

shall not be required to be taxed uniformly and proportionately with real property.

SENATOR WICKERSHAM: So that is your effort to sever personal property from the uniform and proportionate clause?

SENATOR HALL: Oh, the effort goes up farther where you see "Notwithstanding Article III, Section 18, of this Constitution, or any other provision of this Constitution," so in other words, those two together are my effort to do that.

SENATOR WICKERSHAM: Okay, so we will be taking some risk that despite that drafting and that effort that the court could still construe the uniform and proportionate clause as they have before to be paramount and require the uniform and proportionate taxation of real property and personal property together resulting in the disaster that we all have been carefully trying to avoid and that is zero valuation for real estate?

SENATOR HALL: Senator Wickersham, one could argue that as one could argue that under LR 1CA the court will ignore what we do here and say, no matter what you call personal property, there is no difference whether you make a distinction or not between the way you treat that and the way you treat real property. They could do that. They could do that. They could say, so what? We don't care what the Legislature has done. We told you what you had to do to fix it. I don't know. I don't have the crystal ball. I can't tell you what those justices may or may not do.

SENATOR WICKERSHAM: All right, Senator Hall...

SENATOR HALL: And that is what it is, it is an attempt.

SENATOR WICKERSHAM: Yeah, okay. I simply wanted to raise a note of caution here because this amendment, while it may appear to be attractive to the body as one which may buy us time, could very well be one which simply buys us trouble and time both. There are no guarantees as to how our court will construe this amendment, and whether or not they will continue to hold the uniform and proportionate clause as sacred and hold our feet to the fire to tax all property. I cannot see that this amendment, as proposed to us, is necessarily sufficient to guarantee us that that interpretation by the court is not possible. I will have to consider carefully this amendment, but I do have some