

SENATOR SCHMIT: Mr. President and members, I have handed out AM1407. I will read it for you very slowly and carefully. "The method of taxing agricultural land and horticultural land provided by the Legislature shall require that taxes be levied uniformly and proportionately within the class of agricultural land and horticultural and within and between subclasses of such class." Let me tell you why I think it is important that we adopt this amendment. We have discussed this before on the floor and I think it is important that you recognize that, as I said earlier when I spoke on the bracket motion, what we imply has no bearing upon decisions of the Supreme Court. We have to state specifically and we have to do so in language which is unmistakably clear. If we do not, in my opinion, adopt this amendment, then I am concerned that there may be a doubt as to whether or not, for example, having repealed the uniformity clause, that there needs to be a uniform assessment of taxes within various classes of farmland. For example, it would be possible to say, and I have many poultry operations in my district, it would be possible to say that any farmland which contains a poultry operation of such and such a size is therefore declared to be a commercial or an industrial operation. A feedlot, any other kind of an enterprise could be discovered to be a different class than that which we would consider normal farmland, if you want to call it that. We have seen and heard a lot of discussion relative to the so-called family farm. There is nothing that would prevent in the future a different type of valuation on a farm of 160 acres as opposed to one that is 320 acres or 640 acres. There are many other aspects of the amendment which I think are extremely important. Reading the amendment, on page 2, beginning with line 19, "the Legislature may provide that agricultural land and horticultural land," and listen to these words, these five words, "as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values which are not uniform and proportionate with all other tangible property and franchises." Ladies and gentlemen, the least experienced, the newest, very bluntly, the dumbest lobbyist on this...who is registered here will tell you, let me draw the definitions for a bill, and I don't care what the bill contains, you can write the rest of the bill, you can even write the penalties, let me draw the definitions. The language of five words, "as defined by the Legislature," gives this Legislature and every future Legislature not a license, but a mandate to define what shall