

1 great moments in the history of the Supreme Court.

2 Unfortunately, the state courts have not always
3 been quick to follow the Supreme Court in applying equal
4 protection clause in this manner. They have abided by
5 the old doctrine that there is a legislative presumption
6 of validity when an act of the legislature is passed,
7 thus making this difficult to strike down legislation
8 under the equal protection of the laws clause.

9 Fortunately, the Federal courts lead by the
10 Supreme Court have repudiated that presumption of validity
11 when classification entered into the field of race,
12 religion, or national origin.

13 The state courts, on the other hand, have
14 lagged behind in this area. I suggest that the inclusion
15 of the specific language would make it perfectly clear
16 to the courts of this state, the presumption of the legis-
17 lative validity in this field does not apply with the
18 same force that it applies in the economic area.

19 THE CHAIRMAN: You have one-half minute,
20 Delegate Scanlan.

21 DELEGATE SCANLAN: One of the great objectives