

SENATOR HALL: ...the overall problem, and I would argue that even with the committee amendments and the sunset we don't stand a chance in court when someone tests it. The sunset does nothing more, and this is a very good argument to adopt Senator Warner's amendment, it does nothing more than say, look, we are going to test it in court. Here is the time frame in which you test it. You get it done within a two-year time frame, and, hopefully, at that point in time, we have come to our senses or the courts have given us direction, and I guess we are going to set public policy based on the Attorney General's Opinion, which has a lovely track record most recently, and whatever the courts tell us. So in other words, we are going to be led around by the AG's office and the courts, and we are going to just bandy about any way we please in terms of public policy, I guess, and I guess it is going to run the gamut, not only be limited to tax policy, but every area that this Legislature deals with.

PRESIDENT: Time.

SENATOR HALL: That is how we are going to function as policy makers. I would argue that that is an extremely poor way to deal with the situation.

PRESIDENT: Thank you. Senator Ashford, please.

SENATOR ASHFORD: Thank you, Mr. President, and member. I stand to concur with Senator Hall on his sunset provision. I think that, though I will disagree to a certain extent with his analysis of the Attorney General's Opinion, I think that the Attorney General's Opinion I think is essentially correct in my reading of the law, and I have read, as all of us have, the several cases starting with Stahmer and coming up through the Enron case, and the analysis that the courts have given to the various issues, the agricultural property issue, and now the personal property issue. I think that the Attorney General has the solution and that we have a solution, LB 7, but it may not be the case. And I offer another reason that I think the sunset provision is probably a good idea and that is whether or not this is a way to solve the problem, I would agree with Senator Hall that I don't think it is the best way to place into statute an exemption which for railroad property or this particular railroad property which will extend on into the future and will be very difficult to take out. It is an expensive exemption, and even though we, as a Legislature, I think have the