

2 **SHB 1280** - S COMM AMD
3 By Committee on Ways & Means

4 ADOPTED 4/18/97

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 43.17.200 and 1983 c 204 s 4 are each amended to read
8 as follows:

9 (1) Except as provided in subsection (2) of this section, all state
10 agencies including all state departments, boards, councils,
11 commissions, and quasi public corporations shall allocate, as a
12 nondeductible item, out of any moneys appropriated for the original
13 construction of any public building, an amount of one-half of one
14 percent of the appropriation to be expended by the Washington state
15 arts commission for the acquisition of works of art. The works of art
16 may be placed on public lands, integral to or attached to a public
17 building or structure, detached within or outside a public building or
18 structure, part of a portable exhibition or collection, part of a
19 temporary exhibition, or loaned or exhibited in other public
20 facilities. In addition to the cost of the works of art the one-half
21 of one percent of the appropriation as provided herein shall be used to
22 provide for the administration of the visual arts program by the
23 Washington state arts commission and all costs for installation of the
24 works of art. For the purpose of this section building shall not
25 include highway construction sheds, warehouses or other buildings of a
26 temporary nature.

27 (2) Subsection (1) of this section does not apply to the
28 construction of any building, structure, or facility under the control
29 of the department of corrections.

30 **Sec. 2.** RCW 43.17.210 and 1990 c 33 s 575 are each amended to read
31 as follows:

32 The Washington state arts commission shall determine the amount to
33 be made available for the purchase of art in consultation with the
34 agency, except where another person or agency is specified under RCW
35 43.19.455, 28A.335.210, or 28B.10.025, and payments therefor shall be

1 made in accordance with law. The designation of projects and sites,
2 selection, contracting, purchase, commissioning, reviewing of design,
3 execution and placement, acceptance, maintenance, and sale, exchange,
4 or disposition of works of art shall be the responsibility of the
5 Washington state arts commission in consultation with the directors of
6 the state agencies. At least ten percent of the total value of art
7 work contracted by the Washington state arts commission in each
8 biennial period shall be created or fabricated by inmates through the
9 division of correctional industries within the department of
10 corrections. However, the costs to carry out the Washington state arts
11 commission's responsibility for maintenance shall not be funded from
12 the moneys referred to in RCW 43.17.200, 43.19.455, 28A.335.210, or
13 28B.10.025, but shall be contingent upon adequate appropriations being
14 made for that purpose.

15 **Sec. 3.** RCW 28A.335.210 and 1983 c 204 s 7 are each amended to
16 read as follows:

17 The state board of education and superintendent of public
18 instruction shall allocate, as a nondeductible item, out of any moneys
19 appropriated for state assistance to school districts for the original
20 construction of any school plant facility the amount of one-half of one
21 percent of the appropriation to be expended by the Washington state
22 arts commission for the acquisition of works of art. The works of art
23 may be placed in accordance with Article IX, sections 2 and 3 of the
24 state Constitution on public lands, integral to or attached to a public
25 building or structure, detached within or outside a public building or
26 structure, part of a portable exhibition or collection, part of a
27 temporary exhibition, or loaned or exhibited in other public
28 facilities. The Washington state arts commission shall, in
29 consultation with the superintendent of public instruction, determine
30 the amount to be made available for the purchase of works of art under
31 this section, and payments therefor shall be made in accordance with
32 law. The designation of projects and sites, selection, contracting,
33 purchase, commissioning, reviewing of design, execution and placement,
34 acceptance, maintenance, and sale, exchange, or disposition of works of
35 art shall be the responsibility of the Washington state arts commission
36 in consultation with the superintendent of public instruction and
37 representatives of school district boards of directors. Art work
38 contracted by the Washington state arts commission in each biennial

1 period shall be created or fabricated by inmates through the division
2 of correctional industries within the department of corrections under
3 section 2 of this act. However, the costs to carry out the Washington
4 state arts commission's responsibility for maintenance shall not be
5 funded from the moneys referred to under this section, RCW 43.17.200,
6 43.19.455, or 28B.10.025, but shall be contingent upon adequate
7 appropriations being made for that purpose: PROVIDED, That the
8 superintendent of public instruction and the school district board of
9 directors of the districts where the sites are selected shall have the
10 right to:

11 (1) Waive its use of the one-half of one percent of the
12 appropriation for the acquisition of works of art before the selection
13 process by the Washington state arts commission;

14 (2) Appoint a representative to the body established by the
15 Washington state arts commission to be part of the selection process
16 with full voting rights;

17 (3) Reject the results of the selection process;

18 (4) Reject the placement of a completed work or works of art on
19 school district premises if such works are portable.

20 Rejection at any point before or after the selection process shall
21 not cause the loss of or otherwise endanger state construction funds
22 available to the local school district. Any works of art rejected
23 under this section shall be applied to the provision of works of art
24 under this chapter, at the discretion of the Washington state arts
25 commission, notwithstanding any contract or agreement between the
26 affected school district and the artist involved. In addition to the
27 cost of the works of art the one-half of one percent of the
28 appropriation as provided herein shall be used to provide for the
29 administration by the Washington state arts commission and all costs
30 for installation of the work of art. For the purpose of this section
31 building shall not include sheds, warehouses or other buildings of a
32 temporary nature.

33 The executive director of the arts commission, the superintendent
34 of public instruction and the Washington state school directors
35 association shall appoint a study group to review the operations of the
36 one-half of one percent for works of art under this section.

37 **Sec. 4.** RCW 28B.10.025 and 1990 c 33 s 557 are each amended to
38 read as follows:

1 The Washington state arts commission shall, in consultation with
2 the boards of regents of the University of Washington and Washington
3 State University and with the boards of trustees of the regional
4 universities, The Evergreen State College, and the community college
5 districts, determine the amount to be made available for the purchases
6 of art under RCW 28B.10.027, and payment therefor shall be made in
7 accordance with law. The designation of projects and sites, the
8 selection, contracting, purchase, commissioning, reviewing of design,
9 execution and placement, acceptance, maintenance, and sale, exchange,
10 or disposition of works of art shall be the responsibility of the
11 Washington state arts commission in consultation with the board of
12 regents or trustees. Art work contracted by the Washington state arts
13 commission in each biennial period shall be created or fabricated by
14 inmates through the division of correctional industries within the
15 department of corrections under section 2 of this act. However, the
16 costs to carry out the Washington state arts commission's
17 responsibility for maintenance shall not be funded from the moneys
18 referred to under this section, RCW 43.17.200, 43.19.455, or
19 28A.335.210, but shall be contingent upon adequate appropriations being
20 made for that purpose.

21 **Sec. 5.** RCW 43.19.455 and 1990 c 33 s 576 are each amended to read
22 as follows:

23 Except as provided under RCW 43.17.210, the Washington state arts
24 commission shall determine the amount to be made available for the
25 purchase of art under RCW 43.17.200 in consultation with the director
26 of general administration, and payments therefor shall be made in
27 accordance with law. The designation of projects and sites, selection,
28 contracting, purchase, commissioning, reviewing of design, execution
29 and placement, acceptance, maintenance, and sale, exchange, or
30 disposition of works of art shall be the responsibility of the
31 Washington state arts commission in consultation with the director of
32 general administration. Art work contracted by the Washington state
33 arts commission in each biennial period shall be created or fabricated
34 by inmates through the division of correctional industries within the
35 department of corrections under section 2 of this act. However, the
36 costs to carry out the Washington state arts commission's
37 responsibility for maintenance shall not be funded from the moneys
38 referred to under this section, RCW 43.17.200, 28A.335.210, or

1 28B.10.025, but shall be contingent upon adequate appropriations being
2 made for that purpose."

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6 On page 1, line 1 of the title, after "displays;" strike the
7 remainder of the title and insert "and amending RCW 43.17.200,
8 43.17.210, 28A.335.210, 28B.10.025, and 43.19.455."

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