

it can be a civil case, and the other side then appeals. So the way to get it before the Supreme Court by way of appeal is going to happen and it can happen quickly and easily by way of a number of routes. So it comes before the Supreme Court, and they're sitting around in their conference and they say, the Legislature has told us that the Supreme Court did not have the authority based on its inherent judicial powers to declare that there's no precedential value or effect to appellate court decisions. They're orders when they're accompanied by a memorandum opinion. So we're sitting here talking, do we let the Legislature make that determination for us after having ruled in the way that we did as a court, even if the opinion was not unanimous? Then one of the judges will say, well, we don't have to reach that issue. We don't have to talk about a conflict between the Legislature as one branch of government and the Supreme Court as a separate independent branch of government. Let's look at how this got into the law. And then they review what we have done, and somebody says, well, Senator Lindsay who no longer is in the Legislature...and don't worry, Senator Lindsay, a senator cannot be called to account for anything he or she said during our debate in any other place by any other person. You can plead guilty to murder if you want to, although they'll take that and say, independently they established the case and didn't base it on what you confessed to here. But anyway, having a severability clause does not, by itself, save a bill from being struck down if a part of it is unconstitutional. And it's not enough to say that if you severed this one part, the bill, what's left, could stand on its own. There are about five steps that the court goes through, and I don't remember all of them. But I don't believe that a bill such as this one will pass constitutional muster before the state Supreme Court. And if somebody filed their appeal from district court or a county court, I'm sure...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: ...when it went to the appellate court, which is where you'd have to take it, the Supreme Court would reach down and take it immediately and make a determination. This is not a wise action by the Legislature. I'm opposed to it. And even at the risk of running us out of time, I'm going to ask Senator Lindsay some questions on my next time around because he will be aware of some of the points that I've tried to make here this time.