

SENATOR HALL: If you do that, or at least you allow for the potential for that to happen by leaving the term "rational" in this constitutional amendment. Again, I would urge that you do that. It, for some of us, I guess, sounds like it is splitting hairs but it really isn't. You are scalping them.

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

SENATOR WITHEM: Yeah, thank you, Mr. Speaker. I just wanted to make one point in response to both Senator Kristensen's question and what I am guessing might be his rational rationale for making that particular point or raising that point. He made the point that the term "rational classifications" does not currently appear in the Constitution, and so the argument about taking it out, taking away protection that the people now have, is not really a valid one, that we are adding the word "rational" that somehow appeared in the committee amendments, and by striking it out, somehow we are just protecting status quo. Well, that is not the case. True, rational may not appear in the Constitution today but there is one other minor little phrase in there that does talk about uniform treatment of all property that will no longer apply to personal property. So what I see the committee amendments doing is maybe taking a middle step there someplace, and, gosh, the way I read it, you are starting with the uniformity clause, that is not going to apply to personal property. The committee amendments now say you will have "rational classifications". Now we are saying that those classifications don't have to be rational, that you may have other standards for questioning whether they are fair or unfair, but, heaven help us, don't have anything in our Nebraska Constitution that will protect real property owners from being treated unfairly vis-a-vis personal property, and that was the argument I was making, that we are giving up a big protection for real property owners that their property will be treated differently from personal property. The uniformity clause will apply to the personal property that you own, but it will not apply to your...it will apply to the real property you own, but not to the real property that you own. We are now saying with this current amendment, the way it is drafted, at least the Legislature will have to have rational classifications. We are now voting to say those classifications don't have to be rational. So I do think it is a significant departure from status quo. Obviously, LR 1 is a significant