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**SUBSTITUTE HOUSE BILL 1425**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Capital Budget (originally sponsored by Representatives Romero, D. Schmidt, Scott and Chopp)

Read first time 02/26/97.

1 AN ACT Relating to alternative public works contracting procedures;  
2 amending RCW 39.10.020, 39.10.030, 39.10.050, 39.10.060, 39.10.110,  
3 39.10.120, and 39.10.902; adding a new section to chapter 39.10 RCW;  
4 repealing 1996 c 18 s 17 (uncodified); providing an effective date; and  
5 declaring an emergency.

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

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;

1 every county with a population greater than four hundred fifty  
2 thousand; and every port district with a population greater than five  
3 hundred thousand.

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

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

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

15 (2) Whenever a public body determines to use one of the alternative  
16 public works contracting procedures authorized under this chapter for  
17 a public works project, it shall first ensure adequate public  
18 notification and opportunity for public review and comment (~~as~~  
19 ~~follows:~~) by implementing the public hearing procedure under (a) of  
20 this subsection or the written public comment procedure under (b) of  
21 this subsection.

22 (a) Public hearing procedure:

23 (i) The public body shall conduct a public hearing to receive  
24 public comment on its preliminary determination to use the alternative  
25 public works contracting procedure. At least twenty days before the  
26 public hearing, the public body shall cause notice of such hearing to  
27 be published at least once in a legal newspaper of general circulation  
28 published in or as near as possible to that part of the county in which  
29 the public work will be done. The notice shall clearly describe the  
30 proposed project and the preliminary determination to use the  
31 alternative public works contracting procedure. The notice shall also  
32 indicate when, where, and how persons may present their comments on the  
33 preliminary determination, and where persons may obtain additional  
34 written information describing the project.

35 (~~(b)~~) (ii) The public body shall summarize in a written statement  
36 its reasons for using the alternative public works contracting  
37 procedure. This statement, along with other relevant information

1 describing the project, shall be made available upon request to  
2 interested parties at least twenty days before the public hearing.

3 ~~((e))~~ (iii) The public body shall receive and record both written  
4 and oral comments concerning the preliminary determination at the  
5 public hearing.

6 (b) Written public comment procedure:

7 (i) The public body shall establish a thirty-day public comment  
8 period to receive public comment on its preliminary determination to  
9 use the alternative public works contracting procedure. At least seven  
10 days before the beginning of the public comment period, the public body  
11 shall cause notice of the public comment period to be published at  
12 least once in a legal newspaper of general circulation published in or  
13 as near as possible to that part of the county in which the public work  
14 will be done. The notice shall clearly describe the proposed project  
15 and the preliminary determination to use the alternative public works  
16 contracting procedure. The notice shall also indicate when, where, and  
17 how persons may submit their written comments on the preliminary  
18 determination, where persons may obtain additional written information  
19 describing the project, and the date, time, and location of the public  
20 hearing that shall be conducted under (b)(iv) of this subsection if  
21 significant adverse written comments are received by the public body.

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

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

29 (iv) If the public body finds that it has received significant  
30 adverse comments relating to the use of the alternative public works  
31 contracting procedure, the public body shall conduct a public hearing  
32 to receive additional oral and written public comments on its  
33 preliminary determination to use the alternative public works  
34 contracting procedure. The public hearing shall be held on the date  
35 and at the time and location specified in the public notice published  
36 under (b)(i) of this subsection. At least seven days before the  
37 public hearing, the public body shall provide notice of the hearing to  
38 each person who has submitted written comments, and cause a notice of  
39 the hearing to be published at least once in a legal newspaper of

1 general circulation published in or as near as possible to that part of  
2 the county in which the public work will be done.

3 (v) The public body shall receive and record written and oral  
4 comments concerning the preliminary determination at the public  
5 hearing.

6 (3) Final determinations to use an alternative public works  
7 contracting procedure may be made only by the legislative or governing  
8 authority of the public body, or, in the case of state agencies, by the  
9 agency director or chief administrative officer. Final determinations  
10 shall be accompanied by a concise statement of the principal reasons  
11 for overruling any considerations urged against the determination.  
12 Final determinations are subject to appeal to superior court within  
13 thirty days of the determination, provided that notice of such appeal  
14 shall be provided to the public body within seven days of the  
15 determination. The court may award reasonable attorneys' fees to the  
16 prevailing party.

17 (4) Following completion of a public works project using one of the  
18 alternative public works contracting procedures under this chapter, a  
19 report shall be submitted to the legislative or governing authority of  
20 the public body reviewing the utilization and performance of the  
21 alternative public works contracting procedure. Such report shall be  
22 made available to the public.

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

25 (1) Notwithstanding any other provision of law, and after complying  
26 with RCW 39.10.030, the following public bodies may utilize the design-  
27 build procedure of public works contracting for public works projects  
28 authorized under this section: The state department of general  
29 administration; the University of Washington; Washington State  
30 University; every city with a population greater than one hundred fifty  
31 thousand; ((and)) every county with a population greater than four  
32 hundred fifty thousand; and every port district with a population  
33 greater than five hundred thousand. The authority granted to port  
34 districts in this section is in addition to and does not affect  
35 existing contracting authority under RCW 53.08.120 and 53.08.130. For  
36 the purposes of this section, "design-build procedure" means a contract  
37 between a public body and another party in which the party agrees to

1 both design and build the (~~structure,~~) facility, portion of the  
2 facility, or other item specified in the contract.

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

6 (a) The construction activities or technologies to be used are  
7 highly specialized and a design-build approach is critical in  
8 developing the construction methodology or implementing the proposed  
9 technology;

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

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

16 (3) (~~The state department of general administration may use the~~  
17 ~~design-build procedure authorized in subsection (2)(c) of this section~~  
18 ~~for one project~~) Public bodies authorized under this section may also  
19 use the design-build procedure for the following projects that meet the  
20 criteria in subsection (2)(b) and (c) of this section:

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

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

25 (4) Contracts for design-build services shall be awarded through a  
26 competitive process utilizing public solicitation of proposals for  
27 design-build services. The public body shall publish at least once in  
28 a legal newspaper of general circulation published in or as near as  
29 possible to that part of the county in which the public work will be  
30 done, a notice of its request for proposals for design-build services  
31 and the availability and location of the request for proposal  
32 documents. The request for proposal documents shall include:

33 (a) A detailed description of the project including programmatic,  
34 performance, and technical requirements and specifications, functional  
35 and operational elements, (~~and~~) minimum and maximum net and gross  
36 areas of any building, and, at the discretion of the public body,  
37 preliminary engineering and architectural drawings;

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

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

4 (d) A description of the process the public body will use to  
5 evaluate qualifications and proposals, including evaluation factors and  
6 the relative weight of factors. Evaluation factors shall include, but  
7 not be limited to: Proposal price; ability of professional personnel;  
8 past performance on similar projects; ability to meet time and budget  
9 requirements; ability to provide a performance and payment bond for the  
10 project; recent, current, and projected work loads of the firm;  
11 location; and the concept of the proposal;

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

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

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

17 (h) Other information relevant to the project.

18 (5) The public body shall establish a committee to evaluate the  
19 proposals based on the factors, weighting, and process identified in  
20 the request for proposals. Based on its evaluation, the public body  
21 shall select not fewer than three nor more than five finalists to  
22 submit best and final proposals. The public body may, in its sole  
23 discretion, reject all proposals. Design-build contracts shall be  
24 awarded using the procedures in (a) or (b) of this subsection.

25 (a) Best and final proposals shall be evaluated and scored based on  
26 the factors, weighting, and process identified in the initial request  
27 for proposals. The public body may score the proposals using a system  
28 that measures the quality and technical merits of the proposal on a  
29 unit price basis. Final proposals may not be considered if the  
30 proposal cost is greater than the maximum allowable construction cost  
31 identified in the initial request for proposals. (~~(+6)~~) The public  
32 body shall initiate negotiations with the firm submitting the highest  
33 scored best and final proposal. If the public body is unable to  
34 execute a contract with (~~that~~) the firm submitting the highest scored  
35 best and final proposal, negotiations with that firm may be suspended  
36 or terminated and the public body may proceed to negotiate with the  
37 next highest scored firm. Public bodies shall continue in accordance  
38 with this procedure until a contract agreement is reached or the

1 selection process is terminated. (~~The public body may, in its sole~~  
2 ~~discretion, reject all proposals.~~)

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

7 (6) The ((finalist)) firm awarded the contract shall provide a  
8 performance and payment bond for the contracted amount. The public  
9 body shall provide appropriate honorarium payments to finalists  
10 submitting best and final proposals who are not awarded a design-build  
11 contract. Honorarium payments shall be sufficient to generate  
12 meaningful competition among potential proposers on design-build  
13 projects.

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

16 (1) Notwithstanding any other provision of law, and after complying  
17 with RCW 39.10.030, the following public bodies may utilize the general  
18 contractor/construction manager procedure of public works contracting  
19 for public works projects authorized under subsection (2) of this  
20 section: The state department of general administration; the  
21 University of Washington; Washington State University; every city with  
22 a population greater than one hundred fifty thousand; every county with  
23 a population greater than four hundred fifty thousand; and every port  
24 district with a population greater than five hundred thousand. For the  
25 purposes of this section, "general contractor/construction manager"  
26 means a firm with which a public body has selected and negotiated a  
27 maximum allowable construction cost to be guaranteed by the firm, after  
28 competitive selection through formal advertisement and competitive  
29 bids, to provide services during the design phase that may include  
30 life-cycle cost design considerations, value engineering, scheduling,  
31 cost estimating, constructability, alternative construction options for  
32 cost savings, and sequencing of work, and to act as the construction  
33 manager and general contractor during the construction phase.

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

37 (a) Implementation of the project involves complex scheduling  
38 requirements;

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

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

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

8 (4) Contracts for the services of a general contractor/construction  
9 manager under this section shall be awarded through a competitive  
10 process requiring the public solicitation of proposals for general  
11 contractor/construction manager services. (~~Minority and women~~  
12 ~~business enterprise total project goals shall be specified in~~) The  
13 public solicitation of proposals shall include: A description of the  
14 project, including programmatic, performance, and technical  
15 requirements and specifications when available; the reasons for using  
16 the general contractor/construction manager procedure; a description of  
17 the qualifications to be required of the proposer, including submission  
18 of the proposer's accident prevention program; a description of the  
19 process the public body will use to evaluate qualifications and  
20 proposals, including evaluation factors and the relative weight of  
21 factors; the form of the contract to be awarded; the estimated maximum  
22 allowable construction cost; minority and women business enterprise  
23 total project goals, where applicable; and the bid instructions to be  
24 used by the general contractor/construction manager finalists. ((A  
25 ~~public body is authorized to include an incentive clause in any~~  
26 ~~contract awarded under this section for savings of either time or cost~~  
27 ~~or both from that originally negotiated. No incentives granted shall~~  
28 ~~exceed five percent of the maximum allowable construction cost.))~~  
29 Evaluation factors shall include, but not be limited to: Ability of  
30 professional personnel, past performance in negotiated and complex  
31 projects, and ability to meet time and budget requirements; location;  
32 recent, current, and projected work loads of the firm; and the concept  
33 of their proposal. A public body shall establish a committee to  
34 evaluate the proposals ((considering such factors as: Ability of  
35 ~~professional personnel; past performance in negotiated and complex~~  
36 ~~projects; ability to meet time and budget requirements; location;~~  
37 ~~recent, current, and projected work loads of the firm; and the concept~~  
38 ~~of their proposal)). After the committee has selected the most~~  
39 qualified finalists, these finalists shall submit final proposals,



1 including sealed bids for the percent fee, which is the percentage  
2 amount to be earned by the general contractor/construction manager as  
3 overhead and profit, on the estimated maximum allowable construction  
4 cost and the fixed amount for the detailed specified general conditions  
5 work. The public body shall select the firm submitting the highest  
6 scored final proposal using the evaluation factors and the relative  
7 weight of factors published in the public solicitation of proposals.

8 (5) The maximum allowable construction cost may be negotiated  
9 between the public body and the selected firm after the scope of the  
10 project is adequately determined to establish a guaranteed contract  
11 cost for which the general contractor/construction manager will provide  
12 a performance and payment bond. The guaranteed contract cost includes  
13 the fixed amount for the detailed specified general conditions work,  
14 the negotiated maximum allowable construction cost, the percent fee on  
15 the negotiated maximum allowable construction cost, and sales tax. If  
16 the public body is unable to negotiate a satisfactory maximum allowable  
17 construction cost with the firm selected that the public body  
18 determines to be fair, reasonable, and within the available funds,  
19 negotiations with that firm shall be formally terminated and the public  
20 body shall negotiate with the next (~~low bidder~~) highest scored firm  
21 and continue until an agreement is reached or the process is  
22 terminated. If the maximum allowable construction cost varies more  
23 than fifteen percent from the bid estimated maximum allowable  
24 construction cost due to requested and approved changes in the scope by  
25 the public body, the percent fee shall be renegotiated.

26 (6) All subcontract work shall be competitively bid with public bid  
27 openings. (~~Specific contract requirements for women and minority~~  
28 ~~enterprise participation shall be specified in each subcontract bid~~  
29 ~~package that exceeds ten percent of the public body's estimated project~~  
30 ~~cost.)) Subcontract work shall not be issued for bid until the public  
31 body has approved, in consultation with the office of minority and  
32 women's business enterprises or the equivalent local agency, a plan  
33 prepared by the general contractor/construction manager for attaining  
34 applicable minority and women business enterprise total project goals  
35 that equitably spreads women and minority enterprise opportunities to  
36 as many firms in as many bid packages as is practicable. The owner and  
37 general contractor/construction manager may use reasonable and  
38 objective criteria to prequalify bidders. Subcontract bid packages  
39 shall be awarded to the responsible bidder submitting the low~~

1 responsive bid. The requirements of RCW 39.30.060 apply to each  
2 subcontract bid package. All subcontractors who bid work over ((two))  
3 three hundred thousand dollars shall post a bid bond and all  
4 subcontractors who are awarded a contract over ((two)) three hundred  
5 thousand dollars shall provide a performance and payment bond for their  
6 contract amount. All other subcontractors shall provide a performance  
7 and payment bond if required by the general contractor/construction  
8 manager. A low bidder who claims error and fails to enter into a  
9 contract is prohibited from bidding on the same project if a second or  
10 subsequent call for bids is made for the project. ((All other  
11 subcontractors shall provide a performance and payment bond if required  
12 by the general contractor/construction manager.)) Except as provided  
13 for under subsection (7) of this section, bidding on subcontract work  
14 by the general contractor/construction manager or its subsidiaries is  
15 prohibited. The general contractor/construction manager may negotiate  
16 with the low-responsive bidder in accordance with RCW 39.10.080 or, if  
17 unsuccessful in such negotiations, rebid.

18 ~~((4))~~ (7) The general contractor/construction manager, or its  
19 subsidiaries, may bid on subcontract work on projects valued over  
20 twenty million dollars if:

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

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

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

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

30 (8) A public body may include an incentive clause in any contract  
31 awarded under this section for savings of either time or cost or both  
32 from that originally negotiated. No incentives granted may exceed five  
33 percent of the maximum allowable construction cost. If the project is  
34 completed for less than the agreed upon maximum allowable construction  
35 cost, any savings not otherwise negotiated as part of an incentive  
36 clause shall accrue to the public body. If the project is completed  
37 for more than the agreed upon maximum allowable construction cost,  
38 excepting increases due to any contract change orders approved by the

1 public body, the additional cost shall be the responsibility of the  
2 general contractor/construction manager.

3 NEW SECTION. **Sec. 5.** A new section is added to chapter 39.10 RCW  
4 to read as follows:

5 (1) In addition to the projects authorized in RCW 39.10.050 and  
6 39.10.060, public bodies may use the general contractor/construction  
7 manager or design-build procedure for demonstration projects valued  
8 between three million dollars and ten million dollars as follows:

9 (a) Three demonstration projects by the department of general  
10 administration; and

11 (b) One demonstration project by each of the public bodies  
12 authorized in RCW 39.10.020(2) other than the department of general  
13 administration.

14 (2) Public bodies shall give weight to proposers' experience  
15 working on projects valued between three million dollars and ten  
16 million dollars in the evaluation process for the selection of a  
17 general contractor/construction manager or design-build firm for  
18 demonstration projects authorized in subsection (1) of this section.

19 (3) Cities which supply water to over three hundred fifty thousand  
20 people may use the design-build procedure for one water system  
21 demonstration project. Use of the design-build procedure shall be  
22 deemed to effect compliance with the requirement for competitive bids  
23 under RCW 43.155.060.

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

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

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

31 (1) There is established a temporary independent oversight  
32 committee to review the utilization of the alternative public works  
33 contracting procedures authorized under this chapter (~~and~~), to  
34 evaluate potential future utilization of other alternative contracting  
35 procedures, including, but not limited to, contractor prequalification,  
36 and, if desired by the committee, to review traditional public works  
37 contracting procedures used by state agencies and municipalities. The

1 committee shall also pursue the development of a mentoring program for  
2 expansion of the authorities in this chapter to other public bodies.  
3 The membership of the committee shall include: Two members of the  
4 house of representatives, one from each major caucus, appointed by the  
5 speaker of the house of representatives; two members of the senate, one  
6 from each major caucus, appointed by the president of the senate;  
7 representatives from the appropriate segments of the construction,  
8 contracting, subcontracting, and design industries, appointed by the  
9 governor; representatives from appropriate labor organizations,  
10 appointed by the governor; representatives from public bodies  
11 authorized to use the alternative public works contracting procedures  
12 under this chapter, appointed by the governor; a representative from  
13 the office of minority and women's business enterprises, appointed by  
14 the governor; and a representative from the office of financial  
15 management, appointed by the governor. The governor shall maintain a  
16 balance between representatives from public agencies and the private  
17 sector when appointing members to the committee, and shall consider the  
18 recommendations of the established organizations representing the  
19 construction, contracting, subcontracting, and design industries and  
20 organized labor in making the industry and labor appointments (~~to the~~  
21 ~~committee~~)).

22 (2) The committee shall meet (~~quarterly~~) beginning after July 1,  
23 1994. (~~At the first meeting of the committee,~~) A chair or cochair  
24 shall be selected from among the committee's membership. Staff support  
25 for the committee shall be provided by the agencies and organizations  
26 represented on the committee.

27 (3) Public bodies utilizing the alternative contracting procedures  
28 authorized under this chapter shall provide any requested information  
29 concerning implementation of projects under this chapter to the  
30 committee in a timely manner, excepting any trade secrets or  
31 proprietary information.

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

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

37 (1) Except as provided in subsection (2) of this section, the  
38 alternative public works contracting procedures authorized under this

1 chapter are limited to public works contracts signed before July 1,  
2 (~~(1997)~~) 2001. Methods of public works contracting authorized by RCW  
3 39.10.050 and 39.10.060 shall remain in full force and effect until  
4 completion of contracts signed before July 1, (~~(1997)~~) 2001.

5 (2) For the purposes of a baseball stadium as defined in RCW  
6 82.14.0485, the design-build contracting procedures under RCW 39.10.050  
7 shall remain in full force and effect until completion of contracts  
8 signed before December 31, 1997.

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

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

- 13 (1) RCW 39.10.010 and 1994 c 132 s 1;
- 14 (2) RCW 39.10.020 and 1994 c 132 s 2;
- 15 (3) RCW 39.10.030 and 1994 c 132 s 3;
- 16 (4) RCW 39.10.040 and 1994 c 132 s 4;
- 17 (5) RCW 39.10.050 and 1994 c 132 s 5;
- 18 (6) RCW 39.10.060 and 1994 c 132 s 6;
- 19 (7) RCW 39.10.--- and 1997 c . . . s 5 (section 5 of this act);
- 20 (8) RCW 39.10.070 and 1994 c 132 s 7;
- 21 (~~(8)~~) (9) RCW 39.10.080 and 1994 c 132 s 8;
- 22 (~~(9)~~) (10) RCW 39.10.090 and 1994 c 132 s 9;
- 23 (~~(10)~~) (11) RCW 39.10.100 and 1994 c 132 s 10;
- 24 (~~(11)~~) (12) RCW 39.10.110 and 1994 c 132 s 11;
- 25 (~~(12)~~) (13) RCW 39.10.900 and 1994 c 132 s 13;
- 26 (~~(13)~~) (14) RCW 39.10.901 and 1994 c 132 s 14; and
- 27 (~~(14)~~) (15) RCW 39.10.902 and 1994 c 132 s 15.

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

29 NEW SECTION. **Sec. 10.** This act is necessary for the immediate  
30 preservation of the public peace, health, or safety, or support of the  
31 state government and its existing public institutions, and takes effect  
32 July 1, 1997.

--- END ---