

mitting these nefarious people to carry on their land speculation to the detriment of the taxpayers of my county.

THE PRESIDENT: Delegate Henderson.

DELEGATE HENDERSON: Mr. President and gentlemen. I would like to support the motion to reconsider. It seems to me that the term "agricultural property" as defined by law is the best phrase that we can use. I recognize the difficulties of trying to classify something which perhaps defies classification; that is to exclude one person who has a profit motive, or the speculator, if he is actually farming, and the farmer who may have speculative motives in continuing what is a losing enterprise, because he hopes to gain in the future. But if it is possible to make that distinction between those two and make a classification which will stand up under the equal protection of the laws, it seems to me that the phrase "agricultural property" as defined comes closer to it than anything. It gives to the legislature to define what is agricultural and what is not within the meaning of that phrase. So I think that you have the best chance of success of drawing this line with those words than you do with the others.

THE PRESIDENT: Are you ready for the question? The question arises on the motion to reconsider the vote by which Amendment No. 1 as amended by Amendment 1-b was adopted. A vote Aye is a vote in favor of reconsideration. A vote No is a vote against.

If the motion to reconsider passes, you will have Amendment No. 1 as amended by Amendment 1-b before you. This is not a vote on the adoption or rejection of Amendment No. 1, but merely a vote for reconsideration.

A vote Aye is a vote in favor of reconsideration. A vote No, a vote against. Cast your vote.

Has every delegate voted?

Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 81 votes in the affirmative, and 26 in the negative, the motion is carried.

You have now before you Amendment No. 1, as amended by 1-b. Is there any further discussion?

*(There was no response.)*

Are you ready for the question?

Delegate Clagett.

DELEGATE CLAGETT: I have a question of Delegate Sherbow:

What has caused all the difficulty, Delegate Sherbow, is the change of language. Can we not go back to the original language and make everybody happy?

THE PRESIDENT: Delegate Sherbow.

DELEGATE SHERBOW: I would be perfectly content to go back to the original language. I will take either of the two, because in my judgment they each mean the same. If we can get to the point where you vote on what Style has done, and then you go on to the other one, that is your privilege. But leaving it where it is right now is what is making all the trouble.

THE PRESIDENT: Delegate Clagett.

DELEGATE CLAGETT: Then, if we can go back to the original language before Style changed it, which caused all this difficulty, I would certainly follow the route, whatever may be the proper route to get there.

THE PRESIDENT: I suggest to you, Delegate Clagett, that the question now is on the adoption of the Amendment No. 1. If Amendment No. 1 is rejected, the section is open to further amendment.

Delegate Hanson.

DELEGATE HANSON: Mr. President, I urge the Convention not to reject this amendment on reconsideration, but to retain it as you placed it in the draft constitution in the first instance. There are, indeed, problems in the agricultural assessment area of distinguishing on the basis of motives between a person who is farming, owning and operating a farm, and a person who owns land which he may devote to some agricultural use, but owns it for a purpose which is not agricultural, but mainly speculative. This is the problem. This is the sum and substance of the problem in agricultural assessment, because what we are doing is asking assessors who are trained to make judgments on the sale value of land to make judgments about the intent of the owners of the land. In order to really handle this problem and to do what we have all said what we want to do to help the bona fide farmer, and not to help the speculator, we must have a section that leaves the legislature to define by law, not just the property and the way it is