
Ecology & Parks Committee

HB 2109

Brief Description: Concerning state parks and recreation funding.

Sponsors: Representatives Upthegrove and Chase.

Brief Summary of Bill

- Requires the State Parks and Recreation Commission to review and determine the fair market value for all existing leases for telecommunications service facilities.
- Requires projects requiring mitigation to utilize approved wetland mitigation sites found on State Parks and Recreation Commission lands if the project and the wetland mitigation site are located in the same water resource inventory area.

Hearing Date: 2/17/09

Staff: Jaclyn Ford (786-7339)

Background:

State Parks and Recreation Commission Authority.

The State Parks and Recreation Commission (Commission) is charged with the care, control, and supervision of all state parks. Certain powers and duties for the Commission are established in statute, including the authority to enter into agreements to rent undeveloped park land for grazing, agricultural, or mineral purposes for a term of not more than 40 years.

Summary of Bill:

Leases for Telecommunications Services Facilities.

The Commission must review and determine the fair market value for all existing leases for telecommunications service facilities based upon independent appraisals and existing leases for telecommunications services facilities. These leases must be extended at the fair market rental for at least one period of not more than 20 years. Leases must be renegotiated every 5 years.

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.

Definitions.

"Facilities" means all of the plant, equipment, fixtures, appurtenances, antennas, and other facilities necessary to furnish and deliver telecommunications services and cable television services, including but not limited to poles with crossarms, poles without crossarms, wires, lines, conduits, cables, communication and signal lines and equipment, braces, guys, anchors, vaults, and all attachments, appurtenances, and appliances necessary or incidental to the distribution and use of telecommunications services and cable television services.

"Telecommunications service" means the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means for hire, sale, or resale to the general public.

"Information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols.

Wetland Mitigation Sites.

If there is an approved wetland mitigation site found on Commission lands in the same water resource inventory area (WRIA) as a project requiring mitigation, the project must use the Commission's wetland mitigation site.

The Department of Ecology is able to adopt rules to implement the wetland mitigation site provisions.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.