

# SENATE BILL REPORT

## SB 5570

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As of January 21, 2022

**Title:** An act relating to establishing a process for removal or relocation of major works on the capitol grounds.

**Brief Description:** Establishing a process for removal or relocation of major works on the capitol grounds.

**Sponsors:** Senator Hunt.

**Brief History:**

**Committee Activity:** State Government & Elections: 1/21/22.

**Brief Summary of Bill**

- Authorizes Department of Enterprise Services to remove or relocate a major work on the state capitol grounds in certain situations.
- Establishes processes for reviewing major works on the state capitol grounds.

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### SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

**Staff:** Melissa Van Gorkom (786-7491)

**Background:** Department of Enterprise Services. The Department of Enterprise Services (DES) has custody and control over the capitol buildings and grounds and supervises the proper care, heating, lighting, and repair of the buildings. DES is also responsible for the stewardship, preservation, operation, and maintenance of the public and historic facilities of the state capitol, subject to the policy direction of the State Capitol Committee (SCC) and the guidance of the Capitol Campus Design Advisory Committee (CCDAC).

State Capitol Committee. The SCC consists of the Governor or their designee, Lieutenant

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Governor, the Secretary of State and Commissioner of Public Lands. The SCC is authorized to erect buildings and make improvements on the capital grounds.

Capitol Campus Design Advisory Committee. CCDAC consists of four legislative members, the Secretary of State and four members appointed by the DES director—two architects; one landscape architect; and one urban planner. CCDAC advises the SCC on the capitol campus master plan, design and siting of facilities, and landscaping designs, including planting proposals, sculpture, and monuments.

Major Works. In 1997, the Legislature directed, through a budget proviso in SSB 6062, the Department of General Administration—now DES—to create a capitol campus monuments and memorial policy, and prohibited additional monuments from being placed on the capitol campus until the policy was adopted by the SCC and included in DES administrative code. In 1998, the agency adopted a set of rules for commemorative and art works on the state capitol grounds which established requirements and a process for proposals with the SCC granting final approval for the design and site of major works to be located on the state capitol grounds.

**Summary of Bill:** A major work on the state capitol grounds may be removed or relocated by DES:

- if approved by the Legislature through concurrent resolution;
- to accommodate construction, repair, or improvements to the major work or the surrounding state property, provided it is relocated to a prominent location; or
- when the SCC approves a recommendation made by a work group or DES to remove or relocate a major work.

Any major work permanently removed may be placed in storage or sold by the state, or destroyed if the work group determines the major work is offensive or outdated.

Two processes are established for reviewing major works on the state capitol grounds. DES must:

- review all major works on the state capitol grounds by 2030, and every 50 years thereafter—or sooner if DES receives a petition or determines that additional review may be necessary—and report to the SCC on its findings, recommendations for removal and appropriate disposition of those that no longer meet the criteria for placement of the state capitol grounds; and
- convene a work group to begin evaluation of the proposal within 60 days of receiving a petition for removal or relocation of a major work.

If the work group finds by a majority vote that the major work no longer meets the criteria for placement on state capitol grounds, the work group must provide a report with its findings to the SCC for consideration. The work group report must include:

- an overview of the major work including the year of installation, history of the individual or event, and any other information the work group finds may be helpful to

- the SCC;
- the recommendation of the work group, including an explanation for why the major work no longer meets the criteria established by DES for placement on state capitol grounds and a summary of any research or other material that was used during the evaluation;
- information regarding the anticipated cost for the removal or relocation of the major work, including any transportation or storage costs that may be required; and
- recommendations regarding the funding sources that may be available, which may include solicitation of private funds or a method for obtaining the necessary funds.

The work group members consist of:

- the director of DES, or their designee, who will serve as the chair of the work group;
- the director of the Department of Archaeology and History Preservation, or their designee;
- the director of the Washington Historical Society, or their designee;
- a representative from CCDAC and the Washington State Arts Commission; and
- five public members with one representative appointed from the Commission on African American Affairs, the LGBTQ Commission, the Commission on Hispanic Affairs, the Commission on Asian Pacific American Affairs, and the Women's Commission.

DES may appoint up to three additional members if expertise related to a major work is needed.

Major work includes any statue, monument, sculpture, work of art, memorial, or other structural or landscape feature of notable impact to viewers and to its surroundings. The impact of a work is defined by the combined effect of its subject matter, size, placement, and the degree to which it commands the environmental context into which it is set. The term does not include any such item located within the interior of a structure.

**Appropriation:** None.

**Fiscal Note:** Requested on January 10, 2022.

**Creates Committee/Commission/Task Force that includes Legislative members:** Yes.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: DES is working with the SCC and CCDAC on a policy that would take care of this so we will wait on this bill until the two committees are done with their work.

**Persons Testifying:** PRO: Senator Sam Hunt, Prime Sponsor.

**Persons Signed In To Testify But Not Testifying:** No one.