

SENATOR WARNER: Yeah, we can take it up, Madam President.

PRESIDENT MOUL: Senator Hall.

SENATOR HALL: Thank you, Madam President, members, I rise to support the motion to kill LB 1063. I think that the last vote, unless I'm mistaken, I think I'd go back and look at the green copy. That amendment that Senator Coordsen offered was constitutional enough to be in the green copy of the bill. The issue here is one of how do we go about this process in terms of making tax policy? And, ladies and gentlemen, we haven't gone about it, I don't believe, in anything that represents a rational manner. What we have done is we've said we want to tax personal property. You know, the court has said, the process that you've used for taxing personal property is unfair because you haven't treated individuals who pay that personal property tax in a fair manner. You've got a history of exempting personal property and what we have gone about now through 1063 is saying that okay, by gosh, we're going to find a way to tax personal property. We don't care what it takes, we don't care if we have to change the Constitution, we don't care if we have to provide that the special legislation clause of the Constitution doesn't apply to personal property, again, 3 percent of all the revenue in this state. We don't care that the uniformity clause doesn't have to apply to 3 percent of the revenue in this state when it deals with personal property. We don't care if the commutation of taxes clause to the Constitution applies when we're talking about personal property. We are going to tax personal property one way or another. We're going to narrow it so much in terms of how, not only the statutes deal with taxing personal property, but we're going to ask the voters to go to the polls and frankly bastardize the Constitution so that we can tax 3 percent of the revenue that is raised in this state in a manner differently than we do any other type of revenue as far as the protections in the Constitution apply. And that's what we're doing in 1063. That's exactly what we're doing. We're saying that we're going to use depreciation, an expense, we're going to tax an expense. I missed the handout that showed how many other states in the Union do this, how many other places in the country use a net book value approach with regard to taxing personal property. I don't think there are many. The issue here is, is this a rational, reasonable, fair approach to taxing personal property? No, it's not. The argument has been ad valorem basis isn't a