

back to, say, 1972, right after the first 1970 or '71 constitutional amendment was passed that gave us permission to violate that uniformity clause, I guess, or we assumed it did, where we had some partial exemptions. If we would have left it at that, it wouldn't have been so bad, but we found that that, in fact, provided the spirit...

SPEAKER BAACK: One minute.

SENATOR LYNCH: ...and apparently that was necessary for some of us to find other ways to violate the uniformity clause and the spirit of our Constitution. Very concerned. I think if we keep on doing this kind of thing, complicating this, maybe for the right reasons to satisfy the problems, the language will cause most people to be concerned enough not to support the constitutional amendment.

SPEAKER BAACK: Thank you, Senator Lynch. Senator Warner, you're next.

SENATOR WARNER: Mr. President and members of the Legislature, Senator Ashford, you were making a question as why to do it and one of the reasons, the reason that I have been alluding to and I think is of concern of others that if you add those words "uniform and proportionate" in this area, in this line, that because of the history of our court it's been suggested to me that probably no other court would do the same but in the history of our court they have applied those words of uniform and proportionate to valuation so many times that I...that there is a concern that they would go back and fall on...or use past interpretations that would still have the adverse affect of not being able to treat personal property different. The words that are in the amendment now, without Senator Hall's amendment, permit no discretion. There is no discretion permitted by the words that are already there. And if no discretion is permitted, then, obviously, it is uniform. No discretion is permitted, all depreciable property shall be depreciated by the same method. That does not permit discretion as to how it's to be done. That's it, one way, one method. And the spirit, as Senator Moore brought up, of uniformity then is conformed with. It's there because there's no discretion. And I would urge that the amendment of Senator Hall be rejected because of the complications it could lead to through court interpreta...our court's interpretations, but it's not necessary, it's not necessary to prevent a future Legislature of using discretionary