

going to cure all of our problems. I know I've heard some very capable attorneys argue that our problem with Enron, our problem with other centrally assessed property, our problems with other personal property is that they're all in the same classification, that we have not classified property as diligently as we should have. And by classifying railroad property, and then exempting it, as we can do under our Constitution in theory, that we will then have the railroads out of the room and we'll be treating everybody else in the same room the same. I'm not sure that that is going to be the case. I'm not sure that our court, which has looked very hard and harsh at equity questions and has apparently elevated the uniformity clause of our Constitution beyond what many of us think is reasonable, what we think is reasonable is not important, though, they are the Supreme Court and they do get to make the rulings and have the final say. I'm not really sure if they're going to buy that. I'm not so sure that they're going to buy that railroad property is in fact a reasonable classification, and merely by classifying and exempting it that they are going to say fine, then you can go ahead and tax Enron. Keep in mind that they have issued a decision that indicates that Enron is not to be taxed, at least under the existing facts as they see them. Perhaps, if we change the facts, they will look differently upon it. I'm not so sure we're going to have any final answer to this particular problem until we look at exactly what the Constitution says. And I know that's part of this long-term solution that supposedly is coming down the line, but it's one I think we maybe need to address. I know there are people in this body, Senator Hartnett and others, that have looked at that in more depth than I have and have concluded that we probably need to, if we're going to get something done that solves this problem, this erosion, we're probably going to have to look to doing something in our uniformity clause. And I'm not standing here telling you that the answer is to repeal it. There may need to be some modifications in it. But as long as we... Keep in mind we, as a Legislature, have a bit of a history on these uniformity clause issues, passing legislation, even passing constitutional amendments and getting them approved, having cases come before the court, Supreme Court striking them down. I'm not so sure that that's not going to happen in this particular case. I'm also... recognize what Senator Warner is attempting to do. In many ways the Enron decision did not give us the type of guidance that we needed to know what is acceptable and what isn't. In many ways this, I think, is maybe a reasonable step to take to test to see what the court really