

happen, happen if we do nothing because if we can't exempt...if you cannot exempt personal property, you must tax it all and all means everything. That means everything in Section 2, subsection 2 of Section 8 and that does mean the thing Senator Elmer's...should have been all inclusive in his amendment. I think it should be, and with that I wish Senator Elmer would come back at a later time with a more finely crafted amendment, but if the desire of this body is to give the people of the State of Nebraska a picture what could be since we're all, we're all sitting here second guessing what the court is going to do, where they're going. Judge Shanahan painted out very clear to me that's where it has to be. I think Senator Elmer is right and it's not just the big four, the big four being farm machinery, inventory, livestock and business inventory. It goes beyond that and includes all personal property. I think, yes, we are confined to that as Senator Landis articulated very well this morning, you either have to tax it all, and obviously I have long made an argument that intangibles...

SPEAKER BAACK: One minute.

SENATOR MOORE: ...should be a part of that argument, but constitutionally they don't have to be part of that argument. I think from a policy standpoint they should be but they are in a different section of the Constitution. The thing Senator Elmer is talking about, our part of the mix, the people in the state should understand if they want to vote everything out, if everything should mean everything, everything should mean household goods and charitable goods as well.

SPEAKER BAACK: Thank you, Senator Moore. Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, the discussion I've heard, I suppose since the beginning of the session of that the concept that is included in the amendment before is in that personal...household goods and personal effects would go back on the tax rolls and I don't disagree with those who think that might be the case. The court case, as I recall, only had two judges making some comment as to whether or not personal property was to be exempt and as I recall and as others have indicated, it was relative to the difficulty in assessing and collecting which in many respects you could apply to a lot of personal property, but I rise to oppose the amendment for not for those reasons, but more of one of what I think would be perceived. I doubt that it's generally believed