

14th Amendment problem right now because that's not the one we've been faced with. The court has used other language before us and that language to the extent that we can be empowered by what we choose to do is affected by 186. Now, it's possible that Senator Withem is right, that the court will, if we change the state Constitution, leap to the federal Constitution. It's possible. And they can, they have that power. They get to interpret federal constitutional parameters on state questions if they wish. But up till now they've never done it, and they've always used the state Constitution and it's been the uniformity clause that they have done. That's the thing with the 100-year history, that's what you're arguing about and it has been the question, by the way, that has been raised throughout the session by Senator Hall in the Revenue Committee on the ag land valuation question very effectively. He was saying to us, do you have a real rational basis out of the state Constitution and out of the 14th Amendment? I mean that question has been before us. So, to the extent that we have two bullets left in our gun, I would suggest that we expend this bullet now to see if we can construct tax policy and the power of the Legislature to direct that tax policy, absent courts telling us what to do. To get power back into this body, we have to pass 186. If that proves to be false, and it's possible that it will prove to be false, then we've got the one last bullet and that is to shoot ourselves in the head and do what it is, whatever the court tells us we have to do, but we are not in that position now. We are capable of responding adroitly to the state constitutional question that we have been faced and when Senator Lindsay and his lawsuit goes to the state court, they will undoubtedly be challenging...

PRESIDENT MOUL: One minute.

SENATOR LANDIS: ...this system that we have based on our state Constitution, undoubtedly may raise the 14th Amendment, I'm not sure if they do or not, but these lines of cases are state constitutional cases. They have all been uniformity clause cases and that's the kind of thing that we're aiming to fix in 186. We may go awry, but not attempting to fix it produces a host of evils all of which are worse, in my estimation, than attempting to fix it and that's why we should proceed right now at this time before the crisis appears to fix the Supreme Court...the Constitution, rather, so that we are as empowered as possible to give us the greatest flexibility to have the most power to make a system that we can live with as well as our