

that process. You cannot do it, that's just what it says. Personal property will be taxed, except for that personal property which is specifically exempted by the Constitution. Read the amendment, ladies and gentlemen, that's what it says. So even if at some point down the road the court should rule that the net book value approach is volative of the Constitution...

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

SENATOR WARNER: Mr. President, members of the Legislature, been a number of things I'd like to touch on that has been said. It's been indicated that the Supreme Court did not overrule Stahmer v. State. On page 22 of that opinion the words are, accordingly Stahmer v. State is overruled. It's been stated that special legislation was not the factor, that it was the Fourteenth Amendment. Went back and checked. The court did use the provision of special legislation, that Senator Landis was talking about earlier, to throw out the exemptions. I suspect if you, particularly those of you who are concerned about taxing personal property, those of you who really, in your heart and your policy, do not want to tax personal property, if you vote for the Hall amendment as it now stands you will be taxing personal property, because if you don't address those special clauses, that's what the court was, special legislation, and the others, that's where you end up. Yes, there's a lot of language in here, that's I think that's referred to, to get around the court decisions. And that's not too inaccurate. It's necessary to address those provisions that have been involved in the court decisions in the Constitution, because if you fail to do it, if you leave it all intact what they have used to throw out exemptions before, there is no doubt in my mind they will do it again. Yes, it's a complex issue. One of the reasons it's complex to resolve is because it is a complex issue. There are a number of things that have to be addressed. If you leave it wide open, all you're going to do is revert back to the original court decisions. I know there is a mixture of motives in here, all reasonable, there are some of us probably who would like to have everything taxed, there are some of us that would like to have it all exempt, there's some of us that have something in between. And we tend to flow with amendments as they come, thinking that maybe that addresses the issue the way we want it done. But the bottom line of all the discussion on this amendment is that if you want to treat personal property