

---

SENATE BILL 5733

---

State of Washington

57th Legislature

2001 Regular Session

By Senators Haugen, Morton and Rasmussen

Read first time 02/01/2001. Referred to Committee on Transportation.

1 AN ACT Relating to county road construction projects; and amending  
2 RCW 36.77.065.

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

4 **Sec. 1.** RCW 36.77.065 and 1980 c 40 s 1 are each amended to read  
5 as follows:

6 The board may cause any county road to be constructed or improved  
7 by day labor as provided in this section.

8 (1) As used in this section, "county road construction budget"  
9 means the aggregate total of those costs as defined by the budgeting,  
10 accounting, and reporting system for counties and cities and other  
11 local governments authorized under RCW 43.09.200 and 43.09.230 as  
12 prescribed in the state auditor's budget, accounting, and reporting  
13 manual's (BARS) road and street construction accounts 541.00 through  
14 541.90 in effect April 1, 1975: PROVIDED, That such costs shall not  
15 include those costs assigned to the preliminary engineering account  
16 541.11, right of way accounts 541.20 through 541.25, ancillary  
17 operations account 541.80, and ferries account 541.81 in the budget,  
18 accounting, and reporting manual.

1       (2) For counties with a population density that equals or exceeds  
2 one hundred persons per square mile, except for those counties composed  
3 entirely of islands, the total amount of day labor construction  
4 programs one county may perform annually shall total no more than the  
5 amounts determined in the following manner:

6       (a) Any county with a total annual county road construction budget  
7 of four million dollars or more may accumulate a day labor road  
8 construction budget equal to no more than eight hundred thousand  
9 dollars or fifteen percent of the county's total annual county road  
10 construction budget, whichever is greater.

11       (b) Any county with a total annual county road construction budget  
12 (~~over~~) of one million five hundred thousand dollars or more and less  
13 than four million dollars may accumulate a day labor road construction  
14 budget equal to not more than five hundred twenty-five thousand dollars  
15 or twenty percent of the county's total annual county road construction  
16 budget, whichever is greater.

17       (c) Any county with a total annual county road construction budget  
18 (~~over~~) of five hundred thousand dollars or more and less than one  
19 million five hundred thousand dollars may accumulate a day labor road  
20 construction budget equal to two hundred fifty thousand dollars or  
21 thirty-five percent of the county's total annual county road  
22 construction budget, whichever is greater.

23       (d) Any county with a total annual county road construction budget  
24 less than five hundred thousand dollars may accumulate a day labor road  
25 construction budget equal to two hundred fifty thousand dollars:  
26 PROVIDED, That any county with a total annual road construction budget  
27 of less than five hundred thousand dollars may, by resolution of the  
28 board at the time the county road construction budget is adopted, elect  
29 to construct or improve county roads by day labor in an amount not to  
30 exceed thirty-five thousand dollars on any one project, including  
31 labor, equipment, and materials; such election to be in lieu of the two  
32 hundred fifty thousand dollar limit provided for in this section,  
33 except that any project means a complete project and the division of  
34 any project into units of work or classes of work so as to permit  
35 construction by day labor is not authorized.

36       (3) For counties with a population density of less than one hundred  
37 persons per square mile and those counties composed entirely of  
38 islands, the total amount of day labor construction programs one county

1 may perform annually may total no more than the amounts determined in  
2 the following manner:

3 (a) A county with a total annual county road construction budget of  
4 four million dollars or more may accumulate a day labor road  
5 construction budget equal to not more than eight hundred eighty  
6 thousand dollars or twenty-five percent of the county's total annual  
7 county road construction budget, whichever is greater;

8 (b) A county with a total annual county road construction budget of  
9 one million five hundred thousand dollars or more and less than four  
10 million dollars may accumulate a day labor road construction budget  
11 equal to not more than five hundred seventy-seven thousand dollars or  
12 thirty percent of the county's total annual county road construction  
13 budget, whichever is greater;

14 (c) A county with a total annual county road construction budget of  
15 five hundred thousand dollars or more and less than one million five  
16 hundred thousand dollars may accumulate a day labor road construction  
17 budget equal to two hundred seventy-five thousand dollars or forty-five  
18 percent of the county's total annual county road construction budget,  
19 whichever is greater;

20 (d) A county with a total annual county road construction budget  
21 less than five hundred thousand dollars may accumulate a day labor road  
22 construction budget equal to two hundred seventy-five thousand dollars.  
23 However, such a county may, by resolution of the board at the time the  
24 county road construction budget is adopted, elect instead to construct  
25 or improve county roads by day labor in an amount not to exceed thirty-  
26 eight thousand five hundred dollars on any one project, including  
27 labor, equipment, and materials. That election is in lieu of the two  
28 hundred seventy-five thousand dollar limit provided for in this  
29 section. As used in this section, "any project" means a complete  
30 project, and a county may not divide a project into units of work or  
31 classes of work so as to permit construction by day labor.

32 (4) Any county that adopts a county road construction budget  
33 unreasonably exceeding that county's actual road construction  
34 expenditures for the same budget year which has the effect of  
35 permitting the county to exceed the day labor amounts established in  
36 this section is in violation of the county road administration board's  
37 standards of good practice under RCW 36.78.020 and is in violation of  
38 this section. Any county, whose expenditure for day labor for road  
39 construction projects unreasonably exceeds the limits specified in this

1 section, is in violation of the county road administration board's  
2 standards of good practice under RCW 36.78.020 and is in violation of  
3 this section.

4 ((+3+)) (5) Notwithstanding any other provision in this section,  
5 whenever the construction work or improvement is the installation of  
6 electrical traffic control devices, highway illumination equipment,  
7 electrical equipment, wires, or equipment to convey electrical current,  
8 in an amount exceeding ten thousand dollars for any one project  
9 including labor, equipment, and materials, such work shall be performed  
10 by contract as in this chapter provided. This section means a complete  
11 project and does not permit the construction of any project by day  
12 labor by division of the project into units of work or classes of work.

--- END ---