

SENATOR HALL: Mr. Speaker, members, I rise to oppose this amendment to the committee amendments. The argument that is made on behalf of the amendment is that it would protect the interpretation of the Constitution from, I guess, any possible new type of definition of what a rational test is. In other words, you strip the word "rational" from the Constitution with regard to the exemptions. So in other words, it would just list, you know, the Legislature would have the authority to exempt, make exemptions. There would be no reference to rational or reasonable as we have in the past, so that the court, in essence, would not have the ability to use what has been a historic test with regard to exemptions. That is what the argument is here. I would argue that what you would do with that is take away any protection that currently exists for those who are the most weak in terms of being able to represent their interests in a legislative process. What you will do is you will say that to the strong, not necessarily to the multitude, but to the strong, those who have the wherewithal, the ability, the cash to be represented, and have their exemptions put in place, whether they make any sense whatsoever, as long as they are approved by the Legislature and passed, without some test out there, and that test being the simple test of a rational one. And what's a rational test? Looked up rational, it doesn't exist in Black's Law Dictionary, but it does exist in the Oxford, and what it says about rational is, is that something...let's see, let's go, it says, of or pertaining or relating to reason, rather simply applied, based on or derived from reason or reasoning. Agreeable to reason, reasonable, sensible, not foolish, or absurd or extravagant. It is not that difficult to understand what a rational test is. It has to have some relation, yes, to what you are trying to accomplish through that exemption. There has to be some end that you can justify through the means of that exemption. When you strip rational out of there, oh, Senator Landis argues that that doesn't mean unrational or irrational or unreasonable. Who says that it doesn't? There is no protection that exists out there without that term, whether it be rational or reasonable, and we chose rational in the committee and in the committee amendments for protection to those who have no ability to protect themselves, who sent us down here to protect them against those types of exemptions that continue to force the burden onto the masses, and that is exactly what we are talking about here. This is probably the issue that brings to head, more than anything else, the whole argument that surrounds how we deal with the citizens