

be two values, the lower of which is what is assessed, then perhaps the next amendment I will offer might be more acceptable then. It still retains some reference to market value. I have rather strong feelings and maybe the only one that does, that there is a need to retain some accurate measurement of market value of agricultural land in relation to other property, and that if we go with the sole earnings approach, that in time there will be no way to make that accurate measurement. As I recall some of the Supreme Court decisions, at least in the past on other property, it is usually held that you can't value property for more than its market value, yet we will be setting up a system that potentially has the ability to be higher than market value, but you may not really be able to know. So if you feel there is a possibility of that, then this amendment would ensure that at least market value was not exceeded.

SENATOR BEUTLER: Okay, the motion before you is the Warner amendment to the committee amendment. Simple majority. All those in favor vote aye, opposed nay. Please vote.

CLERK: Senator Beutler voting no.

SENATOR BEUTLER: Please vote. Is there anybody else that wishes to vote? Senator Warner, I'm about to record. Record, Mr. Clerk.

CLERK: 11 ayes, 20 nays, Mr. President, on adoption of the amendment.

SENATOR BEUTLER: Okay, the amendment is not adopted. Senator Rupp has a couple of guests under the north balcony. Please welcome to the Legislature Carl Newquist, Nance County Supervisor, and Joyce Mason who is the Nance County Assessor. Would you stand and say hello to us, please. Welcome to the Legislature. Are there any further amendments to the committee amendments, Mr. Clerk?

CLERK: I have nothing further to the committee amendments, Mr. President.

SENATOR BEUTLER: Okay, we are back on the committee amendments. Would those of you who...would everybody check their lights. Those of you who wish to speak to the committee amendments, put your lights on, or retain your lights. Okay, Senator Nichol.