

statute? So if you think that you should not put anything in the amendment that suggests the kind of test that the court ought to be using, if you think nothing should be there, then vote for the amendment and strike the word "rational" and the court will put its own test in place. If you think there ought to be an attempt to guide the court by the word "rational", put it in, but, ultimately, the court, although it tells us we cannot define words in an arbitrary fashion, will define the word in any way that it chooses. The court is able to say that it is relying on U.S. Supreme Court construction of the equal protection clause of the U.S. Constitution, of the due process clause of the Constitution, the supremacy clause of the Constitution. It can say all of those things and give lip service to those Supreme Court opinions, then give a decision that goes exactly contrary to what the Supreme Court rationale was in those decisions. I don't know what is really being attempted here today, but I think it is an exercise in futility, as is everything else. But since we are putting things into the record, and it is clear that I was present today, I want to say some things that make it clear that I understand how courts work, and also how the court has said it views legislative history. This discussion is totally irrelevant to anything the court will do. Now, if you said that the Legislature can use a method of classification which is either rational or irrational, then you might have a question as to just what the Legislature meant and the debate would have some significance in showing that the legislative debate has no significance or value for any purpose. We, by talking about LR 1, are wasting time if the purpose is to reach the...

SPEAKER BAACK: One minute.

SENATOR CHAMBERS: ...conclusion that will result in passage of that amendment. We probably won't have 40 people here for the rest of the session. If it takes 40 to pass it, what are the fewer than 40 going to do? Just come up here when we have time away from more important things, as I do, contribute, and then go back to doing work that might be productive. I come down here almost every day anyway, so it doesn't make me any difference whether we say we are in special session or not, but there is no way in the world I would act as though I think what we are doing is of any particular value. It tells the Governor that he can't just call us in here and put something in front of us and say you have got to do it because I said that is all I am going to let you try to do. Other than that, nothing is being