

SENATE BILL REPORT

SHB 2115

As Reported By Senate Committee On:
Agriculture & Rural Economic Development, March 22, 2007
Ways & Means, March 30, 2007

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

Brief Description: Creating the heritage barn preservation program.

Sponsors: House Committee on Capital Budget (originally sponsored by Representatives Newhouse, Lantz, B. Sullivan, Hailey, Grant, VanDeWege, Warnick, Kelley, Pedersen, Appleton, Quall, Seaquist, Hunt, Simpson, McDermott and Ormsby).

Brief History: Passed House: 3/10/07, 97-0.

Committee Activity: Agriculture & Rural Economic Development: 3/22/07 [DPA-WM].
Ways & Means: 3/30/07 [DPA].

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.
Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Morton and Shin.

Staff: Bob Lee (786-7404)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, 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. 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

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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 barns 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 provide 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. In addition to providing advice to the director regarding criteria for designating heritage barns and criteria for eligibility for grant funds, the committee 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.

The bill is null and void if specific funding is not provided for this bill.

EFFECT OF CHANGES MADE BY RECOMMENDED STRIKING AMENDMENT(S) AS PASSED COMMITTEE (Agriculture & Rural Economic Development): The portion of the report to the Legislature relating to the advisory committee developing recommendations for adapting the existing property tax incentives available to historic structures to heritage barns is moved up to December 1, 2007. Replacing the 2 percent cap on the amount of the grant funds that may be used for administrative purposes contained in the original bill, the striking amendment instructs the department to minimize the amount of funds that are used for program administration.

EFFECT OF CHANGES MADE BY RECOMMENDED STRIKING AMENDMENT(S) AS PASSED COMMITTEE (Ways & Means): Removes the provisions requiring a review of tax incentives and a report on such incentives to the Legislature.

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 (Agriculture & Rural Economic Development):
PRO: There has been a lot of positive feedback from the public on this bill. There is a need for additional flexibility on the use of grant funds to pay administrative costs to properly set up the barn rehabilitation program.

Persons Testifying (Agriculture & Rural Economic Development): PRO: Representative Newhouse, prime sponsor; Mary Thompson, Washington Trust for Historic Preservation.

Staff Summary of Public Testimony (Ways & Means): None.

Persons Testifying (Ways & Means): No one.