

100 percent as possible, where you would also have though some...some room to maneuver, if you will, in terms of that valuation range. I would like to see us not adopt Senator Witek's proposal but either bring the bill back and strike the emergency clause or at least have enough people not vote for the bill this morning so that it doesn't pass with the emergency clause, which would have the same effect and it would allow for the bill to be read today. I would hope that folks...

PRESIDENT ROBAK: Time.

SENATOR HALL: ...would talk about this issue and we could, hopefully, at the same time read the bill before noon today. Thank you, Madam President.

PRESIDENT ROBAK: Thank you, Senator Hall. Senator Pirsch, your light is next.

SENATOR PIRSCH: Thank you, Madam President, and members of the body, I also wrote a letter for an opinion from Attorney General Stenberg on this particular bill. And just to refresh your memory, as I said in the letter, LB 137 would add language to 77-506, requiring the State Board of Equalization to exercise its assessment power through a fixed method, and I quote from the bill, "so that all classes or subclasses of real property in all counties fall within the acceptable range." And, of course, as that is defined in LB 137 for agricultural land, we have said 74 percent to 80 percent, and then we have said that the mean for or the average, remember we amended that, the average level of assessment would be adjusted at 77 percent of actual value, and then we said for the nonagricultural we would allow 92 percent to 100 percent; 100 percent was what we had put into the law earlier, and 80 percent by a constitutional amendment several years ago, and that average would be 96 percent of the actual value. Well, I can tell you that...well, and I'll go on then. My question to the Attorney General is, does the Legislature have the authority to limit the manner in which the State Board of Equalization exercises power that it derives under Article IV, Section 28, of the Constitution of Nebraska, to review and equalize assessments of property? Right now, in Nebraska, we, or in Douglas County and in all Nebraska, I think Senator Hall is right, we have very unsettled, uncertain actions going on and yet the authority does rest with, according to the Constitution, with the Tax Commissioner. Now some people are unhappy about that, but, again, it is in our Constitution. So I