

HOUSE BILL NO. 951

INTRODUCED BY JACOBSEN, SPAETH, BACHINI, HOLLIDAY, ROUSH,
UNDERDAL, HANSON, SCHULTZ, ERNST, RYAN, HOWE, KOEHNKE,
SAUNDERS, THOFT, BENGTSON, LYBECK, BLISS, R. JENSEN, ELLERD

BY REQUEST OF THE HOUSE AGRICULTURE COMMITTEE

IN THE HOUSE

February 15, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
February 18, 1983	Committee recommend bill do pass. Report adopted.
February 19, 1983	Bill printed and placed on members' desks. Second reading, pass consideration.
February 21, 1983	Second reading, do pass as amended.
February 22, 1983	Correctly engrossed. Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
March 10, 1983	Committee recommend bill be concurrent in. Report adopted. Statement of Intent attached.
March 12, 1983	Second reading, concurred in.
March 15, 1983	Third reading, concurred in. Ayes, 49; Noes, 0.

IN THE HOUSE

March 15, 1983

Returned to House with
Statement of Intent.

March 31, 1983

Second reading. Statement
of Intent concurred in.

April 1, 1983

Third reading. Statement
of Intent concurred in.

Sent to enrolling.

Reported correctly enrolled.

1 *House* BILL NO. *851*
 2 INTRODUCED BY *James Legett* *Barbara Hickey*
Russ Underdahl *M. Daniel Smith*
 BY REQUEST OF THE HOUSE AGRICULTURE COMMITTEE
Emory Ryan *Home Fackler* *Samuel* *Shoff*
 5 *Bengton Fyler* *Ther Jensen - Eiler*
 BILL FOR AN ACT ENTITLED: "AN ACT DECLARING A MORATORIUM

6 ON THE ADOPTION OR AMENDMENT OF RULES OF THE DEPARTMENT OF
 7 REVENUE GOVERNING THE ASSESSED VALUATION OF AGRICULTURAL
 8 LANDS."

10 WHEREAS, the Department of Revenue has recently
 11 proposed the repeal of its current administrative rules
 12 governing the assessed valuation of agricultural lands and
 13 has proposed new rules governing such assessed valuation;
 14 and

15 WHEREAS, the rules proposed by the Department will
 16 increase the assessed valuation of all agricultural lands
 17 and will increase the assessed valuation of some
 18 agricultural lands by more than 10 times; and

19 WHEREAS, the House Agriculture Committee and the
 20 Legislature as a whole seriously question the need for and
 21 wisdom of the proposed increases, particularly in times of
 22 severe economic hardship for farmers and ranchers; and

23 WHEREAS, certain Legislators intend to introduce a
 24 study resolution calling for an appropriate interim
 25 committee to undertake a study of the necessity for and

1 effects of proposed increases on the assessed valuation of
 2 agricultural lands.

3 THEREFORE, it is the intent of this bill to establish a
 4 moratorium on rulemaking by the Department of Revenue in the
 5 area of assessed valuation of agricultural lands, in order
 6 that any such proposals may be more carefully reviewed by
 7 the Legislature.

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Proposed rules not to be adopted. The rules
 11 governing the assessed valuation of agricultural lands
 12 proposed for adoption by the department of revenue in
 13 Montana Administrative Register Notice No. 42-2-209 and
 14 published at pages 58 through 64 of Issue No. 2 of the 1983
 15 Montana Administrative Register and any rules substantially
 16 equivalent to those rules may not be adopted by the
 17 department of revenue until further action by the
 18 legislature.

19 Section 2. Current rules not to be amended or
 20 repealed. The rules of the department of revenue governing
 21 the assessed value of agricultural lands now published as
 22 ARM 42.20.141 through 42.20.146 may not be repealed or
 23 substantially amended by the department until further action
 24 by the legislature.

-End-

INTRODUCED BILL

-2-

STATE OF MONTANA

REQUEST NO. 448-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 16, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 851 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

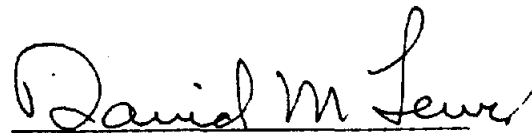
DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 851 declares a moratorium on the adoption or amendment of rules of the Department of Revenue governing the assessed valuation of agricultural lands.

FISCAL IMPACT:

The proposal will have no fiscal impact this biennium. The proposal will prevent completion of the current reappraisal cycle which is to be completed by 1986.

FISCAL NOTE 16: G/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-19-83

Approved by Committee
on Agriculture Livestock
& Irrigation

1 ~~House~~ BILL NO. 851

2 INTRODUCED BY *Richard Helling*
BY REQUEST OF THE HOUSE AGRICULTURE COMMITTEE

3 *Emory Ryan* *Home* *Richard* *Shoff*
4 *Bengton* *Hykuk* *Chris Jensen* *Edlund*
5 AN ACT FOR AN ACT ENTITLED "AN ACT DECLARING A MORATORIUM

6 ON THE ADOPTION OR AMENDMENT OF RULES OF THE DEPARTMENT OF
7 REVENUE GOVERNING THE ASSESSED VALUATION OF AGRICULTURAL
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11 proposed the repeal of its current administrative rules
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13 has proposed new rules governing such assessed valuation;
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16 increase the assessed valuation of all agricultural lands
17 and will increase the assessed valuation of some
18 agricultural lands by more than 10 times; and

19 WHEREAS, the House Agriculture Committee and the
20 Legislature as a whole seriously question the need for and
21 wisdom of the proposed increases, particularly in times of
22 severe economic hardship for farmers and ranchers; and

23 WHEREAS, certain Legislators intend to introduce a
24 study resolution calling for an appropriate interim
25 committee to undertake a study of the necessity for and

1 effects of proposed increases on the assessed valuation of
2 agricultural lands.

3 THEREFORE, it is the intent of this bill to establish a
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16 equivalent to those rules may not be adopted by the
17 department of revenue until further action by the
18 legislature.

19 Section 2. Current rules not to be amended or
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21 the assessed value of agricultural lands now published as
22 ARM 42.20.141 through 42.20.146 may not be repealed or
23 substantially amended by the department until further action
24 by the legislature.

-End-

-2- SECOND READING
HB 851

HOUSE BILL NO. 851

INTRODUCED BY JACOBSEN, SPAETH, BACHINI, HOLLIDAY,

ROUSH, UNDERDAL, HANSON, SCHULTZ, ERNST, BENGTSON,

RYAN, LYBECK, HOWE, BLISS, KOEHNKE, R. JENSEN,

SAUNDERS, ELLERD, THOFT

BY REQUEST OF THE HOUSE AGRICULTURE COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT DECLARING A TEMPORARY
MORATORIUM ON THE EFFECTIVE DATE OF ADOPTION OR AMENDMENT OF
 RULES OF THE DEPARTMENT OF REVENUE GOVERNING THE ASSESSED
 VALUATION OF AGRICULTURAL LANDS."

WHEREAS, the Department of Revenue has recently
 proposed the repeal of its current administrative rules
 governing the assessed valuation of agricultural lands and
 has proposed new rules governing such assessed valuation;
 and

WHEREAS, the rules proposed by the Department will
 increase the assessed valuation of all agricultural lands
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 Legislature as a whole seriously question the need for and
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 severe economic hardship for farmers and ranchers; and,

WHEREAS, certain legislators intend to introduce a
 study resolution calling for an appropriate interim
 committee to undertake a study of the necessity for and
 effects of proposed increases on the assessed valuation of
 agricultural lands;

THEREFORE, it is the intent of this bill to establish a
TEMPORARY moratorium on rulemaking THE EFFECTIVE DATE OF ANY
RULES PROPOSED by the Department of Revenue in the area of
 assessed valuation of agricultural lands, in order that any
 such proposals may be more carefully reviewed by the
 Legislature.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Proposed rules not to be adopted EFFECTIVE
UNTIL JANUARY 1, 1986. The rules governing the assessed
 valuation of agricultural lands proposed for adoption by the
 department of revenue in Montana Administrative Register
 Notice No. 42-2-209 and published at pages 58 through 64 of
 Issue No. 2 of the 1983 Montana Administrative Register and
 any rules substantially equivalent to those rules may not be
 adopted MADE EFFECTIVE by the department of revenue until
 further action by the legislature JANUARY 1, 1986.

Section 2. Current rules not to be amended or repealed
TO REMAIN IN EFFECT. The rules of the department of revenue
ANY REPEAL OR SUBSTANTIAL AMENDMENT OF RULES governing the

1 assessed value of agricultural lands now published as ARM
2 42.20.141 through 42.20.146 may not be---repeated---or
3 ~~substantially-amended-by-the-department-until-further-action~~
4 ~~by-the-legislature~~ TAKE EFFECT PRIOR TO JANUARY 1, 1986.

-End-

STANDING COMMITTEE REPORT

March 9

1983

MR. **PRESIDENT**

We, your committee on **AGRICULTURE, LIVESTOCK & IRRIGATION**

having had under consideration **STATEMENT OF INTENT** **HOUSE** Bill No. **851**

Respectfully report as follows: That **STATEMENT OF INTENT** **HOUSE** Bill No. **851**

be adopted.

STATEMENT OF INTENT RE: HB 851

It is the intent of the legislature that the Department of Revenue work closely with agricultural associations and representative of the agricultural community in developing administrative rules on the valuing of agricultural lands for property taxation. The Department may adopt administrative rules prior to the next legislative session so long as those rules are not implemented for taxation purposes prior of January 1, 1986.

The legislature further intends to review these rules in 1985 to ensure the Department has worked closely with the agricultural groups in developing rules and that those rules treat agricultural land fairly for purposes of property taxation in relation to the Montana Constitution, statutes, and other property.

First adopted by the Senate Agriculture, Livestock & Irrigation ~~XXXXXX~~ Committee on the 9th day of March, 1983.


Jack E. Galt,

Chairman.

1 STATEMENT OF INTENT

2 HOUSE BILL 851

3 Senate Agriculture, Livestock & Irrigation Committee

4
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6 of Revenue work closely with agricultural associations and
7 representatives of the agricultural community in developing
8 administrative rules on the valuing of agricultural lands
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10 administrative rules prior to the next legislative session
11 so long as those rules are not implemented for taxation
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14 in 1985 to ensure the Department has worked closely with the
15 agricultural groups in developing rules and that those rules
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17 taxation in relation to the Montana Constitution, statutes,
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REFERENCE BILL

HB 851

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-End-