

excluding the pump which sits on the casing because that is movable, much more movable, Senator, than the underground pipe.

PRESIDENT: One minute.

SENATOR SCHMIT: You also refer here, you struck the language when you refered to mains, pipes, et cetera, the transport, steam, oil, gas, or other similar substances. I don't know what other similar substances are, but I will tell you, the court doesn't know either. It leaves it wide open for you to get shot right between the eyes. Now we have been shooting ourselves in the foot here for five years. One of these days the court is going to get tired of fooling around with us. It is lucky we can't be dismissed for incompetence, Senators, or we would all be going home lots earlier than we expect to be. We have been chastised, we have been scolded. The time is going to come when someone is going to draw this for us if we don't do it ourselves. I suggest right now that on this floor there is a basic disagreement as to what is an irrigation system and what is not.

PRESIDENT: Thank you. Senator Hall, followed by Senator Ashford.

SENATOR HALL: Thank you, Mr. President, and members. The issue of whether or not a pump is part of the system, whether or not it is real or personal property, I think it is very easy to understand if you'd just read the amendment. And the amendment says, "the terms real property and real estate shall not be construed to include center pivot or other irrigation systems used for agricultural and horticultural purposes;". All that says is that, no, it is real property, it is not...excuse me, it is personal property, it is not real property. The only thing that is real property, I mean you can't run the system without the pump. I mean the system doesn't exist without the pump. There is no system. There is a pile of pipe out there on wheels. The only part of the, if you want to call the system the system, I guess, that would be classified as real property is the part that you can't, as Senator Schmit mentioned, pick up and move, the hole that is in the ground, the well, itself, and that remains real property. That has not changed. But when you talk about an irrigation system, you are talking about the system. You are not saying a pump is not part of that system, and I mean if that is what the intent was by the individuals who introduced the amendment, then I misunderstood and then it does