

# SENATE BILL REPORT

## SB 6303

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As of February 7, 2012

**Title:** An act relating to authorizing an optional system of rates and charges for conservation districts.

**Brief Description:** Authorizing an optional system of rates and charges for conservation districts.

**Sponsors:** Senators Nelson, Haugen and Harper.

**Brief History:**

**Committee Activity:** Agriculture, Water & Rural Economic Development: 1/24/12.

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### SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

**Staff:** Bob Lee (786-7404)

**Background:** In 1989 legislation was enacted that provides authority for assessing land to finance the activities of a conservation district. The supervisors of the conservation district initiate the process by holding a public hearing on a proposed system of assessments. After the hearing, the district supervisors may file a proposed system of assessments along with a proposed budget to the county legislative authority. The county legislative authority is required to hold a second hearing. After the hearing, the county legislative authority may accept, modify, or reject the proposed system of assessment. A special assessment may be imposed if the county legislative authority finds that the public interest will be served and that the special assessment will not exceed the special benefit to the land.

Assessments may be approved for a duration of up to ten years and then may be renewed by the county legislative authority. A per parcel assessment, or a per acre assessment, or both may be imposed. The maximum rate of \$5 per parcel is fixed except counties that have over 1.5 million in population may assess up to \$10 per parcel. Specific provisions for assessing forest lands at lower rates are included.

There is a provision that allows landowner to file a petition with the county legislative authority objecting to the imposition of a special assessment. If the petition objecting to the special assessment is signed by at least 20 percent of the owners of land that would be subject to the special assessment, then the special assessment shall not be collected.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

There are issues relating to special assessment now before the courts.

**Summary of Bill:** The option to levy a system of rates and charges is authorized based on the concept that rates and charges do not carry a requirement to demonstrate a special benefit to assessed parcels. Special assessments are to be imposed for not less than five years instead of not to exceed ten years as in present law.

The district's board of supervisors may, by resolution, authorize the county legislative authority to set the rates of the special assessment in consideration of the natural resource needs within the district and the capacity of the district to provide those needs.

The maximum per parcel rate is increased to \$20 per parcel.

Industrial forest lands retain the option for lower rates of assessment. However, non-industrial forest land are subject to the assessment.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.