

on, I think, may just delay the inevitable is most of my concern.

SENATOR ASHFORD: And I think that's an excellent point. Senator Hartnett did send around a memorandum which raised an excellent point. I think some of the railroad attorneys have argued that the only way we're really going to be able to deal with this question is by amending the Constitution and by changing the Uniformity Clause, because if we don't we're going to continue to have Enron cases and Korshoj Lumber cases, and it just seems to me that we're not talking about that. And I think the Hartnett memorandum, of all the memorandums I read during the last month I thought that that one was one of the best. I thought it really laid out an excellent point, and that is that, sure, under the Stahmer case we can...we believe, and under Section 2 of the constitutional provision we believe we can make rational classifications. But the Banner County case, the Kearney case seem to suggest we cannot...

PRESIDENT: One minute.

SENATOR ASHFORD: ...make those rational classifications. I hope we're doing the right thing, but I...And maybe Senator Hartnett will speak. And I'm sorry I didn't give him any time, but there is an excellent point that I think can be raised here that we're going to have to deal with our personal property tax system, the same way Kansas did and other states have done by changing the way, in the Constitution, how we make the different classifications, or else making some kind of...putting some specific language in the Constitution that requires us to...or allows us to make these types of classifications. So, with that, I'll quit. Thank you.

PRESIDENT: Thank you. Senator Moore, please.

SENATOR MOORE: Mr. President and members, ever since the Enron case came down in July our colleagues in here and several people, besides bashing the court have simply said we got to do something, but they don't know what to do. Many people said we need to have a special session. Few of them said what we should do when we got here, a few of them didn't, some of that was just fun and games, we all know that. But the simple fact of the matter is that we have a few choices. And we know that one way to solve it is to adopt Senator Schmit's proposal of yesterday and exempt everybody. Another thing that maybe some of us would