

March 5, 1992

LB 1063

LR 219

you're referring to on that. If you would just, for a moment, because I'm interested in the...in what specific case you think and what language in that would invalidate this provision.

SENATOR HALL: Doug, I would be happy to get that for you.

SENATOR KRISTENSEN: Okay.

SENATOR HALL: I will go down...we've got it downstairs. I will go down and get it and I will make it available to you.

SENATOR KRISTENSEN: Okay, thank you. This provision, I believe, is important because it's one of those ones that a few of us who have been hesitant have been talking about needs to be here. If you buy into the belief that you do have a personal property tax crisis and that you want to change it in some manner, if you want to take all the property off and if you believe that you don't need a constitutional amendment, then all of this probably is irrelevant because you don't think it's necessary. However, if you do believe that there needs to be some change in the personal property tax system and if you believe and as I think most of us do that a constitutional amendment is necessary, when the people go to vote in May their vote is going to be is this going to fix the problem. They're not going to have the value of all this debate. They're not going to have the value of all the information. What their bottom line is, is this going to fix the problem. Why would you take the chance then? Why would you ever take that chance of not being able to say, well, what we did in the spring of 1992 is constitutional. What this amendment is is packaging it and saying the things we did in 1992 are going to be in the oft chance they would violate commutation of tax, special legislation. Senator Hall made reference to another provision which has been interpreted to be our equal protection clause of the Nebraska Constitution, why would you take that chance? Well you wouldn't. And you would say, well, in the oft case that we would violate those, why would we just even not cover that base? This provision is in here for the purposes of this piece of legislation, there's no doubt about that. There are various dates that LB 1063 comes into effect. Some of those dates are before the election. Some of those dates are effective after the election. Now on the issue of whether you're going to have a special session or not, I still think that's...the jury is out on that. My off the cuff response is, why not, just to make sure that what you're doing is correct. But you may...you're