

covers that aspect of it, and I would ask the body to adopt the...or bring the bill back for purpose of adopting the amendment.

PRESIDENT: Thank you. Senator Chambers, please, followed by Senator Wehrbein.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, again, I'm mainly talking to the record, so if nobody chooses to listen, then I don't mind. That's the way you make them listen. I'm looking at Senator Johnson's language, and I also question whether it's necessary. When language is placed in a Constitution, the Supreme Court, any Supreme Court, unless it has a particular goal in mind, will give meaning to all of the language. So, if something such as Senator Johnson is offering by his amendment, and I understand why he's offering it, it will indicate that without this language then agricultural land and horticultural land, as a class, could be valued differently within that class for the purpose of taxation. But there is something in the bill as it exists, and especially with this new language, that should be troubling to those who are in favor of it. The new language in LR 2, without Senator Johnson's language, says the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation. Now, by mentioning the both of them, but using the singular when you talk about a class, would indicate that that class contains two different types of land, agricultural and horticultural, and they must be considered different or there wouldn't be two designations. So you're all right there. The two of them constitute one class. And, furthermore, the Legislature 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. The way that language is written it could allow for a different taxation between horticultural land and agricultural land. With Senator Johnson's amendment, if what I'm saying a court could say also, Senator Johnson's language would add, "but which results in values which are uniform and proportionate upon all property within the class of agricultural land and horticultural land." That then would make it clear that even if you view agricultural land as something different from horticultural land, and you put them both in the same class, since they are members of the class, this language would indicate that horticultural land and