

## MINUTES

### MONTANA SENATE 54th LEGISLATURE - REGULAR SESSION

#### CONFERENCE COMMITTEE ON HOUSE BILL 358

Call to Order: By CHAIRMAN TOM BECK, on April 7, 1995, at 11:00 a.m.

#### ROLL CALL

##### Members Present:

Sen. Thomas A. "Tom" Beck (R)  
Sen. Dorothy Eck (D)  
Sen. Don Hargrove (R)  
Rep. Shiell Anderson (R)  
Rep. William M. "Bill" Ryan (D)  
Rep. Cliff Trexler (R)

Members Excused: none

Members Absent: none

Staff Present: Susan Fox, Legislative Council  
Elaine Johnston, Secretary

{Tape: 1; Side: A; Approx. Counter: ; Comments: .}

##### Discussion:

CHAIRMAN BECK said that the amendment in the Senate was put on by him as SEN. LYNCH had originally amended the bill but he had some concern about forest lands. He wanted to make sure that it was included in the bill and he asked REP. TREXLER if he had any problems with that. REP. TREXLER said he had no problem.

CHAIRMAN BECK said that the only thing he had heard was that on the amendment 2(a) had to be stricken as it was only 20 acres of land under 2(a) and the amendment needs to be for agriculture land. He asked the committee if 2(a) was eliminated from the bill if that would suffice?

REP. CLIFF TREXLER added that the way it was written if you had a couple of 20 acre tracts among a lot of tracts of various sizes, those two 20 acre tracts can control everything and it seemed to be an oversight.

Susan Fox said that 2(a) refers to parcels owners, or the owners agent, markets not less than \$1,500 annual gross income from the

raising of agricultural products. That statement may be very limited. If 2(a) were to be struck, it would make all the provisions under 15-7-202 applicable.

**CHAIRMAN BECK** said they were going to strike page 2 line 30 after the 202 "2(a)".

**REP. SHIELL ANDERSON** asked why it was inserted "who's property is taxed for agricultural purposes"?

**CHAIRMAN BECK** said that **SEN. LYNCH** was concerned about major companies saying if they had a big parcel of land and they could control zoning regulations with that purpose. **SEN. LYNCH** wanted to specify that it could not be a major company.

**SEN. HARGROVE** asked if they had seen the concerns about Ashgrove and that was what **SEN. LYNCH** was concerned about.

**REP. BILL RYAN** said that **SEN. LYNCH** referring to the Anaconda Company, they would have controlled everything and no zoning would have taken place.

**SEN. DOROTHY ECK** said the amendment was looking at company towns.

**CHAIRMAN BECK** said if the land was classified for agriculture purposes there would not be a problem.

**REP. ANDERSON** asked if 2(a) was taken out would that include all land taxed as agriculture land?

**Ms. Fox** said that everything eligible for land valuation as agriculture would be under the different provisions.

**CHAIRMAN BECK** said the reason he came back with the amendment on property taxed as forest land, one of the zoning regulations was for aesthetic purposes and he wanted to make sure it was included in the amendment.

**Motion:** **SEN. HARGROVE MOVED TO STRIKE "2(a)" FROM THE HB 358.**

**Discussion:**

**REP. ANDERSON** asked if anyone from Ashgrove or any other group speak on the bill?

**CHAIRMAN BECK** said that there was no representatives at the Senate committee meeting and the amendment was made on the floor so there was no possibility for Ashgrove to discuss the amendment.

**REP. TREXLER** said that in 15-7-202, 1(b), it said, "the land is not devoted to residential, commercial, or industrial use". People in that nature are already covered under the agricultural part of the law. He said he thought they were getting excited

about something they did not need to be excited about. He continued that they have accomplished everything for everyone by making it agricultural and forester land.

Vote: THE MOTION CARRIED UNANIMOUSLY.

Motion/Vote: REP. RYAN MOVED ADOPTION OF THE COMMITTEE REPORT.  
THE MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Adjournment: 11:10 a.m.

  
SEN. TOM BECK, Chairman

  
ELAINE JOHNSTON, Secretary

TB/ej



## CONFERENCE COMMITTEE

on House Bill 358  
Report No. , April 7, 1995

Page 1 of 1

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 358 met and considered House Bill 358 and recommend that House Bill 358 (reference copy -- salmon) be amended as follows:

1. Page 2, line 30.  
Strike: "(2) (A)"

We recommend that the amendment considered above to House Bill 358 be acceded to by the senate.

And this Conference Committee report be adopted.

For the House:

Anderson

Michael W. Anderson

Chair

Ryan

Jeff Trexler

Trexler

Wm Ryan

For the Senate:

Beck

Chair

Hargrove

Eck

Donna Eck

ADOPT

REJECT

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