

FINAL BILL REPORT

SHB 1219

C 404 L 93
Synopsis as Enacted

Brief Description: Creating the public works administration account.

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

House Committee on Commerce & Labor
House Committee on Appropriations
Senate Committee on Labor & Commerce

Background: The state prevailing wage law requires prevailing wages to be paid to employees on public works construction projects. All public works contracts must contain a provision requiring the payment of prevailing wages. Before an agency may disburse any payment on a public works contract, the contractor and subcontractors are required to submit a "statement of intent to pay prevailing wages." When the agency finally accepts the project, an "affidavit of wages paid" must be submitted before the agency may release the final payments.

An agency that willfully fails to require the contractor to submit statements of intent and affidavits to confirm the wages paid is liable for any wages due to the project's employees under the prevailing wage law.

The Department of Labor and Industries is authorized to set fees for performing activities required under the prevailing wage law, such as approving statements of intent and affidavits. The fees must be set at a level that generates revenue "as near as practicable" to the amount of the appropriation made to carry out these activities. The fees are deposited in the state general fund.

Summary: The requirement for imposing agency liability under the prevailing wage law is changed. An agency is liable for the workers' wages if the agency knowingly fails to require the contractor to submit statements confirming that prevailing wages have been paid, rather than if the agency willfully fails to comply with these requirements.

The prevailing wage fees set by the Department of Labor and Industries are for administering the prevailing wage chapter, including the performance of adequate wage surveys, and for investigating violations, including incorrect statements of intent to pay prevailing wages and affidavits of wages paid, and wage claim violations. The fees may not exceed \$25 for approval of statements of intent to pay prevailing wages and affidavits of wages paid. All fees are deposited in the public works administration account. Each quarter, 30 percent of the amount in the fund will be transferred to the state general fund. Appropriations from the account, other than the money transferred, may be used only for administration of the prevailing wage chapter, including the performance of adequate wage surveys, and for investigation of alleged violations, including incorrect statements and affidavits, and wage claim violations.

Votes on Final Passage:

House	63	35	
Senate	29	17	(Senate amended)
House	60	35	(House concurred)

Effective: July 1, 1993