

and, based on this principle, they have taken statutes which would, in fact, reach an irrational result and say since the Legislature could not be presumed to mean that we will give it the meaning that was probably intended unless even that meaning would go contrary to the Constitution. If they passed a statute, for example, that said human beings can fly without any assist from an artificial means or mechanical means and if they don't so fly they're guilty of a felony, that would be struck down as unconstitutional, even though it's also irrational. But we're talking here about an attempt to divide a part of a statute from a statute to achieve a purpose that is not allowable under a referendum petition, in my opinion.

SENATOR WARNER: Time.

SENATOR CHAMBERS: So if they think they've done that, I think they may have outsmarted themselves.

SENATOR WARNER: Senator Crosby. I do see five hands. Those in favor of ceasing debate vote aye, opposed nay. Have you all voted? Requires 25 votes.

SENATOR MOORE: (Microphone not activated)...call of the house, accept call-in votes.

SENATOR WARNER: Call of the house is requested. Those in favor vote aye, opposed nay. Clerk, record.

ASSISTANT CLERK: 12 ayes, 0 nays to go under call, Mr. President.

SENATOR WARNER: House is under call. Members, please return to the Chamber and check in. Unauthorized personnel leave the floor. Members, return to the Chamber to check in. Call of the house.

ASSISTANT CLERK: Senator Lamb voting yes. Senator Landis voting yes. Senator Schellpeper voting yes. Senator Beyer voting yes. Senator Nelson voting yes. Senator Conway voting yes.

SENATOR WARNER: The house is under call. Members, please return to the Chamber, check in.

ASSISTANT CLERK: Senator Schrock voting yes. Senator Wehrbein