

introduced what I consider to be very dangerous language in two places. The words appear to be, and I don't want this to sound the way I think it will, reasonable because they are not reasonable. They are dangerous. The words are "reasonable classification". The Legislature may by reasonable classification, that is a paraphrasing of what appears twice. Those words are exceptionally dangerous in the context of what our Supreme Court, the Nebraska Supreme Court, thinks the Fourteenth Amendment to the U.S. Constitution requires. Now I think under most people's analysis, all the Fourteenth Amendment requires, the Fourteenth Amendment to the United States Constitution requires is a reasonable classification by the Legislature in order to be valid. Arguably, anything that is reasonable would also be rational, but also arguably, anything that is rational is something greater than what is reasonable. That is a dangerous and unexplored use of language. Secondly, if we insert that language in our Constitution, I think we will have lost at some future date the opportunity to appeal to the U.S. Supreme Court and say that our Nebraska Supreme Court has no true concept of what the Fourteenth Amendment means and you should overrule them. I believe that scholars are nearly uniform in that judgment of our Supreme Court today as it pertains to the Nebraska Supreme Court's analysis of the Fourteenth Amendment to the United States Constitution.

SPEAKER BAACK: One minute.

SENATOR WICKERSHAM: If we give our Supreme Court a basis in our Constitution, we will never be able to have their interpretation of that clause "reasonable classification" reviewed by the U.S. Supreme Court. We will find that Nebraska will stand alone in a very rigid, very restrictive, and very unmanageable interpretation of that phrase. At least that is all of the indication that we have from our current court. For those reasons, I cannot possibly support the committee amendments, although I will reiterate that I believe it is essential that we address this issue and separate personal property from the uniformity clause.

SPEAKER BAACK: Thank you, Senator Wickersham. Senator Warner. Senator Warner waives off. Senator Hall.

SENATOR HALL: Is there anybody after me?

SPEAKER BAACK: Yes, sir.