

comply by virtue of a higher levy because the valuation of a governmental subdivision was less than was required. That's the other side. And I would hope that you would take that into account as well as you look at this amendment.

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

SENATOR HALL: Thank you, Mr. Speaker, and members, again, I rise in support of Senator Schmit's amendment. The issue is, did you file on time or not? And whether or not at the local level there is the ability to waive the penalty, the issue is that there is a Class II misdemeanor levied at the state level. The state is saying, as a body, as a policymaking body that we believe that this ought to be a first year Class IV misdemeanor; second year, a Class II misdemeanor. And then the 50 percent penalty and 10 percent that are clearly waiveable at the local level. All it takes is one local body that says, no, there's too many of these coming through, we're going to treat them all alike and we're going to go ahead and process the criminal charge on it. And then we're going to be back here making changes to the statute saying that, no, we really didn't want that to happen. Or we're going to be writing letters to the county officials saying we passed this law to make sure that...to keep the honest people honest, if you will, and then at the same time make sure that the penalty is never used. Don't put the penalty out there. It's...it is something that if you're going to argue that the locals have the ability to do it but yet they can waive it, then why have it in the first place? In light of the confusion around this issue, the change in the timetables that we put in place in order to have...bring some kind of order to this system, this change that we're making in our personal property tax system, to say that for this year and this year alone, and that's all Senator Schmit does, he leaves the Class II misdemeanor in place for subsequent years, that the only penalty that will be there is the 14 percent nonpayment interest on those taxes, which seems to be enough in other areas in terms of an incentive to get people to pay their taxes. And, clearly, what's going to happen is folks just aren't going to file. You could have the death penalty for first offense and there's going to be people who aren't going to file. They're just not going to file. You're never going to get those folks who are going to try to circumvent the system. Make it the most...the stiffest penalty you can think of. You're never going to get those. But what we're doing here, I think, is adding more burden to the individual who is trying to figure out