

whatever's left, to Senator Lamb. All I'd like to say is that what we're talking about now is really interesting. The best thing for us to do is to do nothing at this time, I really mean it. I think Senator Kristensen has a good idea, except that we should probably wait until some time in August, by then the Lindsay-Will-Chizek-Lynch lawsuit will probably be resolved by the Supreme Court. By then our 3-R Committee that we have appointed to look at the issue could have some recommendations for us about the resolution of this whole problem. By then we'll have some idea what the feds may or may not do as it applies to the 14th Amendment, and then we'll be doing business. We shouldn't do the...we shouldn't do the constitutional amendment, or maybe even this one either. Just think about it for a minute, that might be a good idea. But, under the circumstances, we won't. And I will yield...I intend to...intend to oppose the return to Select File, and the rest of my time is divided between the two senators I already described.

PRESIDENT MOUL: Senator Ashford, two minutes.

SENATOR ASHFORD: Thank you, Madam President. I rise in opposition to the motion for a couple of reasons. I've listened to the debate. I think we need to draw some distinctions here to what we basically...as to what we did last time when we tried to create exemptions to deal with the 4-R Act and what we're doing now. And I think that's an important issue. Number one, we're not creating exemptions here, we are simply, to personal property tax, we are creating, as Senator Hall has said, a surcharge for one year on a specific class of property in Nebraska, class of taxpayers in Nebraska. And having read the cases again today, and the important language, I'm absolutely convinced that we, as a Legislature, legally have the authority to create such an interim charge on taxpayers in order to get, as we are doing here, from step A to step B, to create an overall tax plan which is...will be and is designed to be equitable, and is designed to meet the criteria laid down by the federal courts in the 4-R cases, as well as by our Nebraska Supreme Court. It really is a legal and constitutional issue. And I would be concerned if someone could point me to a case anywhere in the country, in any court, that has denominated what Senator Hall and others have done, and Senator Will, in 829, point me to any case that has denominated such a charge as a discriminatory tax, especially in light of the fact that this is a one year, a one year measure. It is not creating a new property tax. We're not in a situation were we are...where a