

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5733

Chapter 108, Laws of 2001

57th Legislature
2001 Regular Session

COUNTY ROAD CONSTRUCTION

EFFECTIVE DATE: 7/22/01

Passed by the Senate March 13, 2001
YEAS 47 NAYS 0

ROSA FRANKLIN
President of the Senate

Passed by the House April 5, 2001
YEAS 96 NAYS 1

FRANK CHOPP
**Speaker of the
House of Representatives**

CLYDE BALLARD
**Speaker of the
House of Representatives**

Approved April 19, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5733** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

April 19, 2001 - 5:38 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5733

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Haugen, Morton and Rasmussen)

READ FIRST TIME 03/08/01.

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 that equals or exceeds fifty
2 thousand people, the total amount of day labor construction programs
3 one county may perform annually shall total no more than the amounts
4 determined in the following manner:

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

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

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

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

35 (3) For counties with a population of less than fifty thousand
36 people, the total amount of day labor construction programs one county
37 may perform annually may total no more than the amounts determined in
38 the following manner:

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

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

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

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

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

1 standards of good practice under RCW 36.78.020 and is in violation of
2 this section.

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

Passed the Senate March 13, 2001.

Passed the House April 5, 2001.

Approved by the Governor April 19, 2001.

Filed in Office of Secretary of State April 19, 2001.