

WAC 30-40-050 Funding. (1) Calculation of funds.

(a) Pursuant to RCW 43.17.200, one-half of one percent of the state's capital appropriation for the original construction of specific public buildings is set aside for the administration, acquisition, and conservation of works of art for the state art collection.

(b) Funding is generated by construction of any new building and/or additions to an existing building or structure except for highway construction sheds, warehouses, or other temporary buildings. In addition, funding is generated by any renovation and remodel work exceeding two hundred thousand dollars at universities, colleges, and community colleges. Renovation and remodel work does not include repair, maintenance, or replacement of building systems, such as HVAC, plumbing, wiring, fire sprinklers, roofs, insulation, lighting, or other system that keeps the building functional and safe.

(2) Partner agency eligibility and site requirements of funds.

(a) All state agencies including all state departments, boards, councils, commissions, and quasi-public corporations; all universities, colleges, community colleges, and technical colleges; and the office of the superintendent of public instruction who appropriates state funding to school districts for the original construction of school plant facilities, shall apply the formula.

(b) Works of art must be placed in public buildings or on public lands. In siting works of art, priority is given to state properties and K-12 public schools.

(c) Works of art may be sited in a location other than the construction site generating the funding.

(3) Use of funds.

(a) Staff is responsible for negotiating contracts and expending funds.

(b) Funds may be used for works of art in the state art collection that are:

- (i) Integral to or attached to a public building or structure;
- (ii) Detached inside or outside a public building or structure;
- (iii) On or part of the landscape;
- (iv) Permanent or temporary;
- (v) Part of a portable exhibition or collection.

(c) Funds may be used for expenses incurred in the design, fabrication, and installation of works of art, artists' fees and expenses, staff administrative expenses, and conservation.

(d) Funds shall not be used for the partner agency's administrative expenses, architectural or professional design services, site preparation, public event expenses, insurance, fees for art selection committee participation, or maintenance of the work of art.

(e) Funds shall not be used for clock towers, electrically powered water features, memorials, logos, signage, or the depiction of school mascots.

(4) Determination of funds. Staff shall determine the funds that are available for projects and sites, in consultation with the partner agency; director of general administration; directors of state agencies; the superintendent of public instruction and school district boards of directors; or the boards of regents or trustees of universities, colleges, and community colleges. (RCW 43.17.210, 43.19.455, 28A.335.210, and 28B.10.025.)

(5) Supplemental funds. The one-half of one percent formula is a required minimum for works of art. Partner agencies may designate additional funds from other sources. Works of art acquired using supplemental funding become part of the state art collection.

(6) Transfer of funds. After project funds for works of art are determined, staff may request transfer of the funds from the partner agency.

(7) Pooling of funds.

(a) Staff may determine that funds from multiple construction projects may be combined as part of a pooling program or to fund larger works of art within a partner agency.

(b) Only K-12 school districts with applicable state assisted construction project funds may apply for K-12 pooled funds.

(c) Eligible K-12 school districts may apply for pooled funds pursuant to WAC 30-12-017 (Applications), WAC 30-12-030 (Panels), and in accordance with published application guidelines.

[Statutory Authority: RCW 43.46.040 and 43.46.090 through 43.46.095. WSR 18-19-054, § 30-40-050, filed 9/14/18, effective 10/15/18. Statutory Authority: RCW 43.46.040. WSR 18-02-086, § 30-40-050, filed 1/2/18, effective 2/2/18. Statutory Authority: Chapter 43.46 RCW. WSR 10-23-102, § 30-40-050, filed 11/16/10, effective 12/17/10. Statutory Authority: RCW 43.46.040. WSR 95-15-040, § 30-40-050, filed 7/12/95, effective 8/12/95; WSR 87-11-001 (Order 2, Resolution No. 87-1), § 30-40-050, filed 5/7/87.]