guess would be that some wiseacre
could indicate...could say at a later time that you had
functioned as an optometrist and as a result of that were
engaged in an illegal act.

SENATOR CHAMBERS: And if such an eventuality arose, and a
court challenge were made by myself or anybody else caught
within this net, or even if somebody wanted to challenge the
bill, might this be a basis to hang a hat on, to say that
there is at least one unconstitutionally vague or overbroad
provision?

SENATOR V. JOHNSON: Oh, again I don't know what the
criminal sanctions are here as to whether or not there are
criminal sanctions. There may well be. But I would think
that your difficulty with the language is a legitimate
difficulty and it could be a trap some time for the unwary.

SENATOR CHAMBERS: My final question, if this language were
stricken, pursuant to that amendment, do you think it would
any way restrict what optometrists can do under this bill?

SENATOR V. JOHNSON: Oh, I don't think so. I think, as
Senator Chronister pointed out, optometrists today, by
virtue of their professional responsibilities, make those