
SENATE BILL 6042

State of Washington

62nd Legislature

2012 Regular Session

By Senators Schoesler, Carrell, Becker, Sheldon, Pflug, Honeyford, and Padden

1 AN ACT Relating to suspending the requirement to purchase public
2 art with appropriations made for construction of public buildings; and
3 amending RCW 43.17.200, 28A.335.210, and 28B.10.027.

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

5 **Sec. 1.** RCW 43.17.200 and 2005 c 36 s 4 are each amended to read
6 as follows:

7 After July 1, 2013, all state agencies including all state
8 departments, boards, councils, commissions, and quasi-public
9 corporations shall allocate, as a nondeductible item, out of any moneys
10 appropriated for the original construction of any public building, an
11 amount of one-half of one percent of the appropriation to be expended
12 by the Washington state arts commission for the acquisition of works of
13 art. The works of art may be placed on public lands, integral to or
14 attached to a public building or structure, detached within or outside
15 a public building or structure, part of a portable exhibition or
16 collection, part of a temporary exhibition, or loaned or exhibited in
17 other public facilities. In addition to the cost of the works of art,
18 the one-half of one percent of the appropriation as provided herein
19 shall be used to provide for the administration of the visual arts

1 program, including conservation of the state art collection, by the
2 Washington state arts commission and all costs for installation of the
3 works of art. For the purpose of this section building shall not
4 include highway construction sheds, warehouses or other buildings of a
5 temporary nature.

6 **Sec. 2.** RCW 28A.335.210 and 2006 c 263 s 327 are each amended to
7 read as follows:

8 After July 1, 2013, the superintendent of public instruction shall
9 allocate, as a nondeductible item, out of any moneys appropriated for
10 state assistance to school districts for the original construction of
11 any school plant facility the amount of one-half of one percent of the
12 appropriation to be expended by the Washington state arts commission
13 for the acquisition of works of art. The works of art may be placed in
14 accordance with Article IX, sections 2 and 3 of the state Constitution
15 on public lands, integral to or attached to a public building or
16 structure, detached within or outside a public building or structure,
17 part of a portable exhibition or collection, part of a temporary
18 exhibition, or loaned or exhibited in other public facilities. The
19 Washington state arts commission shall, in consultation with the
20 superintendent of public instruction, determine the amount to be made
21 available for the purchase of works of art under this section, and
22 payments therefor shall be made in accordance with law. The
23 designation of projects and sites, selection, contracting, purchase,
24 commissioning, reviewing of design, execution and placement,
25 acceptance, maintenance, and sale, exchange, or disposition of works of
26 art shall be the responsibility of the Washington state arts commission
27 in consultation with the superintendent of public instruction and
28 representatives of school district boards of directors. The
29 superintendent of public instruction and the school district board of
30 directors of the districts where the sites are selected shall have the
31 right to:

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

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

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

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

4 Rejection at any point before or after the selection process shall
5 not cause the loss of or otherwise endanger state construction funds
6 available to the local school district. Any works of art rejected
7 under this section shall be applied to the provision of works of art
8 under this chapter, at the discretion of the Washington state arts
9 commission, notwithstanding any contract or agreement between the
10 affected school district and the artist involved. In addition to the
11 cost of the works of art the one-half of one percent of the
12 appropriation as provided in this section shall be used to provide for
13 the administration, including conservation of the state art collection,
14 by the Washington state arts commission and all costs for installation
15 of the work of art. For the purpose of this section building shall not
16 include sheds, warehouses, or other buildings of a temporary nature.

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

21 **Sec. 3.** RCW 28B.10.027 and 2005 c 36 s 3 are each amended to read
22 as follows:

23 After July 1, 2013, all universities and colleges shall allocate as
24 a nondeductible item, out of any moneys appropriated for the original
25 construction or any major renovation or remodel work exceeding two
26 hundred thousand dollars of any building, an amount of one-half of one
27 percent of the appropriation to be expended by the Washington state
28 arts commission with the approval of the board of regents or trustees
29 for the acquisition of works of art. The works of art may be placed on
30 public lands of institutions of higher education, integral to or
31 attached to a public building or structure of institutions of higher
32 education, detached within or outside a public building or structure of
33 institutions of higher education, part of a portable exhibition or
34 collection, part of a temporary exhibition, or loaned or exhibited in
35 other public facilities.

36 In addition to the cost of the works of art, the one-half of one
37 percent of the appropriation shall be used to provide for the

1 administration of the visual arts program, including conservation of
2 the state art collection, by the Washington state arts commission and
3 all costs for installation of the work of art. For the purpose of this
4 section building shall not include sheds, warehouses, and other
5 buildings of a temporary nature.

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