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**SENATE BILL 5244**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** Senators Prentice, A. Smith, Moore, Winsley, Vognild, Sutherland, Jesernig and Quigley

Read first time 01/19/93. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to prevailing wages on public works projects;  
2 amending RCW 39.12.042; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature declares that paying  
5 prevailing wages on public works projects promotes the public's  
6 interests. Therefore, there is a need to assure that awarding agencies  
7 carry out their responsibilities to comply with chapter 39.12 RCW.

8 The legislature further finds that the need to establish that an  
9 agency has willfully failed to comply with the law is an unenforceable  
10 standard and frustrates attempts to make the law work as written. It  
11 is the intent of the legislature to establish a standard that can be  
12 substantiated within our system of law. It is declared that a showing  
13 of failure to comply is sufficient to establish fault with state  
14 awarding agencies.

15 **Sec. 2.** RCW 39.12.042 and 1989 c 12 s 11 are each amended to read  
16 as follows:

17 If any agency of the state, or any county, municipality, or  
18 political subdivision created by its laws shall ((~~wilfully~~)) knowingly

1 fail to comply with the provisions of RCW 39.12.040 as now or hereafter  
2 amended, such agency of the state, or county, municipality, or  
3 political subdivision created by its laws, shall be liable to all  
4 workers, laborers, or mechanics to the full extent and for the full  
5 amount of wages due, pursuant to the prevailing wage requirements of  
6 RCW 39.12.020.

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