

1 6277-S.E AMH MORR H5093.1

2 627 ADOPTED 3-3-00

3 ESSB 6277 - H AMD TO AGECE COMM AMD (H-5032.1/00)

4 By Representative Morris

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6 On page 3, after line 24 of the amendment, insert the following:

7 "(4)(a) Until July 1, 2003, the use of state-owned aquatic lands  
8 for local public utility lines owned by a nongovernmental entity shall  
9 be granted by lease if the use is consistent with the purpose of RCW  
10 79.90.450 through 79.90.460 and does not obstruct navigation or other  
11 public uses. The total charge for the term of the lease shall be the  
12 larger of (i) an amount equal to the diminution in the property value  
13 caused by locating the utility lines on the aquatic land, based on the  
14 appraised value of the land in its current use at the time of  
15 application for the lease, or (ii) five thousand dollars. The charge  
16 shall be paid in advance upon grant of the lease. The term of the  
17 lease shall be thirty years. In addition to the charge for the lease,  
18 the department may charge a fee that recovers its actual administrative  
19 expenses directly incurred in receiving an application for the lease,  
20 approving the lease, and reviewing plans for and construction of the  
21 utility lines. A final decision on existing applications for leases  
22 shall be made within one hundred twenty days. The department shall  
23 process and come to a final decision on a maximum of five new  
24 applications submitted by each nongovernmental entity per year. Upon  
25 request of the applicant, the department may reach a decision on an  
26 application within sixty days and charge an additional fee for such an  
27 expedited processing in the amount of ten percent of the total rent.

28 (b) The utilities and aquatic lands task force is created. The  
29 task force is composed of the following: Two members of the house of  
30 representatives, one from each major caucus, appointed by the co-  
31 speakers of the house of representatives; two members of the senate,  
32 one from each major caucus, appointed by the president of the senate;  
33 two members from the department of natural resources; one member from  
34 nonprofit electric utilities; and one member from investor-owned  
35 electric utilities. The utilities and aquatic lands task force shall  
36 study charges made for the lease or easement of aquatic lands for local

1 public utility lines, and, by July 1, 2001, must recommend to the  
2 legislature any changes from current practice found appropriate."

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