

2 **SHB 1222** - S AMD - 468
3 By Senators Bauer and Rossi

4 ADOPTED 4/21/99

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

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.63A
8 RCW to read as follows:

9 (1) A competitive grant program to assist nonprofit organizations
10 in acquiring, constructing, or rehabilitating performing arts, art
11 museums, and cultural facilities is created.

12 (2)(a) The department shall submit a list of recommended performing
13 arts, art museum projects, and cultural organization projects eligible
14 for funding to the governor and the legislature in the department's
15 biennial capital budget request beginning with the 2001-2003 biennium
16 and thereafter. The list, in priority order, shall include a
17 description of each project, the amount of recommended state funding,
18 and documentation of nonstate funds to be used for the project. The
19 total amount of recommended state funding for projects on a biennial
20 project list shall not exceed four million dollars. The department may
21 provide an additional alternate project list which shall not exceed
22 five hundred thousand dollars.

23 (b) The department shall establish a competitive process to
24 prioritize applications for state assistance as follows:

25 (i) The department shall conduct a state-wide solicitation of
26 project applications from nonprofit organizations, local governments,
27 and other entities, as determined by the department. The department
28 shall evaluate and rank applications in consultation with a citizen
29 advisory committee, including a representative from the state arts
30 commission, using objective criteria. The evaluation and ranking
31 process shall also consider local community support for projects and an
32 examination of existing assets that applicants may apply to projects.

33 (ii) The department may establish the amount of state grant
34 assistance for individual project applications but the amount shall not
35 exceed twenty percent of the estimated total capital cost or actual
36 cost of a project, whichever is less. The remaining portions of the

1 project capital cost shall be a match from nonstate sources. The
2 nonstate match may include cash, the value of real property when
3 acquired solely for the purpose of the project, and in-kind
4 contributions. The department is authorized to set matching
5 requirements for individual projects. State assistance may be used to
6 fund separate definable phases of a project if the project demonstrates
7 adequate progress and has secured the necessary match funding.

8 (iii) The department shall not sign contracts or otherwise
9 financially obligate funds under this section until the legislature has
10 approved a specific list of projects. In contracts for grants
11 authorized under this section, the department shall include provisions
12 requiring that capital improvements be held by the grantee for a
13 specified period of time appropriate to the amount of the grant and
14 that facilities be used for the express purpose of the grant. If the
15 grantee is found to be out of compliance with provisions of the
16 contract, the grantee shall repay to the state general fund the
17 principal amount of the grant plus interest calculated at the rate of
18 interest on state of Washington general obligation bonds issued most
19 closely to the date of authorization of the grant.

20 **Sec. 2.** RCW 27.34.330 and 1995 c 182 s 2 are each amended to read
21 as follows:

22 The Washington state historical society shall establish a
23 competitive process to solicit proposals for and prioritize heritage
24 capital projects for potential funding in the state capital budget.
25 The society shall adopt rules governing project eligibility and
26 evaluation criteria. Application for funding of specific projects may
27 be made to the society by local governments, public development
28 authorities, nonprofit corporations, tribal governments, and other
29 entities, as determined by the society. The society, with the advice
30 of leaders in the heritage field, including but not limited to
31 representatives from the office of the secretary of state, the eastern
32 Washington state historical society, and the state office of
33 archaeology and historic preservation, shall establish and submit a
34 prioritized list of heritage capital projects to ~~((be recommended to~~
35 ~~the governor and the legislature by September 1st of each even-numbered~~
36 ~~year, beginning in 1996. The prioritized list shall be developed~~
37 ~~through open and public meetings. The governor and the legislature~~
38 ~~shall consider the prioritized list of heritage projects as a guide for~~

1 ~~appropriating funds to heritage capital projects beginning with the~~
2 ~~1997-99 biennium and thereafter))~~ the governor and the legislature in
3 the society's biennial capital budget request. The list shall include
4 a description of each project, the amount of recommended state funding,
5 and documentation of nonstate funds to be used for the project. The
6 total amount of recommended state funding for projects on a biennial
7 project list shall not exceed four million dollars. The department may
8 provide an additional alternate project list which shall not exceed
9 five hundred thousand dollars. The prioritized list shall be developed
10 through open and public meetings and the amount of state funding shall
11 not exceed thirty-three percent of the total cost of the project. The
12 nonstate portion of the total project cost may include cash, the value
13 of real property when acquired solely for the purpose of the project,
14 and in-kind contributions. The department shall not sign contracts or
15 otherwise financially obligate funds under this section until the
16 legislature has approved a specific list of projects. In contracts for
17 grants authorized under this section, the society shall include
18 provisions requiring that capital improvements be held by the grantee
19 for a specified period of time appropriate to the amount of the grant
20 and that facilities be used for the express purpose of the grant. If
21 the grantee is found to be out of compliance with provisions of the
22 contract, the grantee shall repay to the state general fund the
23 principal amount of the grant plus interest calculated at the rate of
24 interest on state of Washington general obligation bonds issued most
25 closely to the date of authorization of the grant.

26 **Sec. 3.** RCW 43.63A.125 and 1997 c 374 s 2 are each amended to read
27 as follows:

28 ~~((If the legislature provides an appropriation to))~~ (1) The
29 department shall establish a competitive process to solicit proposals
30 for and prioritize projects that assist nonprofit organizations in
31 acquiring, constructing, or rehabilitating facilities used for the
32 delivery of nonresidential social services((, the legislature may
33 direct the department of community, trade, and economic development
34 to)).

35 (2) The department shall establish a competitive process to
36 prioritize applications for the assistance as follows:

37 ~~((1))~~ (a) The department shall conduct a state-wide solicitation
38 of project applications from local governments, nonprofit

1 organizations, and other entities, as determined by the department.
2 The department shall evaluate and rank applications in consultation
3 with a citizen advisory committee using objective criteria. At a
4 minimum, applicants must demonstrate that the requested assistance will
5 increase the efficiency or quality of the social services it provides
6 to citizens. The evaluation and ranking process shall also include an
7 examination of existing assets that applicants may apply to projects.
8 Grant assistance under this section shall not exceed twenty-five
9 percent of the total cost of the project. The nonstate portion of the
10 total project cost may include(~~(, but is not limited to, land,~~
11 ~~facilities)) cash, the value of real property when acquired solely for
12 the purpose of the project, and in-kind contributions.~~

13 ~~((+2))~~ (b) The department shall submit a prioritized list of
14 recommended projects to the (~~legislature by November 1st following the~~
15 ~~effective date of the appropriation)) governor and the legislature in
16 the department's biennial capital budget request beginning with the
17 2001-2003 biennium and thereafter. For the 1999-2001 biennium, the
18 department shall conduct a solicitation and ranking process, as
19 described in (a) of this subsection, for projects to be funded by
20 appropriations provided for this program in the 1999-2001 capital
21 budget. The list shall include a description of each project, the
22 amount of recommended state funding, and documentation of nonstate
23 funds to be used for the project. The total amount of recommended
24 state funding for projects on a biennial project list shall not exceed
25 four million dollars. The department may provide an additional
26 alternate project list which shall not exceed five hundred thousand
27 dollars. Except for the 1999-2001 biennium, the department shall not
28 sign contracts or otherwise financially obligate funds under this
29 section until the legislature has approved a specific list of projects.~~

30 ~~((+3))~~ (c) In contracts for grants authorized under this section
31 the department shall include provisions which require that capital
32 improvements shall be held by the grantee for a specified period of
33 time appropriate to the amount of the grant and that facilities shall
34 be used for the express purpose of the grant. If the grantee is found
35 to be out of compliance with provisions of the contract, the grantee
36 shall repay to the state general fund the principal amount of the grant
37 plus interest calculated at the rate of interest on state of Washington
38 general obligation bonds issued most closely to the date of
39 authorization of the grant.

1 (~~(4)~~ The department shall develop model contract provisions for
2 compliance with subsection (3) of this section and shall distribute its
3 recommendations to the appropriate legislative committees, the office
4 of financial management, and to all state agencies which provide
5 capital grants to nonstate entities.)

6 NEW SECTION. **Sec. 4.** Section 1 of this act, RCW 27.34.330, and
7 43.63A.125 shall expire June 30, 2007."

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ADOPTED 4/21/99

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11 On page 1, line 2 of the title, after "organizations;" strike the
12 remainder of the title and insert "amending RCW 27.34.330 and
13 43.63A.125; adding a new section to chapter 43.63A RCW; and providing
14 an expiration date."

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