

SPEAKER BAACK: Thank you, Senator Hall. You have heard the closing on the amendment offered by Senator Hall. We will now vote on that amendment. All those in favor vote aye, opposed vote no. Record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senators Hall and Baack's amendment.

SPEAKER BAACK: The amendment is adopted. Next item, Mr. Clerk.

CLERK: Mr. President, the next amendment I have is by Senator Landis to the committee amendments. (See AMO33S on page 92 of the Legislative Journal.)

SENATOR LANDIS: Thank you. In fact, I am caught because, in fact, this first amendment was handled so expeditiously by Senator Hall that I don't have the copies that are being prepared to send to you. I will tell you the two things it does. It is a grand total of four words, two of which are the same, okay. We use the word "rational" in the committee amendments, and what we say is that the Legislature has the power to make rational classifications. And this amendment strikes the word "rational". Now you might think, wait a second, does that mean that we have the power to make irrational classifications? Is that what the committee is after? No, that is not what we are after. The Fourteenth Amendment standard, which is used to oversee what Legislatures do and how they make laws, to see whether or not our actions comport with the Constitution, says that we may make laws that have a rational basis and that are related to an appropriate state object. If we make a classification, it has to have a rational basis and it has to be related to a legitimate state object, and that is what the Fourteenth Amendment says, so that surrounding everything we do in the business of making classifications in this state by this Legislature is our obligation to meet that minimum standard. Couldn't change it if we wanted to. Senator Beutler has made a reference to that, I believe. Senator Hall has made a reference to that. That is a first order principle in doing business as a Legislature. Now when the committee got together and talked about this committee amendment, we said to ourselves, look, what do we want to do, we want to make three general principles. First, we want to say the uniformity and proportionate clause, not the historical one that has been beating us over the head by the Supreme Court, but the concept