

---

SENATE BILL 5246

---

State of Washington

53rd Legislature

1993 Regular Session

By Senators Snyder, Winsley, Rinehart, Gaspard, Prentice, Moore, Hargrove, Roach, Loveland, Jesernig, Vognild, Sutherland, von Reichbauer, Bauer, Quigley and Erwin

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

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

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

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

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

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

5 The department shall set the fees permitted by this section at a  
6 level that generates revenue that is (~~as near as practicable to the~~  
7 ~~amount of the appropriation to carry out the activities specified in~~  
8 ~~this section~~) sufficient to administer this chapter and to investigate  
9 and enforce all alleged violations of this chapter, including, but not  
10 limited to, incorrect statements of intent to pay prevailing wage,  
11 incorrect certificates of affidavits of wages paid, and wage claims, as  
12 provided for in this chapter and chapters 49.48 and 49.52 RCW.

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

15 The public works administration account is created in the custody  
16 of the state treasurer. The department of labor and industries shall  
17 deposit in the account all moneys received from fees collected under  
18 RCW 39.12.070. Expenditures from the account may be used only for the  
19 purposes of administration of this chapter and for the investigation  
20 and enforcement of all alleged violations of this chapter as provided  
21 for in this chapter and chapters 49.48 and 49.52 RCW. Disbursement  
22 from the account shall be on authorization of the director of the  
23 department of labor and industries or the director's designee. The  
24 account is subject to the allotment procedure provided under chapter  
25 43.88 RCW, but no appropriation is required for expenditures.

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

--- END ---