

July 19, 1991

LB 6  
LR 1

the law...what we are...the situation that we're under at that time.

SENATOR MOORE: Well, but, Senator Lamb, if...

SENATOR LAMB: It's still off, it's still off at that time. And we can come back in here and do what we want to do.

SENATOR MOORE: Even though the court has ruled it unconstitutional.

SENATOR LAMB: Huh?

SENATOR MOORE: Even though the court has ruled that part of the law unconstitutional, you're staying it's still in effect.

SENATOR LAMB: That's right.

SENATOR MOORE: Okay. Senator Hall, would you care to address that.

SENATOR HALL: Well, Senator Lamb is right, LB 829 will be in the statute books. It hasn't been addressed, because LB 6 isn't going anywhere. The issue will be that the statutes will read that the status quo, because of the Warner amendment to 829 at the tail end of the session, put it back to the pre-LB 829 personal property tax exemptions. So what you have is a court order subsequently that has ruled our personal property tax exemptions unconstitutional. And what it will take is a court order to enforce that ruling, effective...and somebody will have to, I guess, file that, but...or request it, but that's what it will take in order to put that property back on the tax rolls,...

SENATOR MOORE: Okay, but...

SENATOR HALL: ...if we do nothing.

SENATOR MOORE: If we do nothing, even if we do nothing in January, that's what's going to happen. The courts will make that happen, they already said that.

SENATOR HALL: Well, it's, you know, if they have said that, Senator Moore, then I guess they will have to enforce it. That would be unique and I'd like to see that happen, but that would