

2 **SHB 1425** - S COMM AMD  
3 By Committee on Government Operations

4 ADOPTED 4/16/97

5 Strike everything after the enacting clause and insert the  
6 following:

7 "**Sec. 1.** RCW 39.10.020 and 1994 c 132 s 2 are each amended to read  
8 as follows:

9 Unless the context clearly requires otherwise, the definitions in  
10 this section apply throughout this chapter.

11 (1) "Alternative public works contracting procedure" means the  
12 design-build and the general contractor/construction manager  
13 contracting procedures authorized in RCW 39.10.050 and 39.10.060,  
14 respectively.

15 (2) "Public body" means the state department of general  
16 administration; the University of Washington; Washington State  
17 University; every city with a population greater than one hundred fifty  
18 thousand; every city authorized to use the design-build procedure for  
19 a water system demonstration project under section 5(3) of this act;  
20 every county with a population greater than four hundred fifty  
21 thousand; and every port district with a population greater than five  
22 hundred thousand.

23 (3) "Public works project" means any work for a public body within  
24 the definition of the term public work in RCW 39.04.010.

25 "**Sec. 2.** RCW 39.10.030 and 1994 c 132 s 3 are each amended to read  
26 as follows:

27 (1) An alternative public works contracting procedure authorized  
28 under this chapter may be used for a specific public works project only  
29 after a public body determines that use of the alternative procedure  
30 will serve the public interest by providing a substantial fiscal  
31 benefit, or that use of the traditional method of awarding contracts in  
32 lump sum to the low responsive bidder is not practical for meeting  
33 desired quality standards or delivery schedules.

34 (2) Whenever a public body determines to use one of the alternative  
35 public works contracting procedures authorized under this chapter for

1 a public works project, it shall first ensure adequate public  
2 notification and opportunity for public review and comment (~~as~~  
3 ~~follows:~~) by implementing the public hearing procedure under (a) of  
4 this subsection or the written public comment procedure under (b) of  
5 this subsection.

6 (a) Public hearing procedure:

7 (i) The public body shall conduct a public hearing to receive  
8 public comment on its preliminary determination to use the alternative  
9 public works contracting procedure. At least twenty days before the  
10 public hearing, the public body shall cause notice of such hearing to  
11 be published at least once in a legal newspaper of general circulation  
12 published in or as near as possible to that part of the county in which  
13 the public work will be done. The notice shall clearly describe the  
14 proposed project and the preliminary determination to use the  
15 alternative public works contracting procedure. The notice shall also  
16 indicate when, where, and how persons may present their comments on the  
17 preliminary determination, and where persons may obtain additional  
18 written information describing the project.

19 (~~(b)~~) (ii) The public body shall summarize in a written statement  
20 its reasons for using the alternative public works contracting  
21 procedure. This statement, along with other relevant information  
22 describing the project, shall be made available upon request to  
23 interested parties at least twenty days before the public hearing.

24 (~~(c)~~) (iii) The public body shall receive and record both written  
25 and oral comments concerning the preliminary determination at the  
26 public hearing.

27 (b) Written public comment procedure:

28 (i) The public body shall establish a thirty-day public comment  
29 period to receive public comment on its preliminary determination to  
30 use the alternative public works contracting procedure. At least seven  
31 days before the beginning of the public comment period, the public body  
32 shall cause notice of the public comment period to be published at  
33 least once in a legal newspaper of general circulation published in or  
34 as near as possible to that part of the county in which the public work  
35 will be done. The notice shall clearly describe the proposed project  
36 and the preliminary determination to use the alternative public works  
37 contracting procedure. The notice shall also indicate when, where, and  
38 how persons may submit their written comments on the preliminary  
39 determination, where persons may obtain additional written information

1 describing the project, and the date, time, and location of the public  
2 hearing that shall be conducted under (b)(iv) of this subsection if  
3 significant adverse written comments are received by the public body.

4 (ii) The public body shall summarize in a written statement its  
5 reasons for using the alternative public works contracting procedure.  
6 This statement, along with other relevant information describing the  
7 project, shall be made available upon request to interested parties at  
8 least seven days before the beginning of the public comment period.

9 (iii) The public body shall receive written comments concerning the  
10 preliminary determination during the public comment period.

11 (iv) If the public body finds that it has received significant  
12 adverse comments relating to the use of the alternative public works  
13 contracting procedure, the public body shall conduct a public hearing  
14 to receive additional oral and written public comments on its  
15 preliminary determination to use the alternative public works  
16 contracting procedure. The public hearing shall be held on the date  
17 and at the time and location specified in the public notice published  
18 under (b)(i) of this subsection. At least seven days before the  
19 public hearing, the public body shall provide notice of the hearing to  
20 each person who has submitted written comments, and cause a notice of  
21 the hearing to be published at least once in a legal newspaper of  
22 general circulation published in or as near as possible to that part of  
23 the county in which the public work will be done.

24 (v) The public body shall receive and record written and oral  
25 comments concerning the preliminary determination at the public  
26 hearing.

27 (3) Final determinations to use an alternative public works  
28 contracting procedure may be made only by the legislative or governing  
29 authority of the public body, or, in the case of state agencies, by the  
30 agency director or chief administrative officer. Final determinations  
31 shall be accompanied by a concise statement of the principal reasons  
32 for overruling any considerations urged against the determination.  
33 Final determinations are subject to appeal to superior court within  
34 thirty days of the determination, provided that notice of such appeal  
35 shall be provided to the public body within seven days of the  
36 determination. The court may award reasonable attorneys' fees to the  
37 prevailing party.

38 (4) Following completion of a public works project using one of the  
39 alternative public works contracting procedures under this chapter, a

1 report shall be submitted to the legislative or governing authority of  
2 the public body reviewing the utilization and performance of the  
3 alternative public works contracting procedure. Such report shall be  
4 made available to the public.

5 **Sec. 3.** RCW 39.10.050 and 1994 c 132 s 5 are each amended to read  
6 as follows:

7 (1) Notwithstanding any other provision of law, and after complying  
8 with RCW 39.10.030, the following public bodies may utilize the design-  
9 build procedure of public works contracting for public works projects  
10 authorized under this section: The state department of general  
11 administration; the University of Washington; Washington State  
12 University; every city with a population greater than one hundred fifty  
13 thousand; ~~((and))~~ every county with a population greater than four  
14 hundred fifty thousand; and every port district with a population  
15 greater than five hundred thousand. The authority granted to port  
16 districts in this section is in addition to and does not affect  
17 existing contracting authority under RCW 53.08.120 and 53.08.130. For  
18 the purposes of this section, "design-build procedure" means a contract  
19 between a public body and another party in which the party agrees to  
20 both design and build the ~~((structure,))~~ facility, portion of the  
21 facility, or other item specified in the contract.

22 (2) Public bodies authorized under this section may utilize the  
23 design-build procedure for public works projects valued over ten  
24 million dollars where:

25 (a) The construction activities or technologies to be used are  
26 highly specialized and a design-build approach is critical in  
27 developing the construction methodology or implementing the proposed  
28 technology;

29 (b) The project design is repetitive in nature and is an incidental  
30 part of the installation or construction; or

31 (c) ~~((The program elements of the project design are simple and do~~  
32 ~~not involve complex functional interrelationships))~~ Regular interaction  
33 with and feedback from facilities users and operators during design is  
34 not critical to an effective facility design.

35 (3) ~~((The state department of general administration may use the~~  
36 ~~design-build procedure authorized in subsection (2)(c) of this section~~  
37 ~~for one project))~~ Public bodies authorized under this section may also

1 use the design-build procedure for the following projects that meet the  
2 criteria in subsection (2)(b) and (c) of this section:

3 (a) The construction or erection of preengineered metal buildings  
4 or prefabricated modular buildings, regardless of cost; or

5 (b) The construction of new student housing projects valued over  
6 five million dollars.

7 (4) Contracts for design-build services shall be awarded through a  
8 competitive process utilizing public solicitation of proposals for  
9 design-build services. The public body shall publish at least once in  
10 a legal newspaper of general circulation published in or as near as  
11 possible to that part of the county in which the public work will be  
12 done, a notice of its request for proposals for design-build services  
13 and the availability and location of the request for proposal  
14 documents. The request for proposal documents shall include:

15 (a) A detailed description of the project including programmatic,  
16 performance, and technical requirements and specifications, functional  
17 and operational elements, ~~((and))~~ minimum and maximum net and gross  
18 areas of any building, and, at the discretion of the public body,  
19 preliminary engineering and architectural drawings;

20 (b) The reasons for using the design-build procedure;

21 (c) A description of the qualifications ~~((, if any,))~~ to be required  
22 of the proposer including, but not limited to, submission of the  
23 proposer's accident prevention program;

24 (d) A description of the process the public body will use to  
25 evaluate qualifications and proposals, including evaluation factors and  
26 the relative weight of factors. Evaluation factors shall include, but  
27 not be limited to: Proposal price; ability of professional personnel;  
28 past performance on similar projects; ability to meet time and budget  
29 requirements; ability to provide a performance and payment bond for the  
30 project; recent, current, and projected work loads of the firm;  
31 location; and the concept of the proposal;

32 (e) The form of the contract to be awarded;

33 (f) The maximum allowable construction cost and minority and women  
34 enterprise total project goals;

35 (g) The amount to be paid to finalists submitting best and final  
36 proposals who are not awarded a design-build contract; and

37 (h) Other information relevant to the project.

38 (5) The public body shall establish a committee to evaluate the  
39 proposals based on the factors, weighting, and process identified in

1 the request for proposals. Based on its evaluation, the public body  
2 shall select not fewer than three nor more than five finalists to  
3 submit best and final proposals. The public body may, in its sole  
4 discretion, reject all proposals. Design-build contracts shall be  
5 awarded using the procedures in (a) or (b) of this subsection.

6 (a) Best and final proposals shall be evaluated and scored based on  
7 the factors, weighting, and process identified in the initial request  
8 for proposals. The public body may score the proposals using a system  
9 that measures the quality and technical merits of the proposal on a  
10 unit price basis. Final proposals may not be considered if the  
11 proposal cost is greater than the maximum allowable construction cost  
12 identified in the initial request for proposals. ~~((+6+))~~ The public  
13 body shall initiate negotiations with the firm submitting the highest  
14 scored best and final proposal. If the public body is unable to  
15 execute a contract with ~~((that))~~ the firm submitting the highest scored  
16 best and final proposal, negotiations with that firm may be suspended  
17 or terminated and the public body may proceed to negotiate with the  
18 next highest scored firm. Public bodies shall continue in accordance  
19 with this procedure until a contract agreement is reached or the  
20 selection process is terminated. ~~((The public body may, in its sole~~  
21 ~~discretion, reject all proposals.))~~

22 (b) If the public body determines that all finalists are capable of  
23 producing plans and specifications that adequately meet project  
24 requirements, the public body may award the contract to the firm that  
25 submits the responsive best and final proposal with the lowest price.

26 (6) The ~~((finalist))~~ firm awarded the contract shall provide a  
27 performance and payment bond for the contracted amount. The public  
28 body shall provide appropriate honorarium payments to finalists  
29 submitting best and final proposals who are not awarded a design-build  
30 contract. Honorarium payments shall be sufficient to generate  
31 meaningful competition among potential proposers on design-build  
32 projects.

33 **Sec. 4.** RCW 39.10.060 and 1996 c 18 s 6 are each amended to read  
34 as follows:

35 (1) Notwithstanding any other provision of law, and after complying  
36 with RCW 39.10.030, the following public bodies may utilize the general  
37 contractor/construction manager procedure of public works contracting  
38 for public works projects authorized under subsection (2) of this

1 section: The state department of general administration; the  
2 University of Washington; Washington State University; every city with  
3 a population greater than one hundred fifty thousand; every county with  
4 a population greater than four hundred fifty thousand; and every port  
5 district with a population greater than five hundred thousand. For the  
6 purposes of this section, "general contractor/construction manager"  
7 means a firm with which a public body has selected and negotiated a  
8 maximum allowable construction cost to be guaranteed by the firm, after  
9 competitive selection through formal advertisement and competitive  
10 bids, to provide services during the design phase that may include  
11 life-cycle cost design considerations, value engineering, scheduling,  
12 cost estimating, constructability, alternative construction options for  
13 cost savings, and sequencing of work, and to act as the construction  
14 manager and general contractor during the construction phase.

15 (2) Public bodies authorized under this section may utilize the  
16 general contractor/construction manager procedure for public works  
17 projects valued over ten million dollars where:

18 (a) Implementation of the project involves complex scheduling  
19 requirements;

20 (b) The project involves construction at an existing facility which  
21 must continue to operate during construction; or

22 (c) The involvement of the general contractor/construction manager  
23 during the design stage is critical to the success of the project.

24 (3) Public bodies should select general contractor/construction  
25 managers early in the life of public works projects, and in most  
26 situations no later than the completion of schematic design.

27 (4) Contracts for the services of a general contractor/construction  
28 manager under this section shall be awarded through a competitive  
29 process requiring the public solicitation of proposals for general  
30 contractor/construction manager services. ~~((Minority and women~~  
31 ~~business enterprise total project goals shall be specified in))~~ The  
32 public solicitation of proposals shall include: A description of the  
33 project, including programmatic, performance, and technical  
34 requirements and specifications when available; the reasons for using  
35 the general contractor/construction manager procedure; a description of  
36 the qualifications to be required of the proposer, including submission  
37 of the proposer's accident prevention program; a description of the  
38 process the public body will use to evaluate qualifications and  
39 proposals, including evaluation factors and the relative weight of

1 factors; the form of the contract to be awarded; the estimated maximum  
2 allowable construction cost; minority and women business enterprise  
3 total project goals, where applicable; and the bid instructions to be  
4 used by the general contractor/construction manager finalists. ((A  
5 public body is authorized to include an incentive clause in any  
6 contract awarded under this section for savings of either time or cost  
7 or both from that originally negotiated. No incentives granted shall  
8 exceed five percent of the maximum allowable construction cost.))  
9 Evaluation factors shall include, but not be limited to: Ability of  
10 professional personnel, past performance in negotiated and complex  
11 projects, and ability to meet time and budget requirements; location;  
12 recent, current, and projected work loads of the firm; and the concept  
13 of their proposal. A public body shall establish a committee to  
14 evaluate the proposals ((considering such factors as: Ability of  
15 professional personnel; past performance in negotiated and complex  
16 projects; ability to meet time and budget requirements; location;  
17 recent, current, and projected work loads of the firm; and the concept  
18 of their proposal)). After the committee has selected the most  
19 qualified finalists, these finalists shall submit final proposals,  
20 including sealed bids for the percent fee, which is the percentage  
21 amount to be earned by the general contractor/construction manager as  
22 overhead and profit, on the estimated maximum allowable construction  
23 cost and the fixed amount for the detailed specified general conditions  
24 work. The public body shall select the firm submitting the highest  
25 scored final proposal using the evaluation factors and the relative  
26 weight of factors published in the public solicitation of proposals.

27 (5) The maximum allowable construction cost may be negotiated  
28 between the public body and the selected firm after the scope of the  
29 project is adequately determined to establish a guaranteed contract  
30 cost for which the general contractor/construction manager will provide  
31 a performance and payment bond. The guaranteed contract cost includes  
32 the fixed amount for the detailed specified general conditions work,  
33 the negotiated maximum allowable construction cost, the percent fee on  
34 the negotiated maximum allowable construction cost, and sales tax. If  
35 the public body is unable to negotiate a satisfactory maximum allowable  
36 construction cost with the firm selected that the public body  
37 determines to be fair, reasonable, and within the available funds,  
38 negotiations with that firm shall be formally terminated and the public  
39 body shall negotiate with the next ((low bidder)) highest scored firm



1 and continue until an agreement is reached or the process is  
2 terminated. If the maximum allowable construction cost varies more  
3 than fifteen percent from the bid estimated maximum allowable  
4 construction cost due to requested and approved changes in the scope by  
5 the public body, the percent fee shall be renegotiated.

6 (6) All subcontract work shall be competitively bid with public bid  
7 openings. ((Specific contract requirements for women and minority  
8 enterprise participation shall be specified in each subcontract bid  
9 package that exceeds ten percent of the public body's estimated project  
10 cost.)) Subcontract work shall not be issued for bid until the public  
11 body has approved, in consultation with the office of minority and  
12 women's business enterprises or the equivalent local agency, a plan  
13 prepared by the general contractor/construction manager for attaining  
14 applicable minority and women business enterprise total project goals  
15 that equitably spreads women and minority enterprise opportunities to  
16 as many firms in as many bid packages as is practicable. When critical  
17 to the successful completion of a subcontractor bid package the owner  
18 and general contractor/construction manager may evaluate for bidding  
19 eligibility a subcontractor's ability, time, budget, and specification  
20 requirements based on the subcontractor's performance of those items on  
21 previous projects. Subcontract bid packages shall be awarded to the  
22 responsible bidder submitting the low responsive bid. The requirements  
23 of RCW 39.30.060 apply to each subcontract bid package. All  
24 subcontractors who bid work over ((two)) three hundred thousand dollars  
25 shall post a bid bond and all subcontractors who are awarded a contract  
26 over ((two)) three hundred thousand dollars shall provide a performance  
27 and payment bond for their contract amount. All other subcontractors  
28 shall provide a performance and payment bond if required by the general  
29 contractor/construction manager. A low bidder who claims error and  
30 fails to enter into a contract is prohibited from bidding on the same  
31 project if a second or subsequent call for bids is made for the  
32 project. ((All other subcontractors shall provide a performance and  
33 payment bond if required by the general contractor/construction  
34 manager.)) Except as provided for under subsection (7) of this section,  
35 bidding on subcontract work by the general contractor/construction  
36 manager or its subsidiaries is prohibited. The general contractor/  
37 construction manager may negotiate with the low-responsive bidder in  
38 accordance with RCW 39.10.080 or, if unsuccessful in such negotiations,  
39 rebid.

1        ~~((4))~~ (7) The general contractor/construction manager, or its  
2 subsidiaries, may bid on subcontract work on projects valued over  
3 twenty million dollars if:

4        (a) The work within the subcontract bid package is customarily  
5 performed by the general contractor/construction manager;

6        (b) The bid opening is managed by the public body; and

7        (c) Notification of the general contractor/construction manager's  
8 intention to bid is included in the public solicitation of bids for the  
9 bid package.

10        In no event may the value of subcontract work performed by the  
11 general contractor/construction manager exceed twenty percent of the  
12 negotiated maximum allowable construction cost.

13        (8) A public body may include an incentive clause in any contract  
14 awarded under this section for savings of either time or cost or both  
15 from that originally negotiated. No incentives granted may exceed five  
16 percent of the maximum allowable construction cost. If the project is  
17 completed for less than the agreed upon maximum allowable construction  
18 cost, any savings not otherwise negotiated as part of an incentive  
19 clause shall accrue to the public body. If the project is completed  
20 for more than the agreed upon maximum allowable construction cost,  
21 excepting increases due to any contract change orders approved by the  
22 public body, the additional cost shall be the responsibility of the  
23 general contractor/construction manager.

24        NEW SECTION. Sec. 5. A new section is added to chapter 39.10 RCW  
25 to read as follows:

26        (1) In addition to the projects authorized in RCW 39.10.050 and  
27 39.10.060, public bodies may use the general contractor/construction  
28 manager or design-build procedure for demonstration projects valued  
29 between three million dollars and ten million dollars as follows:

30        (a) Three demonstration projects by the department of general  
31 administration; and

32        (b) One demonstration project by each of the public bodies  
33 authorized in RCW 39.10.020(2) other than the department of general  
34 administration.

35        (2) Public bodies shall give weight to proposers' experience  
36 working on projects valued between three million dollars and ten  
37 million dollars in the evaluation process for the selection of a

1 general contractor/construction manager or design-build firm for  
2 demonstration projects authorized in subsection (1) of this section.

3 (3) Cities which supply water to over three hundred fifty thousand  
4 people may use the design-build procedure for one water system  
5 demonstration project valued over ten million dollars. Use of the  
6 design-build procedure shall be deemed to effect compliance with the  
7 requirement for competitive bids under RCW 43.155.060.

8 (4) All contracts authorized under this section must be entered  
9 into before July 1, 1999.

10 (5) In the event that a public body determines not to perform a  
11 demonstration project using its authority under this section, it may  
12 transfer its authority to another public body.

13 **Sec. 6.** RCW 39.10.110 and 1994 c 132 s 11 are each amended to read  
14 as follows:

15 (1) There is established a temporary independent oversight  
16 committee to review the utilization of the alternative public works  
17 contracting procedures authorized under this chapter (~~and~~), to  
18 evaluate potential future utilization of other alternative contracting  
19 procedures, including, but not limited to, contractor prequalification,  
20 and, if desired by the committee, to review traditional public works  
21 contracting procedures used by state agencies and municipalities. The  
22 committee shall also pursue the development of a mentoring program for  
23 expansion of the authorities in this chapter to other public bodies.  
24 The membership of the committee shall include: Two members of the  
25 house of representatives, one from each major caucus, appointed by the  
26 speaker of the house of representatives; two members of the senate, one  
27 from each major caucus, appointed by the president of the senate;  
28 representatives from the appropriate segments of the construction,  
29 contracting, subcontracting, and design industries, appointed by the  
30 governor; representatives from appropriate labor organizations,  
31 appointed by the governor; representatives from public bodies  
32 authorized to use the alternative public works contracting procedures  
33 under this chapter, appointed by the governor; a representative from  
34 the office of minority and women's business enterprises, appointed by  
35 the governor; and a representative from the office of financial  
36 management, appointed by the governor. The governor shall maintain a  
37 balance between representatives from public agencies and the private  
38 sector when appointing members to the committee, and shall consider the

1 recommendations of the established organizations representing the  
2 construction, contracting, subcontracting, and design industries and  
3 organized labor in making the industry and labor appointments (~~to the~~  
4 ~~committee~~)).

5 (2) The committee shall meet (~~(quarterly)~~) beginning after July 1,  
6 1994. (~~(At the first meeting of the committee,)~~) A chair or cochairs  
7 shall be selected from among the committee's membership. Staff support  
8 for the committee shall be provided by the agencies and organizations  
9 represented on the committee.

10 (3) Public bodies utilizing the alternative contracting procedures  
11 authorized under this chapter shall provide any requested information  
12 concerning implementation of projects under this chapter to the  
13 committee in a timely manner, excepting any trade secrets or  
14 proprietary information.

15 (4) The committee shall report to the appropriate standing  
16 committees of the legislature by December 10, (~~(1996)~~) 2000, concerning  
17 its findings and recommendations.

18 **Sec. 7.** RCW 39.10.120 and 1995 3rd sp.s. c 1 s 305 are each  
19 amended to read as follows:

20 (1) Except as provided in subsection (2) of this section, the  
21 alternative public works contracting procedures authorized under this  
22 chapter are limited to public works contracts signed before July 1,  
23 (~~(1997)~~) 2001. Methods of public works contracting authorized by RCW  
24 39.10.050 and 39.10.060 shall remain in full force and effect until  
25 completion of contracts signed before July 1, (~~(1997)~~) 2001.

26 (2) For the purposes of a baseball stadium as defined in RCW  
27 82.14.0485, the design-build contracting procedures under RCW 39.10.050  
28 shall remain in full force and effect until completion of contracts  
29 signed before December 31, 1997.

30 **Sec. 8.** RCW 39.10.902 and 1995 3rd sp.s. c 1 s 306 are each  
31 amended to read as follows:

32 The following acts or parts of acts, as now existing or hereafter  
33 amended, are each repealed, effective July 1, (~~(1997)~~) 2001:

- 34 (1) RCW 39.10.010 and 1994 c 132 s 1;  
35 (2) RCW 39.10.020 and 1994 c 132 s 2;  
36 (3) RCW 39.10.030 and 1994 c 132 s 3;  
37 (4) RCW 39.10.040 and 1994 c 132 s 4;

1 (5) RCW 39.10.050 and 1994 c 132 s 5;  
2 (6) RCW 39.10.060 and 1994 c 132 s 6;  
3 (7) RCW 39.10.--- and 1997 c . . . s 5 (section 5 of this act);  
4 (8) RCW 39.10.070 and 1994 c 132 s 7;  
5 ~~((+8))~~ (9) RCW 39.10.080 and 1994 c 132 s 8;  
6 ~~((+9))~~ (10) RCW 39.10.090 and 1994 c 132 s 9;  
7 ~~((+10))~~ (11) RCW 39.10.100 and 1994 c 132 s 10;  
8 ~~((+11))~~ (12) RCW 39.10.110 and 1994 c 132 s 11;  
9 ~~((+12))~~ (13) RCW 39.10.900 and 1994 c 132 s 13;  
10 ~~((+13))~~ (14) RCW 39.10.901 and 1994 c 132 s 14; and  
11 ~~((+14))~~ (15) RCW 39.10.902 and 1994 c 132 s 15.

12 NEW SECTION. **Sec. 9.** 1996 c 18 s 17 (uncodified) is repealed.

13 NEW SECTION. **Sec. 10.** This act is necessary for the immediate  
14 preservation of the public peace, health, or safety, or support of the  
15 state government and its existing public institutions, and takes effect  
16 July 1, 1997."

17 **SHB 1425** - S COMM AMD  
18 By Committee on Government Operations

19 ADOPTED 4/16/97

20 On page 1, line 1 of the title, after "procedures;" strike the  
21 remainder of the title and insert "amending RCW 39.10.020, 39.10.030,  
22 39.10.050, 39.10.060, 39.10.110, 39.10.120, and 39.10.902; adding a new  
23 section to chapter 39.10 RCW; repealing 1996 c 18 s 17 (uncodified);  
24 providing an effective date; and declaring an emergency."

--- END ---