

HOUSE BILL REPORT

SHB 1437

As Passed Legislature

Title: An act relating to lease rates for amateur radio repeater sites.

Brief Description: Revising lease rates for amateur radio electronic repeater sites.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Foreman, Chandler, Mastin and B. Thomas).

Brief History:

Committee Activity:

Natural Resources: 2/8/95, 2/17/95 [DPS];

Appropriations: 3/2/95, 3/3/95 [DPS(NR)].

Floor Activity:

Passed House: 3/9/95, 95-0.

Passed Legislature.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Fuhrman, Chairman; Buck, Vice Chairman; Pennington, Vice Chairman; Basich, Ranking Minority Member; Regala, Assistant Ranking Minority Member; Beeksma; Cairnes; Elliot; G. Fisher; Jacobsen; Romero; Sheldon; Stevens; B. Thomas and Thompson.

Staff: Linda Byers (786-7129).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Natural Resources be substituted therefor and the substitute bill do pass. Signed by 30 members: Representatives Silver, Chairman; Clements, Vice Chairman; Huff, Vice Chairman; Pelesky, Vice Chairman; Sommers, Ranking Minority Member; Valle, Assistant Ranking Minority Member; Basich; Beeksma; Brumsickle; Carlson; Chappell; Cooke; Crouse; G. Fisher; Foreman; Grant; Hargrove; Hickel; Jacobsen; Lambert; Lisk; McMorris; Poulsen; Reams; Rust; Sehlin; Sheahan; Talcott; Thibaudeau and Wolfe.

Staff: Susan Nakagawa (786-7145).

Background: The Department of Natural Resources may lease state lands for a variety of purposes, including commercial, industrial, residential, agricultural, and recreational purposes. In determining the lease rate, the department must ensure a fair market rental return to the state or the appropriate trust.

In 1988, the Legislature enacted legislation acknowledging the essential role performed by amateur radio operators in emergency communications and establishing a policy of providing a discount in the rental fee paid by amateur radio operators. For the first repeater unit placed at a department site by an eligible amateur radio lessee, the lease rate is 50 percent of the rental rate the person would normally pay. For any subsequent repeater units placed at the same site, the lessee pays 25 percent of the normal rental rate.

The 1988 legislation requires that the state receive the full market rental value for these sites. The department was directed to develop guidelines to determine which amateur radios lessees receive the reduced rental rate based on the funding provided by the Legislature for this purpose.

Currently the department leases space to 22 amateur radio operators for 45 radio units on 14 different sites.

Summary of Bill: An amateur radio operator qualifies for a reduced rent of \$100 per year per site if the operator does one of two things: (1) Registers and remains in good standing with the Radio Amateur Civil Emergency Services and Amateur Radio Emergency Services organizations; or (2) if an amateur group is involved, the group signs a statement of public service developed by the Department of Natural Resources.

The Legislature's appropriations for this program shall account for the estimated difference between the reduced rental rate the amateur radio operators pay and the fair market rent of the sites, as established by the department.

Appropriation: None.

Fiscal Note: Requested on substitute on February 17, 1995.

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

Testimony For: (Natural Resources) Amateur radio operators help save lives and structures. Without their help, the Lake Chelan fire would have been a much worse disaster. The operators are afraid of being priced out of their leases by the rates charged by DNR. No site should cost more than \$100 dollars per site. Without amateur operators, there would be no emergency link in some areas. These are

exorbitant fees to have to pay to protect ourselves. Operators buy their own equipment and by federal law cannot be compensated for their services.

(Appropriations) This legislation results from the Chelan fire experience. Amateur radio operators were instrumental in helping provide communication assistance during the fires. Capping lease rates offers protection for these operators to continue volunteering their time.

Testimony Against: (Natural Resources) This is asking for a further general fund subsidy increase. There has been a gradual picking away at fair market rates. These kinds of subsidies create administrative inefficiencies. It is also difficult for the agency to determine what to do if the general fund appropriation is not enough to pay the subsidy for all who qualify. Some people are just operators as a hobby; an amateur should have to be part of a county's emergency plan that is required by the state. If they are part of the emergency plan, they shouldn't pay anything.

(Appropriations) None.

Testified: (Natural Resources) Representative Dale Foreman, prime sponsor; Larry Thornton, Clallam County Emergency Services; Mary Lou Brown, citizen from Skagit County; Russell Kroeker, Boeing Employees Amateur Radio Society (all in favor); and Stan Biles, Department of Natural Resources (opposed).

(Appropriations) Representative Dale Foreman, prime sponsor.