

on the whole issue of the constitutional amendment. I wouldn't hold this one word captive for that larger fight that seems to be going on on this basis. I think Professor Lyons has the better argument. I don't know who else to say has more expertise as to how we get the best chance of getting the rational basis test to apply. That was the goal of the committee when we wrote the committee amendment. That was the goal of the committee that Senator Hall will report to...was the work of the committee when we did that. That was our goal to achieve the rational basis test, and we named it so that we could stop the court from choosing another test. Professor Lyons says, in fact, you may have created a trap for yourself in trying to achieve your own goal. I am prepared to defer to his expertise, and as a proponent for this concept, I suggest that we side with him, that we say to ourselves that the Fourteenth Amendment, the rational basis test will apply to this Legislature, and that is the appropriate test to use on our ability to create classifications. But beyond that point, political power in this body is the guarantee of fair treatment, and that it is up to us to be that guarantor. I would move for the adoption of the amendment. Thank you.

SPEAKER BAACK: You have heard Senator Landis's closing on the amendment. We will now vote on that amendment. All those in favor vote aye, opposed vote no. Have you all voted? Record, Mr. Clerk.

CLERK: 22 ayes, 8 nays, Mr. President, on adoption of Senator Landis's amendment.

SPEAKER BAACK: The amendment is adopted. Senator Pirsch, would you like to recess us for lunch until 2:00 p.m.

SENATOR PIRSCH: I move we recess till two o'clock today.

SPEAKER BAACK: You have heard the motion to recess until 2:00 p.m. All those in favor say aye. Opposed no. We are recessed.

RECESS