

# SENATE BILL REPORT

## SSB 6243

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As Passed Senate, March 3, 2004

**Title:** An act relating to creating the department of archaeology and historic preservation.

**Brief Description:** Creating the department of archaeology and historic preservation.

**Sponsors:** Senate Committee on Government Operations & Elections (originally sponsored by Senators Haugen, Honeyford, Jacobsen, Carlson, Roach, Johnson, Eide, Esser, Fraser, Brandland, Parlette, Berkey, Winsley and Rasmussen).

**Brief History:**

**Committee Activity:** Government Operations & Elections: 1/27/04 [DPS].

Ways & Means: 2/23/04 [DPS (GO)].

Passed Senate: 3/3/04, 47-1.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** That Substitute Senate Bill No. 6243 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Stevens, Vice Chair; Berkey, Fairley, Horn, Kastama and McCaslin.

**Staff:** Diane Smith (786-7410)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 6243 as recommended by Committee on Government Operations & Elections be substituted therefor, and the substitute bill do pass.

Signed by Senators Zarelli, Chair; Hewitt, Vice Chair; Parlette, Vice Chair; Carlson, Doumit, Fairley, Fraser, Hale, Honeyford, Johnson, Pflug, Prentice, Rasmussen, Roach, Sheahan, B. Sheldon and Winsley.

**Staff:** Kirstan Arestad (786-7708)

**Background:** The Office of Archaeology and Historic Preservation (OAHP) is part of the Department of Community, Trade, and Economic Development (CTED). Within CTED, OAHP is supervised by the assistant director for local government who in turn reports to the director of CTED who in turn reports to the Governor.

The executive head of the OAHP is the State Historic Preservation Officer (SHPO). The title derives from federal law. For a state historic preservation program to be approved by the Secretary of the Interior, the Governor must designate a SHPO to undertake many federal responsibilities, some of which are to administer the State Historic Preservation Program; to administer the state program of federal assistance for historic preservation within the state; to ensure that historic properties are taken into consideration at all levels of planning and

development; and to assist local governments in becoming certified local governments (CLGs), so that they become eligible to receive federal grant money. Once certified, a local government may then also offer state property tax incentives and federal investment tax credits to landowners whose property is listed on the federal, state or local historic registers.

Another area of federal law that is regulatory in nature, is administered by the OAHP. This involves arriving at memoranda of agreement with proponents of development projects that have potential impacts on historic sites. The ultimate consequence of inability to arrive at an agreement to mitigate the effects of the project can be the loss of the federal permit required for the project to proceed.

The OAHP also nominates historic places to the State and National Historic Registers; maintains an inventory of both state and nonstate-owned historic properties and archaeological sites that is searchable through the GIS system of computerized mapping; provides technical assistance and outreach services to local governments, private parties and foundations; and engages in various educational activities, often in conjunction with other state agencies, state universities, states, and federal agencies.

**Summary of Bill:** The OAHP is removed from CTED and made a separate department of state government. The director of the new department is appointed by the Governor, with the consent of the Senate.

**Appropriation:** None.

**Fiscal Note:** Requested on January 20, 2004.

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

**Testimony For (Government Operations & Elections):** The purpose of this bill is to get more grant money out to the local projects that preserve our heritage. Even a little seed money can make a tremendous difference to community efforts. The visibility and stature of the office, or new department, will be heightened by its cabinet level position. Much of the work of the State Historic Preservation Officer is regulatory in nature and as such, makes a sometimes difficult fit for other, larger agencies.

**Testimony Against (Government Operations & Elections):** None.

**Testified (Government Operations & Elections):** Mary Thompson, citizen (pro); Julie Koler, King County (pro); Lisbeth Cort, Michael Sullivan, Washington Trust for Historic Preservation (pro); Tom McBride, Community, Trade, and Economic Development (neutral); Dave Nicandri, Dave Edwards, State Historical Society (pro w/concerns).

**Testimony For (Ways & Means):** This bill will provide more money to our communities. The Office of Archaeology and Historic Preservation (OAHP) is one place our communities can go to get small grants. This bill will double the amount of grants to local communities. At one time, OAHP was a stand-alone agency and once in State Parks. Many other small stand-alone agencies do a fine job of managing their overhead costs. The Department of Community, Trade, and Economic Development (CTED) is neutral on this bill and is not offering opposition to the bill. CTED recognizes more money may be available to local communities. As a stand-alone agency, OAHP may experience greater visibility.

**Testimony Against (Ways & Means):** None.

**Testified (Ways & Means):** Senator Mary Margaret Haugen, prime sponsor (pro); Tom McBride, Community Trade & Economic Development (neutral).