

2 **ESSB 6049** - S AMD (S3462.9) - 433

3 By Senators Hargrove, Sellar, Prentice, Rinehart and Kohl

4 ADOPTED AS AMENDED 5/17/95

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

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  
20 majority of the voters of the public facilities district has  
21 ((validated the creation of the public facilities district at a general  
22 or special election. A single ballot proposition may both authorize  
23 the creation of a public facilities district and the imposition of the  
24 sales and use tax under RCW 82.14.048 or both the creation of a public  
25 facilities district and the imposition of the excise tax under RCW  
26 36.100.040)) approved such tax at a general or special election. A  
27 single ballot proposition may both validate the imposition of the sales  
28 and use tax under RCW 82.14.048 and the excise tax under RCW  
29 36.100.040.

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

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

4       **Sec. 2.** RCW 36.100.020 and 1995 c ... (Substitute Senate Bill No.  
5 5127) s 2 are each amended to read as follows:

6       (1) A public facilities district shall be governed by a board of  
7 directors consisting of five or seven members as provided in this  
8 section. If the largest city in the county has a population that is at  
9 least forty percent of the total county population, the board of  
10 directors of the public facilities district shall consist of five  
11 members selected as follows: ~~((+1))~~ (a) Two members appointed by the  
12 county legislative authority to serve for four-year staggered terms;  
13 ~~((+2))~~ (b) two members appointed by the city council of the largest  
14 city in the county to serve for four-year staggered terms; and ~~((+3))~~  
15 (c) one person to serve for a four-year term who is selected by the  
16 other directors. If the largest city in the county has a population of  
17 less than forty percent of the total county population, the county  
18 legislative authority shall establish in the resolution creating the  
19 public facilities district whether the board of directors of the public  
20 facilities district ~~((have))~~ has either five or seven members, and the  
21 county legislative authority shall appoint the members of the board of  
22 directors to reflect the interests of cities and towns in the county,  
23 as well as the unincorporated area of the county. However, if the  
24 largest city in the county has a population of less than forty percent  
25 of the total county population, and the county operates under a county  
26 charter, which provides for an elected county executive, the members  
27 shall be appointed by the county executive subject to confirmation by  
28 the county legislative authority.

29       (2) At least one member on the board of directors shall be  
30 representative of the lodging industry in the public facilities  
31 district before the public facilities district imposes the excise tax  
32 under RCW 36.100.040.

33       (3) Members of the board of directors shall serve four-year terms  
34 of office, except that two of the initial five board members or three  
35 of the initial seven board members shall serve two-year terms of  
36 office.

37       (4) A vacancy shall be filled in the same manner as the original  
38 appointment was made and the person appointed to fill a vacancy shall

1 serve for the remainder of the unexpired term of the office for the  
2 position to which he or she was appointed.

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

6 **Sec. 3.** RCW 36.100.030 and 1995 c ... (Substitute Senate Bill No.  
7 5127) s 3 are each amended to read as follows:

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

14 (2) A public facilities district may enter into agreements under  
15 chapter 39.34 RCW for the joint provision and operation of such  
16 facilities and may enter into contracts under chapter 39.34 RCW where  
17 any party to the contract provides and operates such facilities for the  
18 other party or parties to the contract.

19 (3) Notwithstanding the establishment of a career, civil, or merit  
20 service system, a public facility district may contract with a public  
21 or private entity for the operation or management of its public  
22 facilities.

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

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

30 **Sec. 4.** RCW 36.100.060 and 1995 c ... (Substitute Senate Bill No.  
31 5127) s 5 are each amended to read as follows:

32 (1) To carry out the purpose of this chapter, a public facilities  
33 district may issue general obligation bonds, not to exceed an amount,  
34 together with any outstanding nonvoter approved general obligation  
35 indebtedness, equal to (~~((three-eighths))~~) one-half of one percent of the  
36 value of taxable property within the district, as the term "value of  
37 taxable property" is defined in RCW 39.36.015. A facilities district

1 additionally may issue general obligation bonds for capital purposes  
2 only, together with any outstanding general obligation indebtedness,  
3 not to exceed an amount equal to one and one-fourth percent of the  
4 value of the taxable property within the district, as the term "value  
5 of taxable property" is defined in RCW 39.36.015, when authorized by  
6 the voters of the public facilities district pursuant to Article VIII,  
7 section 6 of the state Constitution, and to provide for the retirement  
8 thereof by excess property tax levies as provided in this chapter.

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

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

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

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

22 NEW SECTION. **Sec. 6.** (1) The governing board of a public  
23 facilities district may apply for deferral of taxes on the construction  
24 of buildings, site preparation, and the acquisition of related  
25 machinery and equipment for a new public facility. Application shall  
26 be made to the department of revenue in a form and manner prescribed by  
27 the department of revenue. The application shall contain information  
28 regarding the location of the public facility, estimated or actual  
29 costs, time schedules for completion and operation, and other  
30 information required by the department of revenue. The department of  
31 revenue shall approve the application within sixty days if it meets the  
32 requirements of this section.

33 (2) The department of revenue shall issue a sales and use tax  
34 deferral certificate for state and local sales and use taxes due under  
35 chapters 82.08, 82.12, and 82.14 RCW on the public facility. The use  
36 of the certificate shall be governed by rules established by the  
37 department of revenue.

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

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

10 (5) Interest shall not be charged on any taxes deferred under this  
11 section for the period of deferral, although all other penalties and  
12 interest applicable to delinquent excise taxes may be assessed and  
13 imposed for delinquent payments under this section. The debt for  
14 deferred taxes is not extinguished by insolvency or other failure of  
15 the public facilities district.

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

18 (1) The legislative authority of a county with a population of one  
19 million or more operating under a county charter may impose a sales and  
20 use tax by a resolution adopted on or before December 31, 1995, for  
21 collection following certification as provided in subsection (4) of  
22 this section. The resolution shall be subject solely to a voter-  
23 initiated referendum using the procedures and provisions for voter-  
24 initiated referenda in the county charter, except that such referendum  
25 must be filed with the county legislative authority not later than  
26 thirty days after the resolution is adopted.

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

31 (3) The revenue from the tax imposed under this section shall be  
32 used for the purpose of principal and interest payments on bonds issued  
33 by a public facilities district, created within the county under  
34 chapter 36.100 RCW, to acquire, construct, own, remodel, maintain,  
35 equip, reequip, repair, and operate a baseball stadium with a  
36 retractable roof or canopy and natural turf. If the revenue from the  
37 tax imposed under this section exceeds the amount needed for such  
38 principal and interest payments in any year, the excess shall be used

1 solely for either or both: (a) Early retirement of the bonds issued  
2 for the baseball stadium; or (b) retirement of bonds issued for  
3 expanding, remodelling, repairing, or reequipping of a multipurpose  
4 stadium that has a seating capacity over forty-five thousand.

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

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

12 (b) Contribute principal of forty-five million dollars toward the  
13 bonded cost of construction of the stadium, which contribution shall be  
14 made during a term not to exceed the term of the bonds issued to  
15 finance the initial construction of the stadium. If all or part of the  
16 contribution is made after the date of issuance of the bonds, the team  
17 shall contribute an additional amount equal to the accruing interest on  
18 the deferred portion of the contribution, calculated at the interest  
19 rate on the bonds maturing in the year in which the deferred  
20 contribution is made; and

21 (c) Share a portion of the profits generated by the baseball team  
22 from the operation of the professional franchise for a period of time  
23 equal to the term of the bonds issued to finance the initial  
24 construction of the stadium, after offsetting any losses incurred by  
25 the baseball team after the effective date of this act. Such profits  
26 and the portion to be shared shall be defined by agreement between the  
27 public facilities district and the baseball team. The shared profits  
28 shall be used to retire the bonds issued to finance the initial  
29 construction of the stadium. If the bonds are retired before the  
30 expiration of their term, the shared profits shall be paid to the  
31 public facilities district.

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

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

37 Every city and town may levy and fix a tax of not more than one  
38 cent on twenty cents or fraction thereof to be paid by the person who

1 pays an admission charge to any place: PROVIDED, No city or town shall  
2 impose such tax on persons paying an admission to any activity of any  
3 elementary or secondary school. This includes a tax on persons who are  
4 admitted free of charge or at reduced rates to any place for which  
5 other persons pay a charge or a regular higher charge for the same  
6 privileges or accommodations. A city that is located in a county with  
7 a population of one million or more may not levy a tax on events in  
8 stadia constructed on or after January 1, 1995, that are owned by  
9 county government or a public facilities district under chapter 36.100  
10 RCW and that have seating capacities over forty thousand. The city or  
11 town may require anyone who receives payment for an admission charge to  
12 collect and remit the tax to the city or town.

13 The term "admission charge" includes:

- 14 (1) A charge made for season tickets or subscriptions;  
15 (2) A cover charge, or a charge made for use of seats and tables  
16 reserved or otherwise, and other similar accommodations;  
17 (3) A charge made for food and refreshment in any place where free  
18 entertainment, recreation or amusement is provided;  
19 (4) A charge made for rental or use of equipment or facilities for  
20 purposes of recreation or amusement; if the rental of the equipment or  
21 facilities is necessary to the enjoyment of a privilege for which a  
22 general admission is charged, the combined charges shall be considered  
23 as the admission charge;  
24 (5) Automobile parking charges if the amount of the charge is  
25 determined according to the number of passengers in the automobile.

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

28 (1) Any county may by ordinance enacted by its (~~board of~~) county  
29 (~~commissioners~~) legislative authority, levy and fix a tax of not more  
30 than one cent on twenty cents or fraction thereof to be paid for county  
31 purposes by persons who pay an admission charge to any place, including  
32 a tax on persons who are admitted free of charge or at reduced rates to  
33 any place for which other persons pay a charge or a regular higher  
34 charge for the same or similar privileges or accommodations; and  
35 require that one who receives any admission charge to any place shall  
36 collect and remit the tax to the county treasurer of the county:  
37 PROVIDED, No county shall impose such tax on persons paying an  
38 admission to any activity of any elementary or secondary school.

1       (2) As used in this chapter, the term "admission charge" includes  
2 a charge made for season tickets or subscriptions, a cover charge, or  
3 a charge made for use of seats and tables, reserved or otherwise, and  
4 other similar accommodations; a charge made for food and refreshments  
5 in any place where any free entertainment, recreation, or amusement is  
6 provided; a charge made for rental or use of equipment or facilities  
7 for purpose of recreation or amusement, and where the rental of the  
8 equipment or facilities is necessary to the enjoyment of a privilege  
9 for which a general admission is charged, the combined charges shall be  
10 considered as the admission charge. It shall also include any  
11 automobile parking charge where the amount of such charge is determined  
12 according to the number of passengers in any automobile.

13       (3) The tax herein authorized shall not be exclusive and shall not  
14 prevent any city or town within the taxing county, when authorized by  
15 law, from imposing within its corporate limits a tax of the same or  
16 similar kind: PROVIDED, That whenever the same or similar kind of tax  
17 is imposed by any such city or town, no such tax shall be levied within  
18 the corporate limits of such city or town by the (~~board of~~) county  
19 (~~commissioners~~), except that the legislative authority of a county  
20 with a population of one million or more may exclusively levy a tax on  
21 events in stadiums constructed on or after January 1, 1995, that are  
22 owned by county government or a public facilities district under  
23 chapter 36.100 RCW and that have seating capacities over forty thousand  
24 at the rate of not more than one cent on twenty cents or fraction  
25 thereof.

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

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

33       (1) Subject to the conditions set forth in subsections (2) and (3)  
34 of this section, the legislative body of any county or any city, is  
35 authorized to levy and collect a special excise tax of not to exceed  
36 two percent on the sale of or charge made for the furnishing of lodging  
37 by a hotel, rooming house, tourist court, motel, trailer camp, and the  
38 granting of any similar license to use real property, as distinguished

1 from the renting or leasing of real property: PROVIDED, That it shall  
2 be presumed that the occupancy of real property for a continuous period  
3 of one month or more constitutes a rental or lease of real property and  
4 not a mere license to use or to enjoy the same.

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

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

12 (b) In the event that any county has levied the tax authorized by  
13 this section and has, prior to June 26, 1975, either pledged the tax  
14 revenues for payment of principal and interest on city revenue or  
15 general obligation bonds authorized and issued pursuant to RCW  
16 67.28.150 through 67.28.160 or has authorized and issued revenue or  
17 general obligation bonds pursuant to the provisions of RCW 67.28.150  
18 through 67.28.160, such county shall be exempt from the provisions of  
19 (a) of this subsection, to the extent that the tax revenues are pledged  
20 for payment of principal and interest on bonds issued at any time  
21 pursuant to the provisions of RCW 67.28.150 through 67.28.160:  
22 PROVIDED, That so much of such pledged tax revenues, together with any  
23 investment earnings thereon, not immediately necessary for actual  
24 payment of principal and interest on such bonds may be used: (i) In  
25 any county with a population of one million or more, for repayment  
26 either of limited tax levy general obligation bonds or of any county  
27 fund or account from which a loan was made, the proceeds from the bonds  
28 or loan being used to pay for constructing, installing, improving, and  
29 equipping stadium capital improvement projects, and to pay for any  
30 engineering, planning, financial, legal and professional services  
31 incident to the development of such stadium capital improvement  
32 projects, regardless of the date the debt for such capital improvement  
33 projects was or may be incurred; or (ii) in other counties, for county-  
34 owned facilities for agricultural promotion. A county is exempt under  
35 this subsection in respect to city revenue or general obligation bonds  
36 issued after April 1, 1991, only if such bonds mature before January 1,  
37 2013.

38 As used in this subsection (2)(b), "capital improvement projects"  
39 may include, but not be limited to a stadium restaurant facility,

1 restroom facilities, artificial turf system, seating facilities,  
2 parking facilities and scoreboard and information system adjacent to or  
3 within a county owned stadium, together with equipment, utilities,  
4 accessories and appurtenances necessary thereto. The stadium  
5 restaurant authorized by this subsection (2)(b) shall be operated by a  
6 private concessionaire under a contract with the county.

7 (c) No city within a county exempt under subsection (2)(b) of this  
8 section may levy the tax authorized by this section so long as said  
9 county is so exempt: PROVIDED, That in the event that any city in such  
10 county has levied the tax authorized by this section and has, prior to  
11 June 26, 1975, authorized and issued revenue or general obligation  
12 bonds pursuant to the provisions of RCW 67.28.150 through 67.28.160,  
13 such city may levy the tax so long as the tax revenues are pledged for  
14 payment of principal and interest on bonds issued at any time pursuant  
15 to the provisions of RCW 67.28.150 through 67.28.160.

16 (3) Any levy authorized by this section by a county that has levied  
17 the tax authorized by this section and has, prior to June 26, 1975,  
18 either pledged the tax revenues for payment of principal and interest  
19 on city revenue or general obligation bonds authorized and issued  
20 pursuant to RCW 67.28.150 through 67.28.160 or has authorized and  
21 issued revenue or general obligation bonds pursuant to the provisions  
22 of RCW 67.28.150 through 67.28.160 shall be subject to the following:

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

26 (i) Seventy-five percent from January 1, 1992, through December 31,  
27 2000, and seventy percent from January 1, 2001, through December 31,  
28 2012, for art museums, cultural museums, heritage museums, the arts,  
29 and the performing arts. Moneys spent under this subsection (3)(a)(i)  
30 shall be used for the purposes of this subsection (3)(a)(i) in all  
31 parts of the county.

32 (ii) Twenty-five percent from January 1, 1992, through December 31,  
33 2000, and thirty percent from January 1, 2001, through December 31,  
34 2012, for the following purposes and in a manner reflecting the  
35 following order of priority: Stadium capital improvements, as defined  
36 in subsection (2)(b) of this section; acquisition of open space lands;  
37 youth sports activities; and tourism promotion.

38 (b) At least seventy percent of moneys spent under (a)(i) of this  
39 subsection for the period January 1, 1992, through December 31, 2000,

1 shall be used only for the purchase, design, construction, and  
2 remodeling of performing arts, visual arts, heritage, and cultural  
3 facilities, and for the purchase of fixed assets that will benefit art,  
4 heritage, and cultural organizations. For purposes of this subsection,  
5 fixed assets are tangible objects such as machinery and other equipment  
6 intended to be held or used for ten years or more. Moneys received  
7 under this subsection (3)(b) may be used for payment of principal and  
8 interest on bonds issued for capital projects. Qualifying  
9 organizations receiving moneys under this subsection (3)(b) must be  
10 financially stable and have at least the following:

- 11 (i) A legally constituted and working board of directors;
- 12 (ii) A record of artistic, heritage, or cultural accomplishments;
- 13 (iii) Been in existence and operating for at least two years;
- 14 (iv) Demonstrated ability to maintain net current liabilities at  
15 less than thirty percent of general operating expenses;
- 16 (v) Demonstrated ability to sustain operational capacity subsequent  
17 to completion of projects or purchase of machinery and equipment; and
- 18 (vi) Evidence that there has been independent financial review of  
19 the organization.

20 (c) At least forty percent of the revenues distributed pursuant to  
21 (a)(i) of this subsection for the period January 1, 2001, through  
22 December 31, 2012, shall be deposited in an account and shall be used  
23 to establish an endowment. Principal in the account shall remain  
24 permanent and irreducible. The earnings from investments of balances  
25 in the account may only be used for the purposes of (a)(i) of this  
26 subsection.

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

29 (e) Moneys distributed to art museums, cultural museums, heritage  
30 museums, the arts, and the performing arts, and moneys distributed for  
31 tourism promotion shall be in addition to and may not be used to  
32 replace or supplant any other funding by the legislative body of the  
33 county.

34 (f) As used in this section, "tourism promotion" includes  
35 activities intended to attract visitors for overnight stays, arts,  
36 heritage, and cultural events, and recreational, professional, and  
37 amateur sports events. Moneys allocated to tourism promotion in a  
38 class AA county shall be allocated to nonprofit organizations formed  
39 for the express purpose of tourism promotion in the county. Such

1 organizations shall use moneys from the taxes to promote events in all  
2 parts of the class AA county.

3 (g) No taxes collected under this section may be used for the  
4 operation or maintenance of a public stadium that is financed directly  
5 or indirectly by bonds to which the tax is pledged. Expenditures for  
6 operation or maintenance include all expenditures other than  
7 expenditures that directly result in new fixed assets or that directly  
8 increase the capacity, life span, or operating economy of existing  
9 fixed assets.

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

15 (i) If a substantial part of the operation and management of a  
16 public stadium that is financed directly or indirectly by bonds to  
17 which the tax is pledged is performed by a nonpublic entity or if a  
18 public stadium is sold that is financed directly or indirectly by bonds  
19 to which the tax is pledged, any bonds to which the tax is pledged  
20 shall be retired. This subsection (3)(i) does not apply in respect to  
21 a public stadium transferred to, owned by, or constructed by a public  
22 facilities district under chapter 36.100 RCW.

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

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

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

35 NEW SECTION. Sec. 12. If any provision of this act or its  
36 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other  
2 persons or circumstances is not affected.

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

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

11 **ESSB 6049** - S AMD - 433

12 By Senators Hargrove, Sellar, Prentice, Rinehart and Kohl

13 ADOPTED 5/17/95

14 On page 1, line 2 of the title, after "teams;" strike the remainder  
15 of the title and insert "amending RCW 36.100.010, 36.100.020,  
16 36.100.030, 36.100.060, 35.21.280, 36.38.010, and 67.28.180; adding new  
17 sections to chapter 36.100 RCW; adding a new section to chapter 82.14  
18 RCW; providing an effective date; and declaring an emergency."

--- END ---