

I thought it was preferable to the committee amendments. I didn't vote for the advancement of the bill because I think there are still deep problems with that proposal. My concern here is that we have a proposal where you propose to wipe out the penalty but the penalty for nonfiling is still a substantial penalty and that's in the existing statute. And my concern is that we are confused on this floor, I don't know what the taxpayer is going to be feeling like out there when he or she has to make an assessment of whether or not they own personal property. So I'm somewhat concerned about it. I'm not sure where we're coming from.

SPEAKER BARRETT: Senator Wesely, did you care to discuss it? Thank you. Senator Hall, no other lights, any closing?

SENATOR HALL: Mr. President, the time change that the department asked for, which is the amendment that we have before us, would change what was drafted in the committee amendments of January 1, 1990 to November 30 of 1989. The reason for that is there is a payment on personal property tax that is due and owed on December 1 of 1989. The department has requested the change so that when the bill becomes effective upon the signature of the governor that the penalty provision will become effective for that next payment. The fear is there that individuals will not pay their personal property taxes because they think that the personal property tax has become unconstitutional because of all the suits that have been before the courts and the recent decision that the court has returned in the Enron case. That is their argument on behalf of the penalty provision and on behalf of the change that I offer for them in this amendment. I would urge the adoption of the amendment.

SPEAKER BARRETT: Thank you. The question before the body is the adoption of the amendment to the committee amendments. Those in favor vote aye, opposed nay. Record, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of Senator Hall's amendment to the committee amendments.

SPEAKER BARRETT: The amendment to the amendment is adopted.

CLERK: Mr. President, Senator Hall would move to amend the committee amendments. This is the one, Senator, that would strike Section 1, I believe, of the committee amendments. (The Hall amendment appears on page 107 of the Legislative Journal.)