

Constitution that prohibit this and not this.

SENATOR LANDIS: That is exactly right.

SENATOR WARNER: Time.

SENATOR KRISTENSEN: With that, I would agree with your amendment. Thank you.

SENATOR WARNER: Senator Lindsay.

SENATOR LINDSAY: Thank you, Mr. Chairman. I guess I rise also to try to create a little more legislative history on this. The amendment would strike the term "rational" and you would hate to have the Legislature having to do rational things. Actually, I'd ask Senator Hall some questions, if he would respond.

SENATOR HALL: Yes.

SENATOR LINDSAY: Senator Hall, you, I assume, were listening during the questioning between Senator Landis and Senator Kristensen?

SENATOR HALL: Yes.

SENATOR LINDSAY: Let me ask you if your intent, I guess, reflects that because I am not sure that there is a difference in the intent, just a difference of how we get there. The intent, I believe Senator Landis's intent is, in his amendment, is that there'd still be a requirement that there be a rational basis for any classification but that that definition of rational be the definition as used in the federal courts now under equal protection, federal equal protection, and not be, excuse me, and not be a newly defined or newly created rational basis under some other section of the Nebraska Constitution. Does that reflect your intent in keeping rational in this amendment?

SENATOR HALL: Yes and no, and if I can elaborate on that.

SENATOR LINDSAY: Yes, yes.

SENATOR HALL: Senator Lindsay, if you could convince me or guarantee me that the court wouldn't come up with some other test, which I don't think they are barred from using, they have