
SENATE BILL 6227

State of Washington 52nd Legislature 1992 Regular Session

By Senators Saling, Stratton, Craswell, Cantu, Patterson and Rasmussen

Read first time 01/22/92. Referred to Committee on Higher Education.

1 AN ACT Relating to the art acquisition program for institutions of
2 higher education; amending RCW 43.46.090, 43.17.200, 43.17.205,
3 43.17.210, 28B.10.025, and 28B.10.027; and adding a new section to
4 chapter 28B.10 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.10 RCW
7 to read as follows:

8 The legislature finds that capital costs for the construction,
9 remodeling, and equipping of necessary facilities at our state
10 institutions of higher education is rapidly increasing. The
11 legislature declares that it is of the utmost importance that the funds
12 provided for these capital projects be used in the most efficient
13 manner possible, to ensure that the facilities provided for our state
14 institutions of higher education be fully equipped and constructed in

1 a manner that will provide the maximum impact on the educational
2 programs of the institutions. It is therefore the intent of the
3 legislature that the program established to expend one-half of one
4 percent of the funds provided for capital facilities construction or
5 remodel to purchase art for these facilities at state institutions of
6 higher education be made optional. It is further the intent of the
7 legislature that the governing boards of the state institutions of
8 higher education determine the most efficient use of the capital
9 construction funding provided for their respective institutions. The
10 governing boards shall determine, on a project-by-project basis, which
11 projects will participate in the art acquisition program and which will
12 use the capital construction funds heretofore set aside for that
13 program for equipment acquisition or otherwise improving the facility.

14 **Sec. 2.** RCW 43.46.090 and 1983 c 204 s 1 are each amended to read
15 as follows:

16 The legislature recognizes this state's responsibility to foster
17 culture and the arts and its interest in the viable development of her
18 artists and craftsmen by the establishment of the Washington state arts
19 commission. The legislature declares it to be a policy of this state
20 that a portion of appropriations for capital expenditures be set aside
21 for the acquisition of works of art to be placed in public buildings or
22 lands. There is hereby established a visual arts program to be
23 administered by the Washington state arts commission. It is the intent
24 of the legislature that the participation of state institutions of
25 higher education in this program be optional, that such institutions
26 may choose to participate on a project-by-project basis.

27 **Sec. 3.** RCW 43.17.200 and 1983 c 204 s 4 are each amended to read
28 as follows:

1 All state agencies including all state departments, boards,
2 councils, commissions, and quasi public corporations, except for state
3 institutions of higher education, shall allocate, as a nondeductible
4 item, out of any moneys appropriated for the original construction of
5 any public building, an amount of one-half of one percent of the
6 appropriation to be expended by the Washington state arts commission
7 for the acquisition of works of art. The works of art may be placed on
8 public lands, integral to or attached to a public building or
9 structure, detached within or outside a public building or structure,
10 part of a portable exhibition or collection, part of a temporary
11 exhibition, or loaned or exhibited in other public facilities. In
12 addition to the cost of the works of art the one-half of one percent of
13 the appropriation as provided herein shall be used to provide for the
14 administration of the visual arts program by the Washington state arts
15 commission and all costs for installation of the works of art. For the
16 purpose of this section building shall not include highway construction
17 sheds, warehouses or other buildings of a temporary nature. Each state
18 institution of higher education has the option of participating in this
19 program on a project-by-project basis, in coordination with the
20 Washington state arts commission, as directed by the governing board of
21 the institution.

22 **Sec. 4.** RCW 43.17.205 and 1990 c 33 s 574 are each amended to read
23 as follows:

24 The funds allocated under RCW 43.17.200, 28A.335.210, and in the
25 optional participation program under RCW 28B.10.025 shall be subject to
26 interagency reimbursement for expenditure by the visual arts program of
27 the Washington state arts commission when the particular law providing
28 for the appropriation becomes effective or, for state institutions of
29 higher education, when participation in the program is approved by the

1 governing board of the institution. For appropriations which are
2 dependent upon the sale of bonds, the amount or proportionate amount of
3 the moneys under RCW 43.17.200, 28A.335.210, and in the optional
4 participation program under RCW 28B.10.025 shall be subject to
5 interagency reimbursement for expenditure by the visual arts program of
6 the Washington state arts commission thirty days after the sale of a
7 bond or bonds. For state institutions of higher education such
8 interagency reimbursement of funds from the sale of bonds shall be
9 approved by the governing board of the participating institution.

10 **Sec. 5.** RCW 43.17.210 and 1990 c 33 s 575 are each amended to read
11 as follows:

12 The Washington state arts commission shall determine the amount to
13 be made available for the purchase of art in consultation with the
14 agency, except where another person or agency is specified under RCW
15 43.19.455, 28A.335.210, or in the optional participation program under
16 RCW 28B.10.025, and payments therefor shall be made in accordance with
17 law. The designation of projects and sites, selection, contracting,
18 purchase, commissioning, reviewing of design, execution and placement,
19 acceptance, maintenance, and sale, exchange, or disposition of works of
20 art shall be the responsibility of the Washington state arts commission
21 in consultation with the directors of the state agencies. However, the
22 costs to carry out the Washington state arts commission's
23 responsibility for maintenance shall not be funded from the moneys
24 referred to in RCW 43.17.200, 43.19.455, 28A.335.210, or 28B.10.025,
25 but shall be contingent upon adequate appropriations being made for
26 that purpose. In the optional participation program under RCW
27 28B.10.025, the designation of projects and sites for such art shall be
28 the responsibility of the governing board of the participating state
29 institution of higher education.

1 **Sec. 6.** RCW 28B.10.025 and 1990 c 33 s 557 are each amended to
2 read as follows:

3 (~~The Washington state arts commission shall, in consultation with~~
4 ~~the boards of regents of the University of Washington and Washington~~
5 ~~State University and with the boards of trustees of the regional~~
6 ~~universities, The Evergreen State College, and the community college~~
7 ~~districts)) The governing board of a state institution of higher
8 education may choose to participate in the program to purchase art
9 under RCW 28B.10.027 on a project-by-project basis. The Washington
10 state arts commission shall, in consultation with the governing board
11 of a participating state institution of higher education, determine the
12 amount to be made available for the purchases of art under RCW
13 28B.10.027, and payment therefor shall be made in accordance with law.
14 The designation of projects and sites((7)) shall be the responsibility
15 of the governing board of the participating state institution of higher
16 education. The selection, contracting, purchase, commissioning,
17 reviewing of design, execution and placement, acceptance, maintenance,
18 and sale, exchange, or disposition of works of art shall be the
19 responsibility of the Washington state arts commission in consultation
20 with the board of regents or trustees. However, the costs to carry out
21 the Washington state arts commission's responsibility for maintenance
22 shall not be funded from the moneys referred to under this section, RCW
23 43.17.200, 43.19.455, or 28A.335.210, but shall be contingent upon
24 adequate appropriations being made for that purpose.~~

25 **Sec. 7.** RCW 28B.10.027 and 1983 c 204 s 9 are each amended to read
26 as follows:

27 (~~All universities and colleges shall allocate as a nondeductible~~
28 ~~item)) State institutions of higher education may allocate, on a
29 project-by-project basis, out of any moneys appropriated for the~~

1 original construction or any major renovation or remodel work exceeding
2 two hundred thousand dollars of any building, an amount of one-half of
3 one percent of the appropriation to be expended by the Washington state
4 arts commission with the approval of the board of regents or trustees
5 for the acquisition of works of art. The works of art may be placed on
6 public lands of institutions of higher education, integral to or
7 attached to a public building or structure of institutions of higher
8 education, detached within or outside a public building or structure of
9 institutions of higher education, part of a portable exhibition or
10 collection, part of a temporary exhibition, or loaned or exhibited in
11 other public facilities.

12 In addition to the cost of the works of art the one-half of one
13 percent of the appropriation shall be used to provide for the
14 administration of the visual arts program by the Washington state arts
15 commission and all costs for installation of the work of art. For the
16 purpose of this section building shall not include sheds, warehouses,
17 and other buildings of a temporary nature.