



Eric Vendel

Bill Analysis

Legislative Service Commission

S.B. 292*

127th General Assembly

(As Reported by S. Environment and Natural Resources)

Sens. Roberts, D. Miller

BILL SUMMARY

- Authorizes a board of county commissioners to use certain ditch maintenance procedures to maintain soil and water conservation district improvements.
- Allows a board of county commissioners to adjust the permanent base of a ditch improvement that is used for maintenance fund assessments.

CONTENT AND OPERATION

Soil and water conservation district improvements

Current law requires a board of county commissioners, or a joint board if one has been appointed, to maintain the works of improvement constructed by the board for a soil and water conservation district. The board may contract with or authorize the supervisors or joint board of supervisors of a soil and water conservation district to perform maintenance on the works of improvement. The bill authorizes the board of county commissioners or joint board to use procedures and requirements governing assessments, maintenance and cleaning, and inspections that are established in the Ditch Maintenance Fund Law in order to maintain soil and water conservation district works of improvement. (R.C. 1515.29.)

Ditch maintenance fund assessments

Under current law, after six annual maintenance fund assessments have been made on owners benefiting from an improvement that was constructed under

* This analysis was prepared before the report of the Senate Environment and Natural Resources Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

the Single County Ditches Law, a board of county commissioners must review the permanent base for maintenance fund assessment. Upon this review, the board may increase or decrease the benefit apportionments of each of the owners in accordance with changes in benefits that have occurred during the previous six years. (R.C. 6137.11, not in the bill.) The bill allows the board, at the six-year review, to request the county engineer to estimate the construction cost of the improvement if that improvement were to be constructed at the time of the permanent base review. If the board, by resolution, approves the estimate as the construction cost of the improvement in lieu of the original construction cost of the improvement, the estimate of construction cost must be the permanent base that is used to calculate maintenance fund assessments for owners who benefit from the improvement. The approved estimate of construction cost must serve as the permanent base for purposes of the Ditch Maintenance Fund Law until such time as it is revised in accordance with the bill. (R.C. 6137.112.)

HISTORY

ACTION	DATE
Introduced	02-19-08
Reported, S. Environment & Natural Resources	---

s0292-rs-127.doc/kl