

MINUTES
HOUSE REVENUE & TAXATION COMMITTEE

DATE: Wednesday, March 03, 2021

TIME: 9:00 A.M.

PLACE: Room EW42

MEMBERS: Chairman Harris, Vice Chairman Addis, Representatives Moyle, Chaney, Gestrin, Dixon, Nichols, Kauffman, Adams, Cannon, Hartgen, Manwaring, Okuniewicz, von Ehlinger, Weber, Necochea, Ruchti

**ABSENT/
EXCUSED:** Representative(s) Dixon

GUESTS: Bradford Wills, Twin Falls County Assessor; and Russ Hendricks, Idaho Farm Bureau.

Chairman Harris called the meeting to order at 9:00 a.m.

MOTION: **Rep. Weber** made a motion to approve the minutes of the February 22, 2021 meeting. **Motion carried by voice vote.**

H 252: **Rep. Aaron von Ehlinger** presented **H 252** saying it revises the definition of land actively devoted to agriculture to include pivot corners or land that is used to support the agricultural use of the qualifying property, such as land that is used for agricultural commodities or equipment. Both the Idaho State Tax Commission and Idaho Farm Bureau have assured him neither solar panels nor irrigation on the corners of agricultural land are a problem. The use of solar panels and how much electricity they use is addressed elsewhere in code.

Bradford Wills, Twin Falls County Assessor, indicated Idaho Code §63-602k was changed last year to say land actively devoted to agriculture shall not be valued as development property until the use changes and the land is no longer actively devoted to agriculture. This is already in code and is being followed, so he is concerned about the reason for the change. He is specifically concerned about the term "land that is used in tandem." He would like **Rep. von Ehlinger** to address whether that means a bunkhouse housing agricultural workers next to the farm on land qualifying as agricultural is considered just agricultural.

Russ Hendricks, Idaho Farm Bureau, spoke **in support** of **H 252** saying it is a simple bill to ensure land utilized for agricultural purposes continues to be considered agricultural land. He indicated that most assessors get it right, but there are some who do not, which has resulted in some Farm Bureau members' agricultural land used to store hay or equipment being classified as commercial. Some assessors have interpreted the definition of agricultural land to mean land used for production of crops or actively grazed, with storage of hay or other uses being classified as commercial.

Rep. von Ehlinger closed and said land used in tandem with land qualifying under Idaho Code §63-604(1) shall be "appraised, assessed and taxed as land actively devoted to agriculture" for only two reasons: if it has pivot corners; and, is primarily used to store agricultural commodities, equipment, or both. It doesn't say anything about farm workers or barracks for farm workers.

MOTION: **Rep. Adams** made a motion to send **H 252** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. von Ehlinger** will sponsor the bill on the floor.

adjourn: There being no further business to come before the committee, the meeting adjourned at 9:11 a.m.

Representative Harris
Chair

Lorrie Byerly
Secretary