

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1219

53rd Legislature
1993 Regular Session

Passed by the House April 19, 1993
Yeas 60 Nays 35

**Speaker of the
House of Representatives**

Passed by the Senate April 8, 1993
Yeas 29 Nays 17

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1219** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1219

AS AMENDED BY THE SENATE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Orr, Locke, Heavey, Basich, Jones, Dellwo, Dunshee, Bray, Wang, Jacobsen, R. Meyers, Springer, Voloria, G. Cole, King, Johanson and Franklin)

Read first time 02/26/93.

1 AN ACT Relating to creating the public works administration
2 account; amending RCW 39.12.070 and 39.12 042; adding a new section to
3 chapter 39.12 RCW; providing an effective date; and declaring an
4 emergency.

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

6 **Sec. 1.** RCW 39.12.070 and 1982 1st ex.s. c 38 s 1 are each amended
7 to read as follows:

8 The department of labor and industries may charge fees to awarding
9 agencies on public works for the approval of statements of intent to
10 pay prevailing wages and the certification of affidavits of wages paid.
11 The department may also charge fees to persons or organizations
12 requesting the arbitration of disputes under RCW 39.12.060. The amount
13 of the fees shall be established by rules adopted by the department
14 under the procedures in the administrative procedure act, chapter 34.05
15 RCW. The fees shall apply to all approvals, certifications, and
16 arbitration requests made after the effective date of the rules. All
17 fees shall be deposited in the public works administration account. On
18 the fifteenth day of the first month of each quarterly period, an
19 amount equalling thirty percent of the revenues received into the

1 public works administration account shall be transferred into the
2 general fund. The department may refuse to arbitrate for contractors,
3 subcontractors, persons, or organizations which have not paid the
4 proper fees. The department may, if necessary, request the attorney
5 general to take legal action to collect delinquent fees.

6 The department shall set the fees permitted by this section at a
7 level that generates revenue that is as near as practicable to the
8 amount of the appropriation (~~to carry out the activities specified in~~
9 ~~this section~~) to administer this chapter, including, but not limited
10 to, the performance of adequate wage surveys, and to investigate and
11 enforce all alleged violations of this chapter, including, but not
12 limited to, incorrect statements of intent to pay prevailing wage,
13 incorrect certificates of affidavits of wages paid, and wage claims, as
14 provided for in this chapter and chapters 49.48 and 49.52 RCW.
15 However, the fees charged for the approval of statements of intent to
16 pay prevailing wages and the certification of affidavits of wages paid
17 shall be no greater than twenty-five dollars.

18 NEW SECTION. Sec. 2. A new section is added to chapter 39.12 RCW
19 to read as follows:

20 The public works administration account is created in the state
21 treasury. The department of labor and industries shall deposit in the
22 account all moneys received from fees collected under RCW 39.12.070.
23 Appropriations from the account, not including moneys transferred to
24 the general fund pursuant to RCW 39.12.070, may be made only for the
25 purposes of administration of this chapter, including, but not limited
26 to, the performance of adequate wage surveys, and for the investigation
27 and enforcement of all alleged violations of this chapter as provided
28 for in this chapter and chapters 49.48 and 49.52 RCW.

29 **Sec. 3.** RCW 39.12.042 and 1989 c 12 s 11 are each amended to read
30 as follows:

31 If any agency of the state, or any county, municipality, or
32 political subdivision created by its laws shall (~~wilfully~~) knowingly
33 fail to comply with the provisions of RCW 39.12.040 as now or hereafter
34 amended, such agency of the state, or county, municipality, or
35 political subdivision created by its laws, shall be liable to all
36 workers, laborers, or mechanics to the full extent and for the full

1 amount of wages due, pursuant to the prevailing wage requirements of
2 RCW 39.12.020.

3 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of the
5 state government and its existing public institutions, and shall take
6 effect July 1, 1993.

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