

# HOUSE BILL REPORT

## HB 1437

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**As Reported By House Committee On:**  
Natural Resources

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

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

**Sponsors:** Representatives Foreman, Chandler, Mastin and B. Thomas.

**Brief History:**

**Committee Activity:**

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

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### 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).

**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 Substitute 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.

**Substitute Bill Compared to Original Bill:** The original bill states that the lease rate paid by an amateur radio operator may not exceed \$100 for each repeater site made available for public service. The substitute bill provides that an amateur radio operator qualifies for this reduced rental rate if the operator either registers and remains in good standing with two emergency radio services organizations or signs a statement of public service. The substitute bill also states that the Legislature will provide an appropriation to account for the estimated difference between the reduced rental rates and the fair market rental rates.

**Appropriation:** None.

**Fiscal Note:** Requested on Substitute House Bill 1437 on February 17, 1995.

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

**Testimony For:** 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.

**Testimony Against:** 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.

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