
HOUSE BILL 2007

State of Washington

66th Legislature

2019 Regular Session

By Representatives Maycumber and Chapman

Read first time 02/11/19. Referred to Committee on Capital Budget.

1 AN ACT Relating to contracting for local art funded through the
2 capital budget art allocation; and amending RCW 28A.335.210,
3 28B.10.025, 43.17.210, and 43.19.455.

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

5 **Sec. 1.** RCW 28A.335.210 and 2006 c 263 s 327 are each amended to
6 read as follows:

7 The superintendent of public instruction shall allocate, as a
8 nondeductible item, out of any moneys appropriated for state
9 assistance to school districts for the original construction of any
10 school plant facility the amount of one-half of one percent of the
11 appropriation to be expended by the Washington state arts commission
12 for the acquisition of works of art. The works of art may be placed
13 in accordance with Article IX, sections 2 and 3 of the state
14 Constitution on public lands, integral to or attached to a public
15 building or structure, detached within or outside a public building
16 or structure, part of a portable exhibition or collection, part of a
17 temporary exhibition, or loaned or exhibited in other public
18 facilities. The Washington state arts commission shall, in
19 consultation with the superintendent of public instruction, determine
20 the amount to be made available for the purchase of works of art
21 under this section, and payments therefor shall be made in accordance

1 with law. The designation of projects and sites, selection,
2 contracting, purchase, commissioning, reviewing of design, execution
3 and placement, acceptance, maintenance, and sale, exchange, or
4 disposition of works of art shall be the responsibility of the
5 Washington state arts commission in consultation with the
6 superintendent of public instruction and representatives of school
7 district boards of directors. In selecting the artist, the Washington
8 state arts commission must give preference to artists located within
9 one hundred miles of the project site. The superintendent of public
10 instruction and the school district board of directors of the
11 districts where the sites are selected shall have the right to:

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

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

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

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

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

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

1 **Sec. 2.** RCW 28B.10.025 and 2015 c 55 s 201 are each amended to
2 read as follows:

3 The Washington state arts commission shall, in consultation with
4 the boards of regents of the University of Washington and Washington
5 State University and with the boards of trustees of the regional
6 universities, The Evergreen State College, and the community and
7 technical college districts, determine the amount to be made
8 available for the purchases of art under RCW 28B.10.027, and payment
9 therefor shall be made in accordance with law. The designation of
10 projects and sites, the selection, contracting, purchase,
11 commissioning, reviewing of design, execution and placement,
12 acceptance, maintenance, and sale, exchange, or disposition of works
13 of art shall be the responsibility of the Washington state arts
14 commission in consultation with the board of regents or trustees. In
15 selecting the artist, the Washington state arts commission must give
16 preference to artists located within one hundred miles of the project
17 site.

18 **Sec. 3.** RCW 43.17.210 and 2005 c 36 s 5 are each amended to read
19 as follows:

20 The Washington state arts commission shall determine the amount
21 to be made available for the purchase of art in consultation with the
22 agency, except where another person or agency is specified under RCW
23 43.19.455, 28A.335.210, or 28B.10.025, and payments therefor shall be
24 made in accordance with law. The designation of projects and sites,
25 selection, contracting, purchase, commissioning, reviewing of design,
26 execution and placement, acceptance, maintenance, and sale, exchange,
27 or disposition of works of art shall be the responsibility of the
28 Washington state arts commission in consultation with the directors
29 of the state agencies. In selecting the artist, the Washington state
30 arts commission must give preference to artists located within one
31 hundred miles of the project site.

32 **Sec. 4.** RCW 43.19.455 and 2011 1st sp.s. c 43 s 223 are each
33 amended to read as follows:

34 Except as provided under RCW 43.17.210, the Washington state arts
35 commission shall determine the amount to be made available for the
36 purchase of art under RCW 43.17.200 in consultation with the
37 director, and payments therefor shall be made in accordance with law.
38 The designation of projects and sites, selection, contracting,

1 purchase, commissioning, reviewing of design, execution and
2 placement, acceptance, maintenance, and sale, exchange, or
3 disposition of works of art shall be the responsibility of the
4 Washington state arts commission in consultation with the director.
5 In selecting the artist, the Washington state arts commission must
6 give preference to artists located within one hundred miles of the
7 project site.

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