

would be the personal property that we gave a tax exemption when we passed LB 775. But I think that Baack, Senator Baack and Senator Lindsay and whoever else is on this amendment, I think they're hitting it right on the head. And so I rise to support this amendment and, hopefully, it will be adopted.

PRESIDENT MOUL: Thank you, Senator Hefner. Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Madam President, members of the body, being one of the co-sponsors of this amendment, I obviously rise to support it. And I don't know that the amendment is brought so much out of policy as it is brought out of what I believe to be necessity and the necessity at the moment, this whole body, you look around here this afternoon, now this evening, look around here. Everybody is looking for how are we going to solve this situation and how are we going to go about doing this. The way not to do it is to start the debate over 775 again, the earthmoving equipment, I...that's part of this and, to me, it isn't a big deal. And so if somebody wants to stricken out the earthmoving equipment, that's not a big deal. The 775 things at this point are not an appropriate point of discussion. The policy has been made by the Legislature. But what's going to happen here is we are either going to have a constitutional amendment or we're not and if we do, the appropriate discussion should not be whether you have 775 incentives and personal property tax exemptions or not. If you don't have a constitutional amendment, we have this problem right before us again. You come right back to the same area and you're going to have someone who is either going to have to debate the merits of having 775 exemptions or someone is going to challenge it in court. Quite frankly, nobody challenged the big four in court. The Supreme Court kind of went out in left field and shagged a few flies and pulled these four in. They're going to do the same thing to 775, only this time somebody across the field, in a brief, is going to mention it, oh, by the way, and then that's going to be enough justification for the Supreme Court. They're going to knock that out if we don't have a constitutional amendment. The purpose for this is to keep the discussion focused and you've got to focus on what the problem is at the moment. The problem at the moment is the big four that the Supreme Court through MAPCO has put back on. Keep the discussion focused, otherwise we're going to have this same discussion when the constitutional amendment, if it ever gets approved, and that's what's going to happen in public and the discussion will not be on should we