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Dennis H. Ball
Operator's Signature

10/2/03
Date

2003 HOUSE AGRICULTURE

HB 1219

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Doreen Hall
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10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1219

House Agriculture Committee

Conference Committee

Hearing Date 1---23---03

Tape Number	Side A	Side B	Meter #
ONE		B	12.0 TO 37.4
Committee Clerk Signature <i>Edward D. Ulfson</i>			

Minutes: VICE CHAIRMAN POLLERT: Committee Members, We will open the hearing on HB 1219. Representative Froelich.

REP. FROELICH: Mr. Chairman the bill that has been drafted. Lets throw it away. I hope to hoghouse the bill. The reason that this Bill was brought before is that land is being bought For over inflated. There paying prices that are unheard of. The land is being taken out of production and being used for recreational purposes The land is not being assessed at true value because it is still be assessed farm property and is not producing any crops any more. I am not sure this bill is going to do what we want it to do. We need a vehicle to get to where we want to go. When the Bill gets done, it will look different then it dose now. We need Some amendments. I am looking for any suggestions. Recreational property is still being Assessed and taxed as farm property. {{{{PLEASE SEE PROPOSED AMENDMENTS}}}} If people want to buy the land let them pay taxes on true value of land.

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Dorinda Ball...
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House Agriculture Committee
Bill/Resolution Number HB 1219
Hearing Date 1--23--03

REPRESENTATIVE POLLERT: Representative Froehlich I would if we should or is it possible to set up a Subcommittee and meet with some people that have some opposition to the Bill.

REPRESENTATIVE KELSCH: Are we talking about people buying land north of Bismarck. Two Three or Five acres. Are we talking about these people having recreational land. Where would these acreage's fall in.

REPRESENTATIVE FROELICH: Really had no answer rather then start all over with the bill.

REP. BELTER : People that have had land for fifty years and now put it CRP. Do we treat Both the out of state purchasers the same as people that have owned land for years.

REP. FROELICH : If it is not producing land it is recreational land should be assessed and taxed that way.

REPRESENTATIVE POLLERT: Any additional people in favor. We will take Testimony in opposition.

BEA WALD: I am an assessor. The way the bill is written , it opens up an assessment night mare. It probable has a wonderful idea behind it but it need to be re written. So it can be assessed. Or administered.. The township assessors would like to be involved in the Bill. I have been an assessor for eighteen years. It could be done.

SANDY CLARK: North Dakota Farm Bureau. {{{{{PLEASE SEE PRINTED TESTIMONY}}}} We OPPOSE HB 1219

GARY MARTISON: I am a city assessor for the City of Devils Lake, N.D
Why would a city be concerned about agriculture property.. Our concern is that it dose

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Bill/Resolution Number HB 1219
Hearing Date 1--23--03

Not have a ripple effect on the City of Devils Lake. We use Agriculture definition of part of four conditions. We need subdivisions. What would be cost. Under this bill the tax could go from five dollars to five hundred dollars per year. Until a lot is sold in a subdivision it is assessed as agriculture land. When the lot is sold it is assessed as a lot to be built on and the value goes up. We have about ten subdivisions in Devils Lake. The vacant lots in a subdivision are valued at agriculture land and once the lot is built on etc. It is valued at commercial value. With out this we would not have developers.

MARCY DICKERSON: For the record I am Marcy Dickerson and I am state supervisor for assessments for the Tax Commissioners Office. It looks like the Bill is going to be changed. I would like to sit in on any amendments that are being formulated on this whole issue if you would do that.

REPRESENTATIVE POLLERT: I am going to appoint a subcommittee as to this Bill.

The subcommittee will consist of Representatives, Froelich, Belter and Kreigh

WE WILL CLOSE ON HB 1219

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Deanna G. Pollert
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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1219

House Agriculture Committee

Conference Committee

Hearing Date 2--07--03

Tape Number	Side A	Side B	Meter #
ONE		B	TO'
			END
Committee Clerk Signature <i>Edward D. Clayton</i>			

Minutes:

CHAIRMAN NICHOLAS: Representative Froelich has some amendments for this bill.

This is basically a hog house amendment isn't it?

REP. FROELICH: This has been a complicated issue. I have been to the Tax Department.

We have taken away a lot of things that were in the first amendment. First one is self explanatory. {{{{PLEASE READ AMENDMENTS.}}}}

We have law in there that classifies what a farmer is. If a person from Chicago comes in and buy's a piece of property and he dose not get 51 % of his income from Agriculture, He dose not get the agriculture tax break on it. That is what this amendment dose. There is already in statue that states what a farmer is.

CHAIRMAN NICHOLAS: We have dealt with that extensively in finance and tax and trying to define that. If they graze the land or farm it, it is considered agriculture.

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Hearing Date 2--07--03

CHAIRMAN NICHOLAS: What would happen with that land if someone came in and purchased a section of land along side of your farm and rented it to you to continue in the farming process.

REP. FROELICH : As long as it is cropped or farmed one out of three years it would be considered agriculture.

CHAIRMAN NICHOLAS: Do you want to move your amendments.

REPRESENTATIVE MOVES ON AMENDMENTS AND IT WAS SECONDED BY REPRESENTATIVE KREIDT. PASSED WITH ALL IN FAVOR OF AMENDMENTS. REPRESENTATIVE FROELICH MOVED FOR A DO PASS AND REPRESENTATIVE SECONDED THE MOTION.

CHAIRMAN NICHOLAS: If the land if it is just going to be used for pheasant hunting. The commissioners or who would have a opportunity to tax that land at a different rate then a cow calf producer.

REP. FROELICH ; I they are not going to use it for Agriculture. I understand Representative Belters concern but it is happening more and more. I understand Representative Belters concern that it is going to have a new classification. We looked at it from the Tax Commissioners standpoint. He said true and full value. This is as close as we can get.

REPRESENTATIVE BELTER: Point of clarification. The increase purchase price that they are paying over ordinary market values will not have any impact on taxation of surrounding agriculture property because our agriculture taxation is not based on the sale of land it is on productivity.

CHAIRMAN NICHOLAS : Any other discussion Committee Members.

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THE CLERK WILL TAKE THE ROLL. THERE WERE 10 YES 3 NO 0 ABSENT
REPRESENTATIVE ONSTAD CARRIED THE BILL.

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