
SENATE BILL 6653

State of Washington

56th Legislature

2000 Regular Session

By Senators Honeyford, Zarelli, Benton, Morton, Finkbeiner,
Hochstatter, Swecker, Stevens and Johnson

Read first time . Referred to Committee on .

1 AN ACT Relating to public art; amending RCW 43.17.200 and
2 28A.335.210; creating new sections; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that constraints on
5 capital spending and competition for scarce resources require that
6 capital expenditures be fully utilized for construction. In order to
7 increase the amount of appropriations available for the actual
8 construction of projects, it is the intent of the legislature to enact
9 a moratorium on the allocation of capital appropriations for the
10 acquisition of works of art. The moratorium shall apply to capital
11 project appropriations made from January 1, 2000, through June 30,
12 2003.

13 **Sec. 2.** RCW 43.17.200 and 1983 c 204 s 4 are each amended to read
14 as follows:

15 (1) Until the effective date of this act, all state agencies
16 including all state departments, boards, councils, commissions, and
17 quasi public corporations shall allocate, as a nondeductible item, out
18 of any moneys appropriated for the original construction of any public

1 building, an amount of one-half of one percent of the appropriation to
2 be expended by the Washington state arts commission for the acquisition
3 of works of art. The works of art may be placed on public lands,
4 integral to or attached to a public building or structure, detached
5 within or outside a public building or structure, part of a portable
6 exhibition or collection, part of a temporary exhibition, or loaned or
7 exhibited in other public facilities. In addition to the cost of the
8 works of art the one-half of one percent of the appropriation as
9 provided herein shall be used to provide for the administration of the
10 visual arts program by the Washington state arts commission and all
11 costs for installation of the works of art. For the purpose of this
12 section building shall not include highway construction sheds,
13 warehouses or other buildings of a temporary nature.

14 (2) After July 1, 2003, the legislature may, by statute,
15 reauthorize this allocation for works of art.

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

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

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

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

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

15 (~~(3)~~) (c) Reject the results of the selection process;

16 (~~(4)~~) (d) Reject the placement of a completed work or works of
17 art on school district premises if such works are portable.

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

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

35 (2) After July 1, 2003, the legislature may, by statute,
36 reauthorize this allocation for works of art.

37 NEW SECTION. **Sec. 4.** This act does not affect any existing
38 appropriation or right acquired or liability or obligation incurred

1 under the sections amended in this act or under any rule or order
2 adopted under those sections, nor does it affect any proceeding or
3 project instituted under those sections.

4 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and takes effect
7 immediately.

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