
SENATE BILL 5570

State of Washington

67th Legislature

2022 Regular Session

By Senator Hunt

Prefiled 12/21/21.

1 AN ACT Relating to establishing a process for removal or
2 relocation of major works on the capitol grounds; and adding a new
3 section to chapter 43.19 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.19
6 RCW to read as follows:

7 (1) Notwithstanding any other provision of this code, a major
8 work on the state capitol grounds may be removed or relocated by the
9 department of enterprise services:

10 (a) If approved by the legislation through concurrent resolution;

11 (b) To accommodate construction, repair, or improvements to the
12 major work or to the surrounding state property on which the major
13 work is located. Any major work that is permanently removed under
14 this subsection must be relocated to a prominent location; or

15 (c) When a recommendation has been made by the work group under
16 subsection (2) of this section or the department under subsection (3)
17 of this section to remove or relocate a major work and the
18 recommendation is approved by the state capitol committee. Any major
19 work that is permanently removed under this subsection may be placed
20 in storage or sold by the state if an alternative proposal is not
21 authorized by the state capitol committee. If a major work is

1 determined by the work group to be offensive or outdated, the major
2 work may be destroyed.

3 (2) (a) The proposing entity must submit a petition for review to
4 the department that outlines the proposal and an explanation for why
5 the major work no longer meets the criteria established by the
6 department, in consultation with the work group established in this
7 section, for placement on state capitol grounds.

8 (b) When a petition for review is received by the department for
9 removal or relocation of a major work the department must, within 60
10 days, convene a work group to begin evaluation of the proposal.

11 (i) The members of the work group must include the following:

12 (A) The director of the department of enterprise services or the
13 director's designee, who shall serve as the chair of the work group;

14 (B) The director of the department of archaeology and historic
15 preservation or the director's designee;

16 (C) The director of the Washington state historical society or
17 the director's designee;

18 (D) A representative of the capitol campus design advisory
19 committee;

20 (E) A representative from the Washington state arts commission;
21 and

22 (F) Five representatives from the public with one representative
23 appointed by each of the following commissions:

24 (I) The Washington state commission on African American affairs
25 established in chapter 43.113 RCW;

26 (II) The LGBTQ commission established in chapter 43.114 RCW;

27 (III) The Washington state commission on Hispanic affairs
28 established in chapter 43.115 RCW;

29 (IV) The Washington state commission on Asian Pacific American
30 affairs established in chapter 43.117 RCW; and

31 (V) The women's commission established in chapter 43.119 RCW.

32 (ii) The department may appoint up to three additional members if
33 expertise related to a major work is needed.

34 (iii) Legislative members of the work group are reimbursed for
35 travel expenses in accordance with RCW 44.04.120. Nonlegislative
36 members are not entitled to be reimbursed for travel expenses if they
37 are elected officials or are participating on behalf of an employer,
38 governmental entity, or other organization. Any reimbursement for
39 other nonlegislative members is subject to chapter 43.03 RCW.

1 (c) If the work group finds by a majority vote of its members
2 that the major work no longer meets the criteria established by the
3 department for placement on state capitol grounds, the work group
4 must provide a report with its findings to the state capitol
5 committee for consideration. The report must include, at minimum:

6 (i) An overview of the major work including the year of
7 installation, history of the individual or event, and any other
8 information the work group finds may be helpful to the state capitol
9 committee;

10 (ii) The recommendation of the work group, including an
11 explanation for why the major work no longer meets the criteria
12 established by the department for placement on state capitol grounds
13 and a summary of any research or other material that was used during
14 the evaluation;

15 (iii) Information regarding the anticipated cost for the removal
16 or relocation of the major work, including any transportation or
17 storage costs that may be required; and

18 (iv) Recommendations regarding the funding sources that may be
19 available, which may include solicitation of private funds or a
20 method for obtaining the necessary funds.

21 (3) By 2030, and every 50 years thereafter, the department must
22 conduct a review of all major works on the state capitol grounds and
23 recommend removal and appropriate disposition of those no longer
24 meeting the criteria for placement on state capitol grounds. The
25 department may conduct additional reviews of major works within the
26 50-year time frame if the department receives a petition or
27 determines that additional review may be necessary. The department
28 must provide a report with its findings to the state capitol
29 committee for consideration.

30 (4) The following definitions apply throughout this section
31 unless the context clearly requires otherwise:

32 (a) "Capitol grounds" means those grounds over which the
33 department of enterprise services exercises custody and control,
34 which includes:

35 (i) The west capitol campus, which includes state-owned grounds
36 that constitute the state capitol grounds west of capitol way,
37 including all of the grounds addressed in the 1928 Olmsted brothers
38 landscape plan for the state capitol grounds and the state capitol
39 historic district, as designated in the national register of historic
40 places;

1 (ii) The east capitol campus, which includes state-owned grounds
2 described in RCW 79.24.500;
3 (iii) Sylvester park;
4 (iv) The old capitol building;
5 (v) Capitol lake;
6 (vi) Marathon park;
7 (vii) Heritage park;
8 (viii) Centennial park; and
9 (ix) Capitol gateway park.
10 (b) "Major work" includes any statue, monument, sculpture, work
11 of art, memorial, or other structural or landscape feature, including
12 a garden or memorial grove, of notable impact to viewers and its
13 surroundings. The impact of a work is defined by the combined effect
14 of its subject matter, size, placement, and the degree to which it
15 commands the environmental context into which it is set. The term
16 does not include any such item located within the interior of a
17 structure.
18 (c) "Proposing entity" means any individual or group advancing a
19 proposal for removal or relocation of major works on state capitol
20 grounds.
21 (d) "State capitol committee" means the state capitol committee
22 established in RCW 43.17.070.

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