

HOUSE BILL REPORT

HB 2188

As Passed Legislature

Title: An act relating to conservation of the state art collection.

Brief Description: Funding the conservation of the state art collection.

Sponsors: By Representatives Lantz, Kessler, Sells, Tom, McDermott, Conway, Kenney and Santos.

Brief History:

Committee Activity:

Capital Budget: 3/3/05, 3/7/05 [DP].

Floor Activity:

Passed House: 3/10/05, 94-0.

Passed Senate: 4/5/05, 41-0.

Passed Legislature.

Brief Summary of Bill

- Provides that the one-half of 1 percent allocated by each state agency and public school to the state's capital budget for the acquisition of new artwork for the Art in Public Places Program may also be used to pay for costs associated with conservation of the state art collections.

HOUSE COMMITTEE ON CAPITAL BUDGET

Majority Report: Do pass. Signed by 29 members: Representatives Dunshee, Chair; Ormsby, Vice Chair; Jarrett, Ranking Minority Member; Hankins, Assistant Ranking Minority Member; Blake, Chase, Cox, DeBolt, Eickmeyer, Ericks, Ericksen, Flannigan, Green, Hasegawa, Holmquist, Kretz, Kristiansen, Lantz, McCune, Moeller, Morrell, Newhouse, O'Brien, Roach, Schual-Berke, Serben, Springer, Strow and Upthegrove.

Staff: Kathryn Leathers (786-7114).

Background:

In 1974, the Legislature established the Art in Public Places Program, also known as the "one-half of 1 percent program." The program is administered by the Washington State Arts Commission (Arts Commission).

The program is funded from the state's capital budget through a mandatory, nondeductible allocation of one-half of 1 percent of each new state agency (including all state departments,

boards, councils, commissions, and quasi-public corporations) or public school construction project. The funds generated from the program are set aside for the acquisition of new artwork through the Arts Commission, which retains 15 percent of the funds for administrative costs.

Annually the Arts Commission awards approximately \$3 million in grants and contracts to artists and arts organizations, adds 250 artworks to the state art collection biennially, and initiates educational programs for students of all ages. Works of art acquired through the program become part of the state art collection and are generally displayed within the building project or nearby grounds of the project generating the funding. The collection currently holds over 4,600 works, with an acquisition value of over \$17 million. In consultation with the Office of the Superintendent of Public Instruction (OSPI) and representatives of school district boards of directors, the designation of projects and sites, selection, contracting, purchase, commissioning, reviewing of design, execution and placement, acceptance, maintenance, and sale, exchange, or disposition of works of art is the responsibility of the Arts Commission.

In addition to the cost of the works of art themselves, the one-half of 1 percent of the appropriation must be used to provide for the administration by the Arts Commission and all costs for installation of the work of art. However, the costs to carry out the Arts Commission's responsibility for maintenance cannot be funded from the one-half of 1 percent moneys referred to it for the acquisition of new artwork by the agencies and public schools. Instead, availability of maintenance costs funding is contingent upon adequate appropriations being made for that specific purpose.

The OSPI and the school district board of directors of the districts where the sites are selected have the right to, among other things, waive its use of the one-half of 1 percent of the appropriation for the acquisition of works of art and reject the placement of a completed work or works of art on school district premises if such works are portable.

Summary of Bill:

Removes the restriction that the costs to carry out the Washington State Arts Commission's responsibility for maintenance may not be funded from the moneys referred to by the state agencies and public schools. Provides that the one-half of 1 percent may also be used to pay for costs associated with conservation of the state art collections.

Appropriation: None.

Fiscal Note: Requested on March 2, 2005.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Art collection and art conservation are interconnected. The state provides for the purchase of art, but due to the lack of conservation measures, agencies housing the art must take financial and physical responsibility for its upkeep. Currently, the conservation needs of the state's art collection are greater than the existing capacity, putting the state's investment in art at risk. To maintain and care for the condition of the state's current tremendous art collection, this legislation would create, in statute, a measure to care for art. Even though this measure would limit the state's ability to collect art, it is an important measure to ensure the quality of the collection for years to come.

Testimony Against: None.

Persons Testifying: Representative Lantz, prime sponsor; Lynn Kessler, State Representative, Arts Commission member; and Kris Tucker, Arts Commission.

Persons Signed In To Testify But Not Testifying: None.