

method with a reasonable class life, that restricts you, the Legislature, to use uniformity as to depreciation, the method, so that you cannot discriminate against different classes because of depreciation method, and it is a type of depreciation. The reason, and I will have a problem with, frankly, with Senator Hall's amendment, and I should point that out, the reason that it is not included specifically up there is that we do not have language in the Constitution that the court may determine it still has uniformity tied to real property, and I think there is a problem there that it needs to be kept separate and clear for future court decisions. And the second part, shall be taxed by valuation uniformly, that is the second option, which then would apply uniformity if you do not use the depreciation method, uniformity as to valuation of personal property, not tied to real property, then obviously, as I indicated, the option to exempt is in the Constitution and that is still retained. I'd move that the amendment be adopted.

SPEAKER BAACK: You have heard Senator Warner's closing on the first portion of the amendment. We will now vote on that portion. All those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? Record, Mr. Clerk.

CLERK: 14 ayes, 5 nays on the first portion of Senator Warner's amendment.

SPEAKER BAACK: The first portion is adopted. We will now go to the second portion of the amendment. Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, the second amendment relates to the...these are all to the committee amendment. This is the section that would mandate that property protected by federal law from discrimination shall, as rather than may, shall automatically constitute a separate class of property. By mandating that federally protected property is a separate class and the benefits afforded to them then will not necessarily...would not bleed into other classes and, secondly, it becomes an automatic class, so that if Congress or federal courts take some action, and actually we are dealing with railroads, that we do not now know about, or the Legislature is not in session, it is an automatic class that would not create future problems. It strengthens the state's position not to be subject to adverse affect on our tax system, our tax policy by virtue of the federal action; takes nothing away from the railroads, doesn't give them anything more, but it does make it