

it's going to be. But if you do not allow for it in that...within the Constitution, then you immediately run into difficulties, or probably and already have where the federal...because of federal action affecting how we deal with the class of property in Nebraska is automatically then extended to other property under our state Constitution. You need that separation if you're going to be able to have any control over your own destiny and...

SPEAKER BAACK: Time.

SENATOR WARNER: ...not turn it all over to the feds. I would urge the amendment be rejected if you have an interest in being able to deal with personal property in some fashion other than at market value.

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

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature. I rise to oppose the Hall amendment, although I certainly want to recognize its virtues as Senator Hall and Senator Will have bespoke them. Let me tell you places where I find disagreement with some of the underlying assumptions, or that the set of fears that I have might be different than the author of the amendment. If you take a look at 219, there's been a very real effort to allow two different theories, two different futures to be contemplated, and not only to be contemplated, but to be enacted by this Legislature. And those futures are not taxing personal property and taxing personal property, allowing the Legislature to, if you will, have the power to chart its course given economics, market conditions, the competitive marketplace, equity to choose from among those two most extreme choices, and a range of options in between. Now I think that Senator Hall would tell us that that is also the goal of his amendment as well, that that is perhaps the aim at which the language that he offers us achieves. I, on the other hand, do not see it quite that way, and think that it creates in its simplicity some unanswered questions which may cause unintended consequences. Let me give you some examples. Notice that in the simplicity of the drafting of this language that we have now excised any reference to the special legislation section of the Constitution. Now the special legislation section of the Constitution has been used as a hammer by our Supreme Court, forcing a level of analysis and