

method. I can understand those who are opposed to the bill who flow from issue...from amendment to amendment, arguing uniformity for one argument and the next amendment and then they argue against uniformity, and I can understand if you're just opposed to the bill those arguments are appropriate. That has happened on other legislation, but I can't let it go by without at least pointing it out. This morning when we were dealing with 775 the comment was frequently made that sections that dealt with the exemption in the existing law, feed, grain, seed, were being repealed in that bill and that's, again, is accurate but not true because all of those items are nondepreciable and on page 81 it very simply states that nondepreciable equipment is exempt and so none of those items, while the current language of the law was being struck, they were not being taxed. They remain untaxed or exempt because they constituted nondepreciable personal property and so were still exempt, even though in a different fashion than they were prior to January 1, 1992, when the Supreme Court decision took effect. But I'd urge the body to reject this...this amendment because it seems to me it will lead to some of the problems that the Attorney General's Opinion wanted to avoid, number one, but number two, it's almost, as a practical matter, would result in different sets of accelerated depreciation and would affect different people differently than what the bill calls for now.

PRESIDENT MOUL: Thank you, Senator Warner. Senator Schmit.

SENATOR SCHMIT: I have a question of Senator Warner, if he would yield, please.

PRESIDENT MOUL: Senator Warner.

SENATOR SCHMIT: Senator Warner, first of all, and I asked you this question before but I'm going to ask it again because it seems like it's always a different group of people who are on the floor. What assurance do we have that the court's going to accept this method of depreciation as a basis for taxation of personal property? What assurance do we have, other than the Governor's saying so and a few other people?

SENATOR WARNER: Well, as I've answered the question before, Senator, and you and I both very well know that neither one of us can predict with absolute absoluteness as to what a Supreme Court is going to do, as I've answered your question before, this has, seems to me, to a reasonable classification, there's