

this amendment is that the...if the ratio of the taxable value of property of persons engaged primarily in the business of farming and ranching exceeds the ratio of the comparable taxable property other than property of persons engaged primarily in the business of farming and ranching by more than 5 percent, the tax commissioner may order the county assessor to adjust the value of property of persons engaged primarily in the business of farming and ranching to the percentage of such other comparable taxable property. Now if that is not what is happening with the railroads, if I am incorrect, then I apologize. If it is what is happening with the railroads, then it ought to be acceptable as a method for taxation of rural property. Mr. President and members, it's very simple, it's very straightforward, it is fair, it is equitable and I offer the amendment at this time. Thank you.

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

SENATOR WARNER: Mr. President and members of the Legislature, first, under the provisions of CA1, which restricts...which requires that all depreciable property will be taxed under one method, the uniformity that is so frequently talked about does not permit what is proposed here in this amendment. The only exception that's contained in CA1 and sets up a separate class is where federal supremacy law is primarily the railroad, restricts the state in what they can do in the form of taxation that we have to comply with, whether we want to or not. The attempt to begin a route which many of you argued that you wanted uniform treatment, this is being a...and which, incidentally, CA requires, but this would be an attempt to violate what many of you argued that you wanted, which was uniform treatment. And I would urge that you reject this concept. Number one, it can't be done. If you start applying the concept also to railroads, you will be running a chase which you can never win because this tends to change the valuation, total statewide actual or valuation and taxable property ratios but that's another issue. But the facts are that the constitutional amendment does not permit that, what is proposed here. And the only exception is where the federal supremacy factor exists and that, of course, we have no choice but to recognize that. So I would urge the amendment be rejected.

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

SENATOR SCHMIT: Mr. President and members, I believe that