

openly, and I would encourage that to happen. But I do think that, in essence, the handwriting is on the wall and the support for LB 361 from the number of farm groups that you can see listed as proponents of the bill, no opposition to it, shows that clearly they understand that this issue has to be resolved soon so that we do not find ourselves with an eroding tax base, property tax base out there that we have no control over. We need to take control back of that situation and LB 361 is a vehicle in which we do that. With that, Mr. President, I would give the balance of my time to Senator Landis.

**SPEAKER BARRETT:** Senator Landis, approximately three minutes.

**SENATOR LANDIS:** Thank you, Mr. Speaker. Well, I zipped through about 100 years of history of the revenue picture of the state in ten minutes. Got three minutes here and I got up to 1988 in the Equitable case. I want to see how far I can get in three minutes. I was working with you on this Equitable Life decision and I was up to point number 4. The court basically looks here and relies upon two sales assessment ratio studies to justify their decision. In other words, when analyzing what the fair value of Equitable Life's land was worth compared to the ag land, they used a comparable sales methodology to affix fair market value. In other words, that is the method that they liked, that is the one they placed their faith in. Number 5, the last point to be drawn from this case, reiterates the Kearney Convention Center and points out the position that we're in today. Number 5 tells you the state of the law in Nebraska. In so holding, Kearney Convention Center reiterated that while it is permissible to reasonably classify property for tax purposes and to use different methods to arrive at the assessed values for each class of property, the results obtained by such varying methods must correlate to each other in such a manner that taxation of all classes shall be uniform and proportionate and not exceed actual value. What does that mean? That means you can use a cash rental method, you can use an income stream method, you can use a straight marketive method, you can use comparable sales method, you can use any method you want, but the numbers that that system yields has to be equivalent to market value. Doesn't make a difference what method you use, but the number has to equal the market value and if it doesn't, it's not sufficient to meet the Constitution standard. That is what the court has made plain in Equitable Life. 361 says, all right...