

# HOUSE BILL REPORT

## SHB 2452

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### As Passed Legislature

**Title:** An act relating to sites for construction and operation of unstaffed public or private electric utility facilities.

**Brief Description:** Regulating sites for construction and operation of unstaffed public or private electric utility facilities.

**Sponsors:** By House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Morris and Crouse).

### Brief History:

#### Committee Activity:

Technology, Telecommunications & Energy: 1/20/04, 1/28/04 [DPS].

#### Floor Activity:

Passed House: 2/12/04, 96-0.

Senate Amended.

Passed Senate: 3/3/04, 47-0.

House Concurred.

Passed House: 3/10/04, 96-0.

Passed Legislature.

House Refused to Concur.

### Brief Summary of Substitute Bill (As Amended by the Senate)

- Creates an additional exception to the state subdivision law for divisions of land into lots or tracts of less than three acres that are used or will be used for the purpose of establishing a site for construction and operation of public or private electric utility facilities that are unstaffed, except for the presence of security personnel. Applies only to a utility's existing customers or electric utility locations that are not in existence when the electric utility facilities subject to the act are planned and constructed..

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### HOUSE COMMITTEE ON TECHNOLOGY, TELECOMMUNICATIONS & ENERGY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Morris, Chair; Ruderman, Vice Chair;

Crouse, Ranking Minority Member; Nixon, Assistant Ranking Minority Member; Anderson, Blake, Bush, Delvin, Hudgins, Kirby, McMahan, McMorris, Romero, Tom and Wallace.

**Staff:** Kiki Keizer (786-7109).

**Background:**

The state subdivision law governs the manner in which cities and counties administer the division of land into parcels for the purpose of sale, lease, or other transfers of ownership. The subdivision law is intended to prevent overcrowding of land, reduce congestion on streets and highways, and provide adequate water, sewerage and other infrastructure to property, among other objectives.

For purposes of the state subdivision law, when the division is of five or more parcels, it is considered a long subdivision, and four or fewer parcels is considered a short subdivision. Property divisions are accomplished by the review and approval of plats which are detailed maps that show the parcel division and such things as streets, parks, and alleys. In some cases, public hearings are required.

Once established, long and short subdivisions are subject to certain requirements. For example, lots created by a short plat cannot be further divided for five years after short plat recording, with limited exceptions.

There are eight exemptions from the requirements of the state subdivision law. They are property divisions for cemeteries and burial plots, certain divisions of five acres or larger, divisions resulting from a will or inheritance, certain divisions for industrial or commercial use, certain divisions by lease where no residential structures other than mobile homes or trailers will be placed on the land, divisions to adjust boundaries, certain divisions for condominium developments, and divisions to be leased for placement of personal wireless facilities.

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**Summary of Substitute Bill:**

An additional exemption to the state subdivision law is established for divisions of land into lots or tracts of less than three acres that are used or will be used for the purpose of establishing a site for construction and operation of public or private electric utility facilities, that are unstaffed, except for the presence of security personnel. Applies only to a utility's existing customers or electric utility locations that are not in existence when the electric utility facilities subject to the act are planned and constructed.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The bill would allow rural landowners to sell property to utilities for siting and operating substations without having to apply for approval of a subdivision. Prospective treatment as a short subdivision has discouraged sales of land to be used as siting for substations because short subdivisions cannot be further divided for five years after short plat recording.

**Testimony Against:** None

**Persons Testifying:** Dave Clinton, Washington Rural Electric Cooperative Association.

**Persons Signed In To Testify But Not Testifying:** None.