

SPEAKER BAACK: One minute.

SENATOR HALL: ...how to tax personal property. And it means that we've got to go through this process of finding out what net book value is. We've got to go through this process of figuring out what possible exceptions in the Constitution would prevent this from having a lawsuit filed against it. Let's incorporate them into that constitutional amendment. Instead of saying what's good tax policy from the very beginning, and then going forward trying to craft that, frankly we're never going to get away from personal property until we exempt it all, which is the proper thing to do here, because we are making mountains out of mole hills, over a hundred million dollars. And we're going to change the Constitution to allow us to put a never before used type of tax system at the state level into effect. I don't think the voters are going to buy it. I don't even think with this amendment that it has as...probably at...

SPEAKER BAACK: Time.

SENATOR HALL: ...best a 50-50 chance. I would urge you adopt the amendment for clarity sake, and so that the constitutional amendment has the best possible chance at the poll.

SPEAKER BAACK: Senator Schmit. Senator Hartnett. Senator Landis.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, Senator Hall makes an interesting point, and I want to acknowledge it. And that is, look, don't you want to have tax policy meet a special legislation standard? Isn't it good to have a special legislation standard? It's put in there for protection, it makes sense. Wouldn't you want to have your tax policy be able to meet that standard. And on...as an intellectual argument I would certainly accept that notion. But I think his argument sort of underlines the belief that if the language is in there in the Constitution, it will be interpreted in a way that you and I would find predictable, that special legislation, as in nontax areas, makes perfect sense, and you can entrust that the tax policy can be met to the same standard because, of course, the words will be the same, they'll be there in the Constitution, that will be a way of bounding rationality or fairness. Well, I ask you to think back. Have there been significant changes in the language of the United States Constitution between the Warren court's years and the Rehnquist