

# FINAL BILL REPORT

## SSB 5108

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### PARTIAL VETO

C 352 L 07

Synopsis as Enacted

**Brief Description:** Creating the office of farmland preservation.

**Sponsors:** Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Haugen, Rasmussen, Jacobsen, Shin, Spanel, Swecker, Brandland, Hatfield and Parlette).

**Senate Committee on Agriculture & Rural Economic Development**

**Senate Committee on Ways & Means**

**House Committee on Agriculture & Natural Resources**

**House Committee on Appropriations**

**Background:** In 2002, the Legislature enacted the Agricultural Conservation Easements Program. The program's purpose is to facilitate the use of federal funds, and to help local governments reduce the conversion of agricultural lands that have not otherwise been protected through their planning processes.

All funds from legislative appropriations, and other sources directed by the Legislature including gifts, grants, or endowments are to be deposited in the Agricultural Conservation Easements Account. Expenditures from the account may be used only for the purchase of easements under the Agricultural Conservation Easements Program.

The State Conservation Commission (Commission) was charged to manage the program and adopt rules as necessary to implement the Legislature's intent. The Commission is to report to the Legislature on an ongoing basis regarding potential funding sources and to recommend changes to existing funding authorized by the Legislature.

**Summary:** The Office of Farmland Preservation is established within the Commission. The office is authorized to:

- provide assistance to the Commission in implementing the existing Agricultural Conservation Easements Program;
- develop recommendations for the funding level of the Agricultural Conservation Easements Account;
- provide an analysis, with input from the task force, of the major factors that have led to past declines in the amount and use of agricultural lands in Washington and of the factors that will likely affect retention and viability of these lands in the future;
- develop a model program and tools to retain agricultural land for agricultural production;
- develop a grant process and an eligibility certification process for localities to receive grants for local programs and tools to retain agricultural lands for agricultural production;

- begin the development of a farm transition program to facilitate the transition from one generation to the next aligning the farm transition program with the Farmland Preservation effort; and
- serve as a clearinghouse for conservation programs.

A Farmland Preservation Task Force is established with the following voting members:

- six farmer members, of which at least one must be a commercial livestock producer, from different regions of the state, nominated by recognized agricultural organizations and appointed by the Governor;
- the Commission;
- the Department of Agriculture;
- two representatives of counties appointed by the Washington Associations of Counties with one from western and one from eastern Washington;
- four legislators, one from each of the four major political caucuses – the two House members are appointed by the Speaker of the House of Representatives, and the two Senate members are appointed by the President of the Senate; and
- a representative of the Governor's Office.

Two additional nonvoting representatives must be requested to participate: the federal Natural Resource Conservation Service and a person with technical expertise appointed by the Director of the Department of Community, Trade and Economic Development.

The task force members are entitled to be reimbursed for travel expenses and must meet at least twice a year. The task force terminates on January 1, 2011.

Clarification is provided that the Agricultural Conservation Easements Account may be used to purchase easements in perpetuity or for a fixed term.

Governmental agencies are not to acquire by eminent domain agricultural land for wetland mitigation purposes.

**Votes on Final Passage:**

Senate	44	3	
House	95	3	(House amended)
Senate	46	3	(Senate concurred)

**Effective:** July 22, 2007

**Partial Veto Summary:** The provisions that prohibited governmental agencies from acquiring agricultural land for wetland mitigation purposes by eminent domain were removed.