

February 27, 1995 LB 137

received a letter from my county board asking to vote against LB 137 but that also was given to me after the Select File vote. So I'm here on Final Reading asking you to pull this back for a specific amendment on LB 137, not necessarily because of the concerns of Douglas County, although I do understand them and we are going through, as many of you are, some tremendous input from the public on their concern for property taxes, but because after...after we went through this bill, I had requested an Attorney General Opinion on an area of the bill that I'm asking now to amend and that's because this area in the Constitution gives the power to the State Board of Equalization to review and equalize assessments of property taxes or property for taxation within the state. It does not set a range in the Constitution and it does not say that we, as a Legislature, can...can, by our powers, tell them to set a range. It just says that they have the constitutional right to review and equalize property assessments and there was some question as to whether we could even have language in statutes that would bind them to any range at all, and that was the question that I had asked the Attorney General and I have not received an opinion yet on that, on that question, so what I would like to do is pull the bill back for this amendment that will put it into the form of a constitutional amendment and all it simply states is...and it's in the same area of the Constitution, so that all classes or subclasses of property in all counties fall within the acceptable range as provided by law. If this should pass in the November election, then I believe we can come in, as a Legislature, and set that acceptable range and put in the language that we need to, but I don't think we can jump the gun and try to set a range with 137 and force the State Board of Equalization into a range because they don't...they don't have to do it constitutionally, they can do whatever they want to and unless we go about changing that area of the Constitution to allow us to set a range, I believe this would probably be termed or found unconstitutional but I don't know yet. And I've asked the Attorney General to make an opinion on that and we have not received that so if people are considering voting for LB 137, I would ask you to consider this...this amendment to LB 137 and kind of put the process, I believe, in the proper...in the proper form that it needs to be in order to accomplish what we are trying to accomplish with LB 137. I am concerned, as I said, about many of the things that were outlined by Douglas County on bringing us into that range so quickly. I mentioned in a senators' meeting Saturday, with the people in my district, that it was much easier to turn a Masserati around than it is to