

amendment. We just have to wait long enough for people to come to their senses. Frankly, I don't believe that to be the case. Secondly, there is a feeling that once this gets to the voters, the voters will say, yes, we will go for it. If the Legislature liked it and the Governor liked it, yeah, we will traipse to the polls in September and vote for it. That is a major hurdle to pass. You are asking the voters of this state to give up a protection that they have in the Constitution. What the committee amendments currently do is they have a word, and I am not going to debate the legal meaning of the word "rational", I am going to talk about the political because we are in both a legal environment and in a political environment. And those of us that don't like the constitutional amendment, if we start saying that the Legislature had an opportunity to say that its classifications would be rational, but we voted that out, we said, no, we don't want rational classifications, they don't have to be rational, that will be a very strong political message that the voters in the state will be listening to, I think, as they go to vote. This is not a lay-down hand, either in here, or a lay-down hand with the voters, and if removing one more protection that they have, and that is the avowed intent of the introducers of this resolution is to remove one more protection, you will take away one more argument that a court might have to tell the Legislature that it needs to enact a fairer tax system. Let's force them out of the Nebraska Constitution, out of the Nebraska court, and into the federal court is what the proponents of this have said. I think that's a bad idea and I don't think it will sell with the people, at least I hope it doesn't. I would urge you to oppose this portion of the Landis amendment.

SPEAKER BAACK: Thank you, Senator Withem. Senator Hall.

SENATOR HALL: Thank you, Mr. Speaker, members. Again, I rise in opposition to the amendment to the committee amendments. The issue has probably been explained by others better than I, but the problem here really is one of I think, to paraphrase what Senator Withem said, perception over fact, and many times the perception is what can make or break any issue, any item, any individual, for that matter, over the fact of the matter. And the fact of the matter is, is that we may all want to have that same outcome in terms of what ultimately happens, but the perception is, is that you can do that without placing the term "rational" in there, and I would argue that you cannot, and that you are much better off guiding the court through the language