

SSB 5248 - H AMD TO TR COMM AMD (H2552.1) 334  
By Representative Ericksen

WITHDRAWN 04/08/2003

1 On page 4, line 20 of the amendment, after "201" strike "through"  
2 and insert ", 205, and"

3 On page 6, after line 6 of the amendment, strike everything through  
4 "act." on line 11 and insert the following:

5 "Sec. 207. RCW 39.12.070 and 1993 c 404 s 1 are each amended to  
6 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.  
17 (~~On 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~~  
20 ~~general fund.)) The department may refuse to arbitrate for  
21 contractors, subcontractors, persons, or organizations which have not  
22 paid the proper fees. The department may, if necessary, request the  
23 attorney general to take legal action to collect delinquent fees.~~

24 The department shall set the fees permitted by this section at a  
25 level that generates revenue that is as near as practicable to the  
26 amount of the appropriation to administer this chapter, including, but  
27 not limited to, the performance of adequate wage surveys, and to  
28 investigate and enforce all alleged violations of this chapter,  
29 including, but not limited to, incorrect statements of intent to pay  
30 prevailing wage, incorrect certificates of affidavits of wages paid,

1 and wage claims, as provided for in this chapter and chapters 49.48 and  
2 49.52 RCW. However, the fees charged for the approval of statements of  
3 intent to pay prevailing wages and the certification of affidavits of  
4 wages paid shall be no greater than twenty-five dollars.

5 **Sec. 208.** RCW 39.12.080 and 2001 c 219 s 3 are each amended to  
6 read as follows:

7 The public works administration account is created in the state  
8 treasury. The department of labor and industries shall deposit in the  
9 account all moneys received from fees or civil penalties collected  
10 under RCW 39.12.050, 39.12.065, and 39.12.070. Appropriations from the  
11 account(~~(, not including moneys transferred to the general fund~~  
12 ~~pursuant to RCW 39.12.070,))~~) may be made only for the purposes of  
13 administration of this chapter, including, but not limited to, the  
14 performance of adequate wage surveys, and for the investigation and  
15 enforcement of all alleged violations of this chapter as provided for  
16 in this chapter and chapters 49.48 and 49.52 RCW."

17 On page 8, line 31 of the amendment, after "act" insert ", except  
18 sections 207 and 208 of this act,"

19 Correct the title.

EFFECT: A technical amendment is made to reference the correct  
sections. The \$100,000 appropriation made to the Department of Labor  
and Industries, out of the Public Works Administration Account is  
removed. Under current law, 30% of the revenues in the Public Works  
Administration Account is transferred to the General Fund. This  
amendment would discontinue that transfer. The discontinuation of the  
transfer would not be subject to the null and void clause, which  
requires that there be new transportation revenues enacted by January  
1, 2004, in order for the act to be effective.

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