
SENATE BILL 5581

State of Washington

63rd Legislature

2013 Regular Session

By Senators Delvin and McAuliffe

Read first time 02/04/13. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to the allocation of one-half of one percent of
2 original public school construction for equipment and technology
3 purposes; amending RCW 28A.335.210; and declaring an emergency.

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 (1) The superintendent of public instruction shall allocate, as a
8 nondeductible item, out of any moneys appropriated for state assistance
9 to school districts for the original construction of any school plant
10 facility the amount of one-half of one percent of the appropriation
11 ((to be expended by)) as follows:

12 (a) The board of directors of a school district may, by properly
13 executed resolution, request that the superintendent of public
14 instruction allocate the state construction funds for the acquisition
15 of instruction-related equipment and technology systems in the school
16 plant facility; or

17 (b) The Washington state arts commission may expend such funds for
18 the acquisition of works of art. The works of art may be placed in
19 accordance with Article IX, sections 2 and 3 of the state Constitution

1 on public lands, integral to or attached to a public building or
2 structure, detached within or outside a public building or structure,
3 part of a portable exhibition or collection, part of a temporary
4 exhibition, or loaned or exhibited in other public facilities. The
5 Washington state arts commission shall, in consultation with the
6 superintendent of public instruction, determine the amount to be made
7 available for the purchase of works of art under this section, and
8 payments therefor shall be made in accordance with law. The
9 designation of projects and sites, selection, contracting, purchase,
10 commissioning, reviewing of design, execution and placement,
11 acceptance, maintenance, and sale, exchange, or disposition of works of
12 art shall be the responsibility of the Washington state arts commission
13 in consultation with the superintendent of public instruction and
14 representatives of school district boards of directors. The
15 superintendent of public instruction and the school district board of
16 directors of the districts where the sites are selected shall have the
17 right to:

18 ~~((+1))~~ (i) Waive its use of the one-half of one percent of the
19 appropriation for the acquisition of works of art before the selection
20 process by the Washington state arts commission;

21 ~~((+2))~~ (ii) Appoint a representative to the body established by
22 the Washington state arts commission to be part of the selection
23 process with full voting rights;

24 ~~((+3))~~ (iii) Reject the results of the selection process;

25 ~~((+4))~~ (iv) Reject the placement of a completed work or works of
26 art on school district premises if such works are portable.

27 (2) Rejection at any point before or after the selection process
28 shall not cause the loss of or otherwise endanger state construction
29 funds available to the local school district. Any works of art
30 rejected under this section shall be applied to the provision of works
31 of art under this chapter, at the discretion of the Washington state
32 arts commission, notwithstanding any contract or agreement between the
33 affected school district and the artist involved. In addition to the
34 cost of the works of art the one-half of one percent of the
35 appropriation as provided in this section shall be used to provide for
36 the administration, including conservation of the state art collection,
37 by the Washington state arts commission and all costs for installation

1 of the work of art. For the purpose of this section, "building" shall
2 not include sheds, warehouses, or other buildings of a temporary
3 nature.

4 ~~((The executive director of the arts commission, the superintendent
5 of public instruction, and the Washington state school directors'
6 association shall appoint a study group to review the operations of the
7 one-half of one percent for works of art under this section.))~~

8 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
9 preservation of the public peace, health, or safety, or support of the
10 state government and its existing public institutions, and takes effect
11 immediately.

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