
SUBSTITUTE HOUSE BILL 2102

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Koster, McMorris, Mielke, Sherstad, Honeyford and Dunn)

Read first time 03/05/97.

1 AN ACT Relating to prevailing wage surveys; and amending RCW
2 39.12.070, 39.12.080, and 39.12.015.

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

4 **Sec. 1.** RCW 39.12.070 and 1993 c 404 s 1 are each amended to read
5 as follows:

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

1 arbitrate for contractors, subcontractors, persons, or organizations
2 which have not paid the proper fees. The department may, if necessary,
3 request the attorney general to take legal action to collect delinquent
4 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 administer this chapter, including, but
8 not limited to, the performance of adequate wage surveys, and to
9 investigate and enforce all alleged violations of this chapter,
10 including, but not limited to, incorrect statements of intent to pay
11 prevailing wage, incorrect certificates of affidavits of wages paid,
12 and wage claims, as provided for in this chapter and chapters 49.48 and
13 49.52 RCW. However, the fees charged for the approval of statements of
14 intent to pay prevailing wages and the certification of affidavits of
15 wages paid shall be no greater than twenty-five dollars.

16 **Sec. 2.** RCW 39.12.080 and 1993 c 404 s 2 are each amended to read
17 as follows:

18 The public works administration account is created in the custody
19 of the state (~~(treasury. The department of labor and industries shall~~
20 ~~deposit in the account)) treasurer. All moneys received from fees
21 collected under RCW 39.12.070(~~(. Appropriations from the account, not~~
22 ~~including moneys transferred to the general fund pursuant to RCW~~
23 ~~39.12.070,)) must be deposited into the account. Expenditures from the
24 account may be made only for the purposes of administration of this
25 chapter, including, but not limited to, the performance of adequate
26 wage surveys, and for the investigation and enforcement of all alleged
27 violations of this chapter as provided for in this chapter and chapters
28 49.48 and 49.52 RCW. Only the director of labor and industries or the
29 director's designee may authorize expenditures from the account. The
30 account is subject to allotment procedures under chapter 43.88 RCW, but
31 an appropriation is not required for expenditures.~~~~

32 **Sec. 3.** RCW 39.12.015 and 1965 ex.s. c 133 s 2 are each amended to
33 read as follows:

34 All determinations of the prevailing rate of wage shall be made by
35 the industrial statistician of the department of labor and industries
36 using survey procedures and analytical processes commonly recognized to

- 1 provide reliable and verifiable results meeting the intent of this
- 2 chapter.

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