

Constitution...constitutional amendment is heading as we talk further...

SPEAKER BAACK: One minute.

SENATOR HALL: ...as it comes up about, not only the uniformity clause, but the special legislation clause, the commutation of tax clause, the ex post facto bill of attainder clause, and everything else that is lumped in here to make sure that we can tax 3 percent of the property and get away with that, even though if the federal government acts and allows for these types of entities, whether they be railroads or pipelines or anyone else, they are going to automatically be separated out. Yeah, we may tax them. Maybe they will be in another class and we may tax them. What will happen, ladies and gentlemen, is that they will be exempted, and that is what we have done in the past. That is what we will do in the future, and the fact that we are not going to be willing...or we will be unwilling to put uniform and proportionate in front of the first part of that first amendment will clearly show that.

SPEAKER BAACK: Thank you, Senator Hall. Senator Warner, you are next.

SENATOR WARNER: I want to repeat again the reason for doing this, having it "shall" is to establish by the Constitution that this is a...when federal action is taken, the courts or the Congress, that that shall be a separate class, which is simple recognition of the supremacy clause of the federal laws and Constitution anyway where they are applicable to the states. It doesn't change anything; what it does, as far as what the federal government does, what it does do is establishes where the federal government has put these restrictions on the state that that is a separate class and, therefore, does not affect our ability for the balance of personal property not affected by the federal act. The purpose of...it does not restrict us from taxing. It is just that you have a class that you can deal with separate in the Constitution when the federal government mandates it is to be done, and you do not have that carry-over onto other classes of property that would file a suit wanting like treatment. It is automatic. It is there. It is in the Constitution. Simply recognizes the federal supremacy in these areas and does not put other types of property the state has in its tax policy in jeopardy.