

doesn't, and that's not what the court said. What the court said is that personal property and real property are both tangible property. So, in other words, personal property is tangible, real property is tangible. You've got to treat real property in a uniform manner, and you've got to treat personal property in a uniform manner. Never does the court ever once say personal property and real property have to be treated identical. If it did, none of the opinion which talks about, frankly, calling a dog a cat, as we did in the special session with regard to personal property is now going to be real property as it related to pipelines, and then they threw that out, I mean that's what we're dealing with here. We can treat a class of property separately. We can treat it uniformly and proportionately by exempting it all. We have that power. The court went on to say that, and I pointed it out. The Legislature has the ability to do that. We have to have a rational, reasonable, public policy basis for doing that. We do. Personal property doesn't raise any revenue. Seventy percent reporting...less reporting, 70 percent of it isn't reported. We get 30 percent accuracy on it as related to revenues that have been coming in. But yet we are bound and determined to find a way to tax it.

PRESIDENT MOUL: One minute.

SENATOR HALL: That's fine, if we're going to do that, okay. Different subject. All we're dealing about, here in 1063, is saying if it fails at the ballot and we point it out in the bill...in the amendment that it says it all goes back on, all I'm saying is I prefer the other alternative. I don't want to, like Senator Lindsay said, point it out. Have a 20 percent reduction in real estate values at home and then try to take that away from the homeowners, or the farmers, when all the inventory goes back on. That will be a sticky wicket to be in. That we can't afford to let happen. So you need to exempt it for '92, you need to find the replacement revenue if that's necessary, but you also need to adopt this amendment because the alternative is the worst possible solution. I would urge adoption of the amendment, and I would ask that if everyone's checked in we take a roll call vote, Madam President.

PRESIDENT MOUL: Thank you, Senator Hall. The house is under call. We do have all senators present, and we'll proceed with roll call vote on the Hall amendment to the Warner amendment on LB 1063. Mr. Clerk.