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SECOND SUBSTITUTE HOUSE BILL 2587

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State of Washington

62nd Legislature

2012 Regular Session

**By** House Capital Budget (originally sponsored by Representatives Carlyle, Haler, Fitzgibbon, Jenkins, Asay, Dunshee, Lytton, Ormsby, Warnick, Walsh, Pettigrew, Kenney, and Santos)

READ FIRST TIME 02/03/12.

1 AN ACT Relating to a competitive grant program for arts and  
2 cultural facilities; and amending RCW 43.63A.750.

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

4 **Sec. 1.** RCW 43.63A.750 and 2006 c 371 s 235 are each amended to  
5 read as follows:

6 (1) A competitive grant program is created to assist the following  
7 nonprofit arts and cultural organizations in acquiring, constructing,  
8 or rehabilitating the organization's facilities: Performing arts  
9 organizations, art museums, ((and)) cultural ((facilities is created))  
10 organizations, zoos, aquariums, and technology and science centers. To  
11 be eligible, a zoo or aquarium must be an organization accredited by  
12 the association of zoos and aquariums and a technology and science  
13 center must be an organization that meets the requirements to be a  
14 member of the association of science - technology centers.

15 (2)(a) The department shall submit a list of recommended  
16 ((performing arts, art museum projects, and cultural organization))  
17 facilities projects, for organizations listed in subsection (1) of this  
18 section, that are eligible for funding to the governor and the  
19 legislature in the department's biennial capital budget request

1 beginning with the 2001-2003 biennium and thereafter. The list, in  
2 priority order, shall include a description of each project, the amount  
3 of recommended state funding, and documentation of nonstate funds to be  
4 used for the project. The total amount of recommended state funding  
5 for projects on a biennial project list shall not exceed (~~twelve~~)  
6 sixteen million dollars.

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

9 (i) The department shall conduct a statewide solicitation of  
10 project applications from nonprofit organizations, local governments,  
11 and other entities, as determined by the department. The department  
12 shall evaluate and rank applications in consultation with a citizen  
13 advisory committee, including a representative from the state arts  
14 commission, using objective criteria. The evaluation and ranking  
15 process shall also consider local community support for projects and an  
16 examination of existing assets that applicants may apply to projects.

17 (ii) The department may establish the amount of state grant  
18 assistance for individual project applications but the amount shall not  
19 exceed twenty percent of the estimated total capital cost or actual  
20 cost of a project, whichever is less. The remaining portions of the  
21 project capital cost shall be a match from nonstate sources. The  
22 nonstate match may include cash, the value of real property when  
23 acquired solely for the purpose of the project, and in-kind  
24 contributions. The department is authorized to set matching  
25 requirements for individual projects. State assistance may be used to  
26 fund separate definable phases of a project if the project demonstrates  
27 adequate progress and has secured the necessary match funding.

28 (iii) The department shall not sign contracts or otherwise  
29 financially obligate funds under this section until the legislature has  
30 approved a specific list of projects. In contracts for grants  
31 authorized under this section, the department shall include provisions  
32 requiring that capital improvements be held by the grantee for a  
33 specified period of time appropriate to the amount of the grant and  
34 that facilities be used for the express purpose of the grant. If the  
35 grantee is found to be out of compliance with provisions of the  
36 contract, the grantee shall repay to the state general fund the  
37 principal amount of the grant plus interest calculated at the rate of

1 interest on state of Washington general obligation bonds issued most  
2 closely to the date of authorization of the grant.

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