

farmers singly and in combination, from the state board of agriculture, from the Grange, from the Farm Bureau, from farmers throughout this State, I would say the biggest single hearing that our Committee held; I would stand corrected on this by any members, but it is my recollection the most people we had at any one time was the people who came from all over the State to speak on this issue.

As a result of that it was felt by the Committee that agriculture industry in this State deserved a modicum of protection in the use of the word "shall". This would give that to the bona fide farmers now without any doubt, whereas the word "may" might not.

THE CHAIRMAN: Delegate Hanson, do you have further questions?

DELEGATE HANSON: Yes, Mr. Chairman, but it would seem to me — Mr. Case, I will put a question mark at the end of this — that the clause we are discussing here, as you suggested earlier, does not actually add any powers to the power of the General Assembly but on the other hand, does it not provide a limitation on the power of the General Assembly if in its discretion at some future time it wishes to establish classifications, but looking at the application of the farmland assessment act over a period of time, perhaps finding it unworkable or finding it impossible ultimately to distinguish between bona fide farmers and farmers not so bona fide that such action should not stand, it would be in a position of not being able to establish taxable application on property.

Would that not be the case?

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: I thought you were going to put that question mark in sooner or later. No, I do not think it would be the case. The General Assembly is given clear power to classify and the use of the word or use of the class relating to agriculture is so worded, at least I hope it is so worded, I believe it is, and members of the Committee believe so — it is not written in such a way as to limit or in any way hamstring the classification or sub-classification of land for other purposes.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: The clause as I read it says that the classes shall include agricultural property. Would this mean then that a classification system could be established which did not include agricultural property?

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: The way I read it it means there may be classifications of land in any numbers of categories you care to assume, but one classification that has to be made is classification of farms.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: I have a number of questions, but I do not want to wear out the indulgence of the Committee.

THE CHAIRMAN: If you have protracted questions, I suggest we resume tomorrow.

DELEGATE HANSON: I would like to discuss this with Mr. Case privately, but I also want to discuss it with him publicly.

THE CHAIRMAN: Before we leave this, the Chair would ask Delegate Case and also Delegate Moser before we resume tomorrow to consider section 8.01b in conjunction with section 7.05.

It seems to the Chair that 8.01b goes further than 7.05. It says the same thing as 7.05 as to counties as to which 7.05 is limited but 8.01b says political subdivisions.

I would like to know whether the Committee on Finance is recommending that this be extended to municipal corporations.

The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. Chairman, I move the Committee of the Whole rise and report it has not yet completed consideration of Committee Recommendation SF-3.

THE CHAIRMAN: Is there a second?

(The motion was seconded.)

THE CHAIRMAN: All in favor signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

(Whereupon, at 10:25 P.M., the Committee of the Whole arose, and the Convention reconvened.)

(The mace was replaced by the Sergeant-at-Arms.)

PLENARY SESSION

DECEMBER 4, 1967—10:25 P.M.

PRESIDENT H. VERNON ENEY,
PRESIDING

THE PRESIDENT: The Convention will please come to order.