

SENATOR HEFNER: Am I on? I would have to carefully consider that. I probably wouldn't because I don't think that we should tax center pivot systems now, because when we irrigate this land, it goes into a different classification, and the value of that land goes on. So if you are a farmer that irrigates with a center pivot, you could be taxed twice.

SENATOR CHAMBERS: Okay, not to be rude but you answered the question. Thank you.

SENATOR HEFNER: Okay.

SENATOR CHAMBERS: Senator Dierks, may I ask you a question. Would you support this bill if that provision were stricken?

SPEAKER BARRETT: Senator Dierks.

SENATOR CHAMBERS: Yes.

SENATOR DIERKS: No, I would not.

SENATOR CHAMBERS: Thank you. Members of the Legislature, the reason I wanted that into the record is because there is what is called the savings clause where you say that if any section of this act should be declared invalid or unconstitutional, the rest will remain. What the court has said, and I wanted it in the record from some of the supporters of this bill, and some of those who've defended it, that the motivation they have for supporting this bill is the very provision that I am trying to have stricken. So if that provision should be found to be an unconstitutional classification, and that was the motivation for passing the bill, then all the rest of the bill is unconstitutional. This is not a total distinct act on its own. It is an amendment to existing statute. So if the portion that is struck down was the motivation for enacting the bill, then that clause is not going to mean anything, and the court has said that repeatedly, so I want that into the record, and that is all I am going to say on that motion, but I would like a vote on it anyway.

SPEAKER BARRETT: Thank you. Discussion on the motion by Senator Chambers to return the bill to Select File. Senator Abboud, followed by...thank you. Senator Hefner, followed by Senators Dierks and Lamb. Senator Hefner waives. Senator Dierks, please.