
ENGROSSED SENATE BILL 6227

State of Washington 52nd Legislature 1992 Regular Session

By Senators Saling, Stratton, Craswell, Cantu, Patterson and Rasmussen

Read first time 01/22/92. Referred to Committee on Higher Education.

1 AN ACT Relating to the art acquisition program for institutions of
2 higher education; amending RCW 43.46.090, 43.17.200, 43.17.205,
3 43.17.210, 28B.10.025, and 28B.10.027; and adding a new section to
4 chapter 28B.10 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.10 RCW
7 to read as follows:

8 The legislature finds that capital costs for the construction,
9 remodeling, and equipping of necessary facilities at our state
10 institutions of higher education is rapidly increasing. The
11 legislature declares that it is of the utmost importance that the funds
12 provided for these capital projects be used in the most efficient
13 manner possible, to ensure that the facilities provided for our state
14 institutions of higher education be fully equipped and constructed in

1 a manner that will provide the maximum impact on the educational
2 programs of the institutions. It is therefore the intent of the
3 legislature that the program established to expend one-half of one
4 percent of the funds provided for capital facilities construction or
5 remodel to purchase art for these facilities at state institutions of
6 higher education be made optional. It is further the intent of the
7 legislature that the governing boards of the state institutions of
8 higher education determine the most efficient use of the capital
9 construction funding provided for their respective institutions. The
10 governing boards shall determine, on a project-by-project basis, which
11 projects will participate in the art acquisition program and which will
12 use the capital construction funds heretofore set aside for that
13 program for equipment acquisition or otherwise improving the facility.
14 Such funds shall remain with the institutions and shall not be
15 otherwise diverted or held in reserve for any other purpose.

16 **Sec. 2.** RCW 43.46.090 and 1983 c 204 s 1 are each amended to read
17 as follows:

18 The legislature recognizes this state's responsibility to foster
19 culture and the arts and its interest in the viable development of her
20 artists and craftsmen by the establishment of the Washington state arts
21 commission. The legislature declares it to be a policy of this state
22 that a portion of appropriations for capital expenditures be set aside
23 for the acquisition of works of art to be placed in public buildings or
24 lands. There is hereby established a visual arts program to be
25 administered by the Washington state arts commission. It is the intent
26 of the legislature that the participation of state institutions of
27 higher education in this program be optional, that such institutions
28 may choose to participate on a project-by-project basis.

1 **Sec. 3.** RCW 43.17.200 and 1983 c 204 s 4 are each amended to read
2 as follows:

3 All state agencies including all state departments, boards,
4 councils, commissions, and quasi public corporations, except for state
5 institutions of higher education, shall allocate, as a nondeductible
6 item, out of any moneys appropriated for the original construction of
7 any public building, an amount of one-half of one percent of the
8 appropriation to be expended by the Washington state arts commission
9 for the acquisition of works of art. The works of art may be placed on
10 public lands, integral to or attached to a public building or
11 structure, detached within or outside a public building or structure,
12 part of a portable exhibition or collection, part of a temporary
13 exhibition, or loaned or exhibited in other public facilities. In
14 addition to the cost of the works of art the one-half of one percent of
15 the appropriation as provided herein shall be used to provide for the
16 administration of the visual arts program by the Washington state arts
17 commission and all costs for installation of the works of art. For the
18 purpose of this section building shall not include highway construction
19 sheds, warehouses or other buildings of a temporary nature. Each state
20 institution of higher education has the option of participating in this
21 program on a project-by-project basis, in coordination with the
22 Washington state arts commission, as directed by the governing board of
23 the institution.

24 **Sec. 4.** RCW 43.17.205 and 1990 c 33 s 574 are each amended to read
25 as follows:

26 The funds allocated under RCW 43.17.200, 28A.335.210, and in the
27 optional participation program under RCW 28B.10.025 shall be subject to
28 interagency reimbursement for expenditure by the visual arts program of
29 the Washington state arts commission when the particular law providing

1 for the appropriation becomes effective or, for state institutions of
2 higher education, when participation in the program is approved by the
3 governing board of the institution. For appropriations which are
4 dependent upon the sale of bonds, the amount or proportionate amount of
5 the moneys under RCW 43.17.200, 28A.335.210, and in the optional
6 participation program under RCW 28B.10.025 shall be subject to
7 interagency reimbursement for expenditure by the visual arts program of
8 the Washington state arts commission thirty days after the sale of a
9 bond or bonds. For state institutions of higher education such
10 interagency reimbursement of funds from the sale of bonds shall be
11 approved by the governing board of the participating institution.

12 **Sec. 5.** RCW 43.17.210 and 1990 c 33 s 575 are each amended to read
13 as follows:

14 The Washington state arts commission shall determine the amount to
15 be made available for the purchase of art in consultation with the
16 agency, except where another person or agency is specified under RCW
17 43.19.455, 28A.335.210, or in the optional participation program under
18 RCW 28B.10.025, and payments therefor shall be made in accordance with
19 law. The designation of projects and sites, selection, contracting,
20 purchase, commissioning, reviewing of design, execution and placement,
21 acceptance, maintenance, and sale, exchange, or disposition of works of
22 art shall be the responsibility of the Washington state arts commission
23 in consultation with the directors of the state agencies. However, the
24 costs to carry out the Washington state arts commission's
25 responsibility for maintenance shall not be funded from the moneys
26 referred to in RCW 43.17.200, 43.19.455, 28A.335.210, or 28B.10.025,
27 but shall be contingent upon adequate appropriations being made for
28 that purpose. In the optional participation program under RCW
29 28B.10.025, the designation of projects and sites for such art shall be

1 the responsibility of the governing board of the participating state
2 institution of higher education.

3 **Sec. 6.** RCW 28B.10.025 and 1990 c 33 s 557 are each amended to
4 read as follows:

5 (~~The Washington state arts commission shall, in consultation with~~
6 ~~the boards of regents of the University of Washington and Washington~~
7 ~~State University and with the boards of trustees of the regional~~
8 ~~universities, The Evergreen State College, and the community college~~
9 ~~districts)) The governing board of a state institution of higher
10 education may choose to participate in the program to purchase art
11 under RCW 28B.10.027 on a project-by-project basis. The Washington
12 state arts commission shall, in consultation with the governing board
13 of a participating state institution of higher education, determine the
14 amount to be made available for the purchases of art under RCW
15 28B.10.027, and payment therefor shall be made in accordance with law.
16 The designation of projects and sites(~~(7)~~) shall be the responsibility
17 of the governing board of the participating state institution of higher
18 education. The selection, contracting, purchase, commissioning,
19 reviewing of design, execution and placement, acceptance, maintenance,
20 and sale, exchange, or disposition of works of art shall be the
21 responsibility of the Washington state arts commission in consultation
22 with the board of regents or trustees. However, the costs to carry out
23 the Washington state arts commission's responsibility for maintenance
24 shall not be funded from the moneys referred to under this section, RCW
25 43.17.200, 43.19.455, or 28A.335.210, but shall be contingent upon
26 adequate appropriations being made for that purpose.~~

27 **Sec. 7.** RCW 28B.10.027 and 1983 c 204 s 9 are each amended to read
28 as follows:

1 (~~All universities and colleges shall allocate as a nondeductible~~
2 ~~item~~)) State institutions of higher education may allocate, on a
3 project-by-project basis, out of any moneys appropriated for the
4 original construction or any major renovation or remodel work exceeding
5 two hundred thousand dollars of any building, an amount of one-half of
6 one percent of the appropriation to be expended by the Washington state
7 arts commission with the approval of the board of regents or trustees
8 for the acquisition of works of art. The works of art may be placed on
9 public lands of institutions of higher education, integral to or
10 attached to a public building or structure of institutions of higher
11 education, detached within or outside a public building or structure of
12 institutions of higher education, part of a portable exhibition or
13 collection, part of a temporary exhibition, or loaned or exhibited in
14 other public facilities.

15 In addition to the cost of the works of art the one-half of one
16 percent of the appropriation shall be used to provide for the
17 administration of the visual arts program by the Washington state arts
18 commission and all costs for installation of the work of art. For the
19 purpose of this section building shall not include sheds, warehouses,
20 and other buildings of a temporary nature.