

doubt, seriously, if a lot of people generally believe that is the case, and certainly the case that's before the courts on LB 829 probably will resolve the issue, but, more importantly, I can think of no amendment that would probably be more likely to guarantee the defeat than to put this on because there would be a whole host of people who would be attracted to vote against a constitutional amendment on the belief that somehow or other they were going to exempt all personal property. And that's going to be misleading for them. I don't mean the amendment is misleading but it's going to be misleading in their interpretation, because I don't believe the Constitution permits all personal property to be exempt from an at-market value currently. And I think the court has made that exceedingly plain. I would urge that you vote against the amendment because, clearly, what the Supreme Court indicated last July was that all personal property had to be on at market value because of the uniformity clause that ties personal and real property to be taxed uniformly and proportionately as to the value and this clearly flies in the face of that...of that proposal. And I hope you will not vote for the amendment.

PRESIDENT MOUL: Thank you, Senator Warner. Senator Hall.

SENATOR HALL: Thank you, Madam President, members, I rise in support of the amendment. I thought I would start out with a friendly amendment. I guess I was wrong. The...the Supreme Court did not say all personal property had to be valued at market. The Supreme Court spelled out there were a number of exemptions that were allowed for. They said there was no need to tax household items, which we have taxed in the past. They represent personal property. They said that there was no need to tax things like 775 property that was exempt; earthmoving equipment, that was exempt. There was a litany of things that...charitable property, charitable and educational personal property that were exempt, that did not have to be valued at market value. The Supreme Court did not hand down a decision that said all personal property was subject to ad valorem taxation. They did not say that, and that's part of the problem. They did not make it exceedingly clear with regard to where we are headed in terms of this issue. What this amendment does is it does exactly what I think the proponents of 1063 have argued all along that it's bad tax policy to tax inventory. It's a bad tax policy with regard to worrying about what the business climate, the economic climate in this state is going to be if we don't address the issue of taxing personal property for