

SENATE BILL REPORT

SSB 5542

As Passed Senate, March 8, 2007

Title: An act relating to establishing the Washington state heritage barn preservation program.

Brief Description: Creating the heritage barn preservation program.

Sponsors: Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Jacobsen, McAuliffe, Poulsen, Honeyford, Rasmussen and Holmquist).

Brief History:

Committee Activity: Agriculture & Rural Economic Development: 2/05/07, 2/08/07[DPS-WM].

Ways & Means: 3/05/07 [DPS(ARED)].

Passed Senate: 3/08/07, 48-1.

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 5542 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Schoesler, Ranking Minority Member; Jacobsen, Morton and Shin.

Staff: Bob Lee (786-7404)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5542 as recommended by Committee on Agriculture & Rural Economic Development be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Hatfield, Hobbs, Honeyford, Keiser, Kohl-Welles, Parlette, Rasmussen, Roach, Rockefeller and Schoesler.

Staff: Paula Moore (786-7449)

Background: A number of states have enacted programs specifically to encourage the retention and stabilization of historic barns. The 2002 federal farm bill contains a provision to assist in the preservation of historic barns but the program was not funded.

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.

An impetus for preservation of many historic buildings is that the old structure can be renovated and put to an economically viable use. Changes in agricultural technology combined with high rehabilitation costs and restrictions on adapting these structures to new uses are collectively working to cause historic barns to fall into decay or be demolished. There is an interest in creating a program to save some of the remaining barns for appreciation by future generations.

Summary of Substitute Bill: A Washington State Heritage Barn Program is created within the Department of Archeology and Historic Preservation. The program will be guided by an advisory committee and will consist of three components.

The first component provides for the department to conduct a thematic study of Washington state's barn that includes a determination of types, an assessment of the most unique and significant barns, and a condition and needs of assessment.

The second component is a recognition program for heritage barns. To apply, the barn owner is to send in photos of the barn and surrounding landscape, a brief history, and the construction date. These applications will be reviewed three times a year by the Governor's Advisory Council on Historic Places.

The third component is the Heritage Barn Preservation Fund from which awards may be made to applicants for barn stabilization projects. The applicants must provide at least 50 percent of the cost of the project through in-kind labor, the applicant's own money, or other funding sources. Criteria for evaluation of applications by the advisory committee is established.

Funding recipients are required to enter into contracts that provides a historic preservation easement for between five and 15 years. If the barn's exterior is not visible from a public right-of-way, public access must be provided to the property including visits by nonprofit organizations or school groups at least one day per year. All work is to comply with federal standards for historic preservation. Repayment of state funds are required if the barn is dismantled or substantially altered within ten years of receiving funds.

The Heritage Barn Preservation Advisory Committee is to include representatives from two recognized agricultural organizations to represent barn owners, two elected county officials, a statewide historic preservation organization, a county heritage commission, a private foundation with an interest in barn preservation, a land trust with experience with easements, and at least one barn expert.

The advisory board is to consult with the Department of Revenue to adapt existing state property tax incentives for historic properties to heritage barns, and the date for recommendations to be submitted to the Legislature is set at December 1, 2007.

In addition to providing advice to the director regarding criteria for designating heritage barns and criteria for eligibility for grant funds, the board may also examine other regulatory issues that impose constraints on the use of heritage barns for contemporary economically productive uses. The advisory committee terminates on December 31, 2010.

A Heritage Barn Preservation Fund is created as an account in the state treasury. All funds from appropriations and private sources must be deposited into the account.

A heritage barn is any large agricultural outbuilding used to house animals, crops, or farm buildings that is over 50 years old and has been determined by the department to: (1) be eligible for listing on the Washington Heritage Register or the National Register of Historic Places; or (2) has been listed on a local historic register and approved by the advisory council. Milk houses, sheds, silos or other outbuildings associated with a heritage barn may be included if they are historically associated with and are on the same property as the heritage barn.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill (Agriculture & Rural Economic Development) : PRO: Barns are an icon of a past era of agriculture and need to be preserved for state residents and visitors alike. Factors at work causing a decline in barns include changes in the agricultural economy and technology, prohibitive rehabilitation costs, development pressures, and regulations restricting new uses. Storms have created havoc with many of these structures and has created a need for emergency actions to preserve these barns. There is an array of public benefits that can be used to place easements on property that assure the public receives benefit for its investment.

OTHER: The recognition program can be incorporated into the current activities of the department. Additional funds would be required to conduct the survey.

Persons Testifying (Agriculture & Rural Economic Development): PRO: Senator Jacobsen, prime sponsor; Jennifer Meisner, Chris Moore, Washington Trust for Historic Preservation; Eric Johnson, Washington Association of Counties; Holly Taylor, Vashon Maury Island Heritage Association; Scott Dahlman, Washington State Grange.

OTHER: Allyson Brooks, Department of Archeology and Historic Preservation; Jack Field, Washington Cattlemen's Association.

Staff Summary of Public Testimony on Substitute Bill (Ways & Means): PRO: We are losing beautiful old barns to time, tide, and windstorms. This bill does two things. First, it identifies the barns in need of preservation. Second, it relies on a \$2.5 million grant source to preserve the barns so we can have them for future generations.

Persons Testifying (Ways & Means): PRO: Jerri Honeyford, Board Member, Washington Trust for Historic Preservation