

Henningsen Foods have a large expansion program under way and they are in the business of food processing, direct benefit, of course, to agriculture and they serve about three-quarters of a million laying hens in my district and in other districts they serve even more. But if we repeal that exemption, then those entities which are now in the process of filing their applications are really going to be hard pressed to explain to some of their boards of directors and other investors why an exemption they had counted upon is no longer there. And, of course, the Nebraska Legislature will be pointed to once again as the culprit. We would be the ones who granted the exemptions in 1987 and took them away in 1992. A far better solution, I think, and I'm sure that Senator Moore would agree, would be to exempt all personal property. It's amazing to me that we are here today because 75 percent of the personal property was exempt from taxes and 25 percent was being taxed and the court said that's not fair. So today we're probably taxing 40 percent of the personal property but in order to get around the court we are repealing the equal and uniform and proportionate clause of the Constitution, the only really good protection a minority has. I spoke yesterday with a large number of individuals, both in groups and one by one. Most of them would not consider themselves to be constitutional experts. Without exception, without exception, they opposed the removal of the uniform and proportionate clause of the Constitution and they understand. They do not want us to be messing around with the Constitution. If they saw the amendment, I assure you they would support it even less. The amendment has a host of problems, not the least of which, of course, are the fact that you remove the...

SPEAKER BAACK: One minute.

SENATOR SCHMIT: ...uniformity and proportionate clause but we say we try to keep it uniform and proportionate within the classes. Well, that will be something that will be very, very difficult to enforce and, of course, once again we increase the cost of government, we increase the workload of government, we increase the load upon the taxpayers while at the same time we purport to serve the taxpayer. I think it's a fallacy. If all else failed, I would support the removal of the 775 exemptions, but until that happens and I am not yet ready to concede, then I would prefer to go the route of exempting all personal property from taxation.

SPEAKER BAACK: Thank you, Senator Schmit. Senator Warner,