
SECOND ENGROSSED SUBSTITUTE SENATE BILL 6049

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Prentice, Finkbeiner, Snyder and Pelz)

Read first time 03/06/95.

1 AN ACT Relating to financing of public stadiums used by
2 professional sports teams; amending RCW 36.100.010, 36.100.020,
3 36.100.030, 36.100.060, 35.21.280, 36.38.010, and 67.28.180; adding new
4 sections to chapter 36.100 RCW; adding a new section to chapter 82.14
5 RCW; providing an effective date; and declaring an emergency.

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

7 **Sec. 1.** RCW 36.100.010 and 1995 c ... (Substitute Senate Bill No.
8 5127) s 1 are each amended to read as follows:

9 (1) A public facilities district may be created in any county and
10 shall be coextensive with the boundaries of the county.

11 (2) A public facilities district shall be created upon adoption of
12 a resolution providing for the creation of such a district by the
13 county legislative authority in which the proposed district is located.

14 (3) A public facilities district is a municipal corporation, an
15 independent taxing "authority" within the meaning of Article VII,
16 section 1 of the state Constitution, and a "taxing district" within the
17 meaning of Article VII, section 2 of the state Constitution.

18 (4) Except for the tax authorized in section 7 of this act, no
19 taxes authorized under this chapter may be assessed or levied unless a

1 majority of the voters of the public facilities district has
2 (~~validated the creation of the public facilities district at a general~~
3 ~~or special election. A single ballot proposition may both authorize~~
4 ~~the creation of a public facilities district and the imposition of the~~
5 ~~sales and use tax under RCW 82.14.048 or both the creation of a public~~
6 ~~facilities district and the imposition of the excise tax under RCW~~
7 ~~36.100.040)) approved such tax at a general or special election. A
8 single ballot proposition may both validate the imposition of the sales
9 and use tax under RCW 82.14.048 and the excise tax under RCW
10 36.100.040.~~

11 (5) A public facilities district shall constitute a body corporate
12 and shall possess all the usual powers of a corporation for public
13 purposes as well as all other powers that may now or hereafter be
14 specifically conferred by statute, including, but not limited to, the
15 authority to hire employees, staff, and services, to enter into
16 contracts, and to sue and be sued.

17 (6) The county legislative authority may transfer property to the
18 public facilities district as part of the process of creating the
19 public facilities district under this chapter.

20 **Sec. 2.** RCW 36.100.020 and 1995 c ... (Substitute Senate Bill No.
21 5127) s 2 are each amended to read as follows:

22 (1) A public facilities district shall be governed by a board of
23 directors consisting of five or seven members as provided in this
24 section. If the largest city in the county has a population that is at
25 least forty percent of the total county population, the board of
26 directors of the public facilities district shall consist of five
27 members selected as follows: (~~(+1)~~) (a) Two members appointed by the
28 county legislative authority to serve for four-year staggered terms;
29 (~~(+2)~~) (b) two members appointed by the city council of the largest
30 city in the county to serve for four-year staggered terms; and (~~(+3)~~)
31 (c) one person to serve for a four-year term who is selected by the
32 other directors. If the largest city in the county has a population of
33 less than forty percent of the total county population, the county
34 legislative authority shall establish in the resolution creating the
35 public facilities district whether the board of directors of the public
36 facilities district (~~have~~) has either five or seven members, and the
37 county legislative authority shall appoint the members of the board of
38 directors to reflect the interests of cities and towns in the county,

1 as well as the unincorporated area of the county. However, if the
2 largest city in the county has a population of less than forty percent
3 of the total county population, and the county operates under a county
4 charter, which provides for an elected county executive, the members
5 shall be appointed by the county executive subject to confirmation by
6 the county legislative authority.

7 (2) At least one member on the board of directors shall be
8 representative of the lodging industry in the public facilities
9 district before the public facilities district imposes the excise tax
10 under RCW 36.100.040.

11 (3) Members of the board of directors shall serve four-year terms
12 of office, except that two of the initial five board members or three
13 of the initial seven board members shall serve two-year terms of
14 office.

15 (4) A vacancy shall be filled in the same manner as the original
16 appointment was made and the person appointed to fill a vacancy shall
17 serve for the remainder of the unexpired term of the office for the
18 position to which he or she was appointed.

19 (5) A director may be removed from office (~~for cause~~) by action
20 of at least two-thirds of the members of the (~~county legislative~~)
21 authority which made the appointment.

22 **Sec. 3.** RCW 36.100.030 and 1995 c ... (Substitute Senate Bill No.
23 5127) s 3 are each amended to read as follows:

24 (1) A public facilities district is authorized to acquire,
25 construct, own, remodel, maintain, equip, reequip, repair, and operate
26 sports facilities, entertainment facilities, or convention facilities,
27 or any combination of such facilities, together with contiguous parking
28 facilities. The taxes that are provided for in this chapter may only
29 be imposed for these purposes.

30 (2) A public facilities district may enter into agreements under
31 chapter 39.34 RCW for the joint provision and operation of such
32 facilities and may enter into contracts under chapter 39.34 RCW where
33 any party to the contract provides and operates such facilities for the
34 other party or parties to the contract.

35 (3) Notwithstanding the establishment of a career, civil, or merit
36 service system, a public facility district may contract with a public
37 or private entity for the operation or management of its public
38 facilities.

1 (4) A public facilities district is authorized to use the
2 supplemental alternative public works contracting procedures set forth
3 in chapter 39.10 RCW in connection with the design, construction,
4 reconstruction, remodel, or alteration of any of its public facilities.

5 (5) A public facilities district may impose charges and fees for
6 the use of its facilities, and may accept and expend or use gifts,
7 grants, and donations.

8 **Sec. 4.** RCW 36.100.060 and 1995 c ... (Substitute Senate Bill No.
9 5127) s 5 are each amended to read as follows:

10 (1) To carry out the purpose of this chapter, a public facilities
11 district may issue general obligation bonds, not to exceed an amount,
12 together with any outstanding nonvoter approved general obligation
13 indebtedness, equal to (~~((three-eighths))~~) one-half of one percent of the
14 value of taxable property within the district, as the term "value of
15 taxable property" is defined in RCW 39.36.015. A facilities district
16 additionally may issue general obligation bonds for capital purposes
17 only, together with any outstanding general obligation indebtedness,
18 not to exceed an amount equal to one and one-fourth percent of the
19 value of the taxable property within the district, as the term "value
20 of taxable property" is defined in RCW 39.36.015, when authorized by
21 the voters of the public facilities district pursuant to Article VIII,
22 section 6 of the state Constitution, and to provide for the retirement
23 thereof by excess property tax levies as provided in this chapter.

24 (2) General obligation bonds may be issued with a maturity of up to
25 thirty years, and shall be issued and sold in accordance with the
26 provisions of chapter 39.46 RCW.

27 (3) The general obligation bonds may be payable from the operating
28 revenues of the public facilities district in addition to the tax
29 receipts of the district.

30 (4) The excise tax imposed pursuant to RCW 36.100.040 shall
31 terminate upon final payment of all bonded indebtedness for its public
32 facilities.

33 NEW SECTION. **Sec. 5.** No direct or collateral attack on any public
34 facilities district purported to be authorized or created in
35 conformance with this chapter may be commenced more than thirty days
36 after creation by the county legislative authority.

1 NEW SECTION. **Sec. 6.** (1) The governing board of a public
2 facilities district may apply for deferral of taxes on the construction
3 of buildings, site preparation, and the acquisition of related
4 machinery and equipment for a new public facility. Application shall
5 be made to the department of revenue in a form and manner prescribed by
6 the department of revenue. The application shall contain information
7 regarding the location of the public facility, estimated or actual
8 costs, time schedules for completion and operation, and other
9 information required by the department of revenue. The department of
10 revenue shall approve the application within sixty days if it meets the
11 requirements of this section.

12 (2) The department of revenue shall issue a sales and use tax
13 deferral certificate for state and local sales and use taxes due under
14 chapters 82.08, 82.12, and 82.14 RCW on the public facility. The use
15 of the certificate shall be governed by rules established by the
16 department of revenue.

17 (3) The public facilities district shall begin paying the deferred
18 taxes in the fifth year after the date certified by the department of
19 revenue as the date on which the public facility is operationally
20 complete. The first payment is due on December 31st of the fifth
21 calendar year after such certified date, with subsequent annual
22 payments due on December 31st of the following nine years. Each
23 payment shall equal ten percent of the deferred tax.

24 (4) The department of revenue may authorize an accelerated
25 repayment schedule upon request of the public facilities district.

26 (5) Interest shall not be charged on any taxes deferred under this
27 section for the period of deferral, although all other penalties and
28 interest applicable to delinquent excise taxes may be assessed and
29 imposed for delinquent payments under this section. The debt for
30 deferred taxes is not extinguished by insolvency or other failure of
31 the public facilities district.

32 NEW SECTION. **Sec. 7.** A new section is added to chapter 82.14 RCW
33 to read as follows:

34 (1) The legislative authority of a county with a population of one
35 million or more operating under a county charter may impose a sales and
36 use tax by a resolution adopted on or before December 31, 1995, for
37 collection following certification as provided in subsection (4) of
38 this section. The resolution shall be subject solely to a voter-

1 initiated referendum using the procedures and provisions for voter-
2 initiated referenda in the county charter, except that such referendum
3 must be filed with the county legislative authority not later than
4 thirty days after the resolution is adopted.

5 (2) The rate of the tax shall equal one-tenth of one percent of the
6 selling price in the case of a sales tax, or value of the article used
7 in the case of a use tax. The tax imposed under this section shall not
8 be credited against any other tax imposed upon the same taxable event.

9 (3) The revenue from the tax imposed under this section shall be
10 used for the purpose of principal and interest payments on bonds issued
11 by a public facilities district, created within the county under
12 chapter 36.100 RCW, to acquire, construct, own, remodel, maintain,
13 equip, reequip, repair, and operate a baseball stadium with a
14 retractable roof or canopy and natural turf. If the revenue from the
15 tax imposed under this section exceeds the amount needed for such
16 principal and interest payments in any year, the excess shall be used
17 solely for either or both: (a) Early retirement of the bonds issued
18 for the baseball stadium; or (b) retirement of bonds issued for
19 expanding, remodelling, repairing, or reequipping of a multipurpose
20 stadium that has a seating capacity over forty-five thousand.

21 (4) The tax authorized under this section may be collected only
22 after the county executive has certified to the department of revenue
23 that a professional major league baseball team has made a binding and
24 legally enforceable contractual commitment to:

25 (a) Play at least ninety percent of its home games in the stadium
26 for a period of time not shorter than the term of the bonds issued to
27 finance the initial construction of the stadium;

28 (b) Contribute principal of forty-five million dollars toward the
29 bonded cost of construction of the stadium, which contribution shall be
30 made during a term not to exceed the term of the bonds issued to
31 finance the initial construction of the stadium. If all or part of the
32 contribution is made after the date of issuance of the bonds, the team
33 shall contribute an additional amount equal to the accruing interest on
34 the deferred portion of the contribution, calculated at the interest
35 rate on the bonds maturing in the year in which the deferred
36 contribution is made; and

37 (c) Share a portion of the profits generated by the baseball team
38 from the operation of the professional franchise for a period of time
39 equal to the term of the bonds issued to finance the initial

1 construction of the stadium, after offsetting any losses incurred by
2 the baseball team after the effective date of this act. Such profits
3 and the portion to be shared shall be defined by agreement between the
4 public facilities district and the baseball team. The shared profits
5 shall be used to retire the bonds issued to finance the initial
6 construction of the stadium. If the bonds are retired before the
7 expiration of their term, the shared profits shall be paid to the
8 public facilities district.

9 (5) The tax imposed under this section shall expire when the bonds
10 issued for the construction of the new public facilities are retired,
11 but not later than twenty years after the tax is first collected.

12 **Sec. 8.** RCW 35.21.280 and 1965 c 7 s 35.21.280 are each amended to
13 read as follows:

14 Every city and town may levy and fix a tax of not more than one
15 cent on twenty cents or fraction thereof to be paid by the person who
16 pays an admission charge to any place: PROVIDED, No city or town shall
17 impose such tax on persons paying an admission to any activity of any
18 elementary or secondary school. This includes a tax on persons who are
19 admitted free of charge or at reduced rates to any place for which
20 other persons pay a charge or a regular higher charge for the same
21 privileges or accommodations. A city that is located in a county with
22 a population of one million or more may not levy a tax on events in
23 stadia constructed on or after January 1, 1995, that are owned by
24 county government or a public facilities district under chapter 36.100
25 RCW and that have seating capacities over forty thousand. The city or
26 town may require anyone who receives payment for an admission charge to
27 collect and remit the tax to the city or town.

28 The term "admission charge" includes:

- 29 (1) A charge made for season tickets or subscriptions;
30 (2) A cover charge, or a charge made for use of seats and tables
31 reserved or otherwise, and other similar accommodations;
32 (3) A charge made for food and refreshment in any place where free
33 entertainment, recreation or amusement is provided;
34 (4) A charge made for rental or use of equipment or facilities for
35 purposes of recreation or amusement; if the rental of the equipment or
36 facilities is necessary to the enjoyment of a privilege for which a
37 general admission is charged, the combined charges shall be considered
38 as the admission charge;

1 (5) Automobile parking charges if the amount of the charge is
2 determined according to the number of passengers in the automobile.

3 **Sec. 9.** RCW 36.38.010 and 1963 c 4 s 36.38.010 are each amended to
4 read as follows:

5 (1) Any county may by ordinance enacted by its (~~board of~~) county
6 (~~commissioners~~) legislative authority, levy and fix a tax of not more
7 than one cent on twenty cents or fraction thereof to be paid for county
8 purposes by persons who pay an admission charge to any place, including
9 a tax on persons who are admitted free of charge or at reduced rates to
10 any place for which other persons pay a charge or a regular higher
11 charge for the same or similar privileges or accommodations; and
12 require that one who receives any admission charge to any place shall
13 collect and remit the tax to the county treasurer of the county:
14 PROVIDED, No county shall impose such tax on persons paying an
15 admission to any activity of any elementary or secondary school.

16 (2) As used in this chapter, the term "admission charge" includes
17 a charge made for season tickets or subscriptions, a cover charge, or
18 a charge made for use of seats and tables, reserved or otherwise, and
19 other similar accommodations; a charge made for food and refreshments
20 in any place where any free entertainment, recreation, or amusement is
21 provided; a charge made for rental or use of equipment or facilities
22 for purpose of recreation or amusement, and where the rental of the
23 equipment or facilities is necessary to the enjoyment of a privilege
24 for which a general admission is charged, the combined charges shall be
25 considered as the admission charge. It shall also include any
26 automobile parking charge where the amount of such charge is determined
27 according to the number of passengers in any automobile.

28 (3) The tax herein authorized shall not be exclusive and shall not
29 prevent any city or town within the taxing county, when authorized by
30 law, from imposing within its corporate limits a tax of the same or
31 similar kind: PROVIDED, That whenever the same or similar kind of tax
32 is imposed by any such city or town, no such tax shall be levied within
33 the corporate limits of such city or town by the (~~board of~~) county
34 (~~commissioners~~), except that the legislative authority of a county
35 with a population of one million or more may exclusively levy a tax on
36 events in stadiums constructed on or after January 1, 1995, that are
37 owned by county government or a public facilities district under
38 chapter 36.100 RCW and that have seating capacities over forty thousand

1 at the rate of not more than one cent on twenty cents or fraction
2 thereof.

3 (4) By contract, the county shall obligate itself to provide the
4 revenue from the tax authorized by this section on events in stadia
5 owned, managed, or operated by a public facilities district, having
6 seating capacities over forty thousand, and constructed on or after
7 January 1, 1995, to the public facilities district.

8 **Sec. 10.** RCW 67.28.180 and 1995 c ... (Engrossed Substitute Senate
9 Bill No. 5943) s 8 are each amended to read as follows:

10 (1) Subject to the conditions set forth in subsections (2) and (3)
11 of this section, the legislative body of any county or any city, is
12 authorized to levy and collect a special excise tax of not to exceed
13 two percent on the sale of or charge made for the furnishing of lodging
14 by a hotel, rooming house, tourist court, motel, trailer camp, and the
15 granting of any similar license to use real property, as distinguished
16 from the renting or leasing of real property: PROVIDED, That it shall
17 be presumed that the occupancy of real property for a continuous period
18 of one month or more constitutes a rental or lease of real property and
19 not a mere license to use or to enjoy the same.

20 (2) Any levy authorized by this section shall be subject to the
21 following:

22 (a) Any county ordinance or resolution adopted pursuant to this
23 section shall contain, in addition to all other provisions required to
24 conform to this chapter, a provision allowing a credit against the
25 county tax for the full amount of any city tax imposed pursuant to this
26 section upon the same taxable event.

27 (b) In the event that any county has levied the tax authorized by
28 this section and has, prior to June 26, 1975, either pledged the tax
29 revenues for payment of principal and interest on city revenue or
30 general obligation bonds authorized and issued pursuant to RCW
31 67.28.150 through 67.28.160 or has authorized and issued revenue or
32 general obligation bonds pursuant to the provisions of RCW 67.28.150
33 through 67.28.160, such county shall be exempt from the provisions of
34 (a) of this subsection, to the extent that the tax revenues are pledged
35 for payment of principal and interest on bonds issued at any time
36 pursuant to the provisions of RCW 67.28.150 through 67.28.160:
37 PROVIDED, That so much of such pledged tax revenues, together with any
38 investment earnings thereon, not immediately necessary for actual

1 payment of principal and interest on such bonds may be used: (i) In
2 any county with a population of one million or more, for repayment
3 either of limited tax levy general obligation bonds or of any county
4 fund or account from which a loan was made, the proceeds from the bonds
5 or loan being used to pay for constructing, installing, improving, and
6 equipping stadium capital improvement projects, and to pay for any
7 engineering, planning, financial, legal and professional services
8 incident to the development of such stadium capital improvement
9 projects, regardless of the date the debt for such capital improvement
10 projects was or may be incurred; or (ii) in other counties, for county-
11 owned facilities for agricultural promotion. A county is exempt under
12 this subsection in respect to city revenue or general obligation bonds
13 issued after April 1, 1991, only if such bonds mature before January 1,
14 2013.

15 As used in this subsection (2)(b), "capital improvement projects"
16 may include, but not be limited to a stadium restaurant facility,
17 restroom facilities, artificial turf system, seating facilities,
18 parking facilities and scoreboard and information system adjacent to or
19 within a county owned stadium, together with equipment, utilities,
20 accessories and appurtenances necessary thereto. The stadium
21 restaurant authorized by this subsection (2)(b) shall be operated by a
22 private concessionaire under a contract with the county.

23 (c) No city within a county exempt under subsection (2)(b) of this
24 section may levy the tax authorized by this section so long as said
25 county is so exempt: PROVIDED, That in the event that any city in such
26 county has levied the tax authorized by this section and has, prior to
27 June 26, 1975, authorized and issued revenue or general obligation
28 bonds pursuant to the provisions of RCW 67.28.150 through 67.28.160,
29 such city may levy the tax so long as the tax revenues are pledged for
30 payment of principal and interest on bonds issued at any time pursuant
31 to the provisions of RCW 67.28.150 through 67.28.160.

32 (3) Any levy authorized by this section by a county that has levied
33 the tax authorized by this section and has, prior to June 26, 1975,
34 either pledged the tax revenues for payment of principal and interest
35 on city revenue or general obligation bonds authorized and issued
36 pursuant to RCW 67.28.150 through 67.28.160 or has authorized and
37 issued revenue or general obligation bonds pursuant to the provisions
38 of RCW 67.28.150 through 67.28.160 shall be subject to the following:

1 (a) Taxes collected under this section in any calendar year in
2 excess of five million three hundred thousand dollars shall only be
3 used as follows:

4 (i) Seventy-five percent from January 1, 1992, through December 31,
5 2000, and seventy percent from January 1, 2001, through December 31,
6 2012, for art museums, cultural museums, heritage museums, the arts,
7 and the performing arts. Moneys spent under this subsection (3)(a)(i)
8 shall be used for the purposes of this subsection (3)(a)(i) in all
9 parts of the county.

10 (ii) Twenty-five percent from January 1, 1992, through December 31,
11 2000, and thirty percent from January 1, 2001, through December 31,
12 2012, for the following purposes and in a manner reflecting the
13 following order of priority: Stadium capital improvements, as defined
14 in subsection (2)(b) of this section; acquisition of open space lands;
15 youth sports activities; and tourism promotion.

16 (b) At least seventy percent of moneys spent under (a)(i) of this
17 subsection for the period January 1, 1992, through December 31, 2000,
18 shall be used only for the purchase, design, construction, and
19 remodeling of performing arts, visual arts, heritage, and cultural
20 facilities, and for the purchase of fixed assets that will benefit art,
21 heritage, and cultural organizations. For purposes of this subsection,
22 fixed assets are tangible objects such as machinery and other equipment
23 intended to be held or used for ten years or more. Moneys received
24 under this subsection (3)(b) may be used for payment of principal and
25 interest on bonds issued for capital projects. Qualifying
26 organizations receiving moneys under this subsection (3)(b) must be
27 financially stable and have at least the following:

- 28 (i) A legally constituted and working board of directors;
29 (ii) A record of artistic, heritage, or cultural accomplishments;
30 (iii) Been in existence and operating for at least two years;
31 (iv) Demonstrated ability to maintain net current liabilities at
32 less than thirty percent of general operating expenses;
33 (v) Demonstrated ability to sustain operational capacity subsequent
34 to completion of projects or purchase of machinery and equipment; and
35 (vi) Evidence that there has been independent financial review of
36 the organization.

37 (c) At least forty percent of the revenues distributed pursuant to
38 (a)(i) of this subsection for the period January 1, 2001, through
39 December 31, 2012, shall be deposited in an account and shall be used

1 to establish an endowment. Principal in the account shall remain
2 permanent and irreducible. The earnings from investments of balances
3 in the account may only be used for the purposes of (a)(i) of this
4 subsection.

5 (d) School districts and schools shall not receive revenues
6 distributed pursuant to (a)(i) of this subsection.

7 (e) Moneys distributed to art museums, cultural museums, heritage
8 museums, the arts, and the performing arts, and moneys distributed for
9 tourism promotion shall be in addition to and may not be used to
10 replace or supplant any other funding by the legislative body of the
11 county.

12 (f) As used in this section, "tourism promotion" includes
13 activities intended to attract visitors for overnight stays, arts,
14 heritage, and cultural events, and recreational, professional, and
15 amateur sports events. Moneys allocated to tourism promotion in a
16 class AA county shall be allocated to nonprofit organizations formed
17 for the express purpose of tourism promotion in the county. Such
18 organizations shall use moneys from the taxes to promote events in all
19 parts of the class AA county.

20 (g) No taxes collected under this section may be used for the
21 operation or maintenance of a public stadium that is financed directly
22 or indirectly by bonds to which the tax is pledged. Expenditures for
23 operation or maintenance include all expenditures other than
24 expenditures that directly result in new fixed assets or that directly
25 increase the capacity, life span, or operating economy of existing
26 fixed assets.

27 (h) No ad valorem property taxes may be used for debt service on
28 bonds issued for a public stadium that is financed by bonds to which
29 the tax is pledged, unless the taxes collected under this section are
30 or are projected to be insufficient to meet debt service requirements
31 on such bonds.

32 (i) If a substantial part of the operation and management of a
33 public stadium that is financed directly or indirectly by bonds to
34 which the tax is pledged is performed by a nonpublic entity or if a
35 public stadium is sold that is financed directly or indirectly by bonds
36 to which the tax is pledged, any bonds to which the tax is pledged
37 shall be retired. This subsection (3)(i) does not apply in respect to
38 a public stadium transferred to, owned by, or constructed by a public
39 facilities district under chapter 36.100 RCW.

1 (j) The county shall not lease a public stadium that is financed
2 directly or indirectly by bonds to which the tax is pledged to, or
3 authorize the use of the public stadium by, a professional major league
4 sports franchise unless the sports franchise gives the right of first
5 refusal to purchase the sports franchise, upon its sale, to local
6 government. This subsection (3)(j) does not apply to contracts in
7 existence on April 1, 1986.

8 If a court of competent jurisdiction declares any provision of this
9 subsection (3) invalid, then that invalid provision shall be null and
10 void and the remainder of this section is not affected.

11 NEW SECTION. **Sec. 11.** Sections 5 and 6 of this act are each added
12 to chapter 36.100 RCW.

13 NEW SECTION. **Sec. 12.** If any provision of this act or its
14 application to any person or circumstance is held invalid, the
15 remainder of the act or the application of the provision to other
16 persons or circumstances is not affected.

17 NEW SECTION. **Sec. 13.** (1) Sections 1 through 9 and 11 of this act
18 are necessary for the immediate preservation of the public peace,
19 health, or safety, or support of the state government and its existing
20 public institutions, and shall take effect July 1, 1995.

21 (2) Sections 10 and 12 of this act are necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and shall take
24 effect immediately.

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