

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5236

59th Legislature
2006 Regular Session

Passed by the Senate February 13, 2006
YEAS 47 NAYS 1

President of the Senate

Passed by the House March 2, 2006
YEAS 96 NAYS 1

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5236** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5236

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Kohl-Welles, Parlette, Keiser, Fraser, Honeyford and Kline; by request of Department of Labor & Industries)

READ FIRST TIME 01/31/06.

1 AN ACT Relating to providing additional funding to the prevailing
2 wage program of the department of labor and industries by discontinuing
3 the transfer of moneys from the public works administration account to
4 the general fund-state account; amending RCW 39.12.070 and 39.12.080;
5 and providing an effective date.

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

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

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

1 amount equalling thirty percent of the revenues received into the
2 public works administration account shall be transferred into the
3 general fund.)) The department may refuse to arbitrate for
4 contractors, subcontractors, persons, or organizations which have not
5 paid the proper fees. The department may, if necessary, request the
6 attorney general to take legal action to collect delinquent fees.

7 The department shall set the fees permitted by this section at a
8 level that generates revenue that is as near as practicable to the
9 amount of the appropriation to administer this chapter, including, but
10 not limited to, the performance of adequate wage surveys, and to
11 investigate and enforce all alleged violations of this chapter,
12 including, but not limited to, incorrect statements of intent to pay
13 prevailing wage, incorrect certificates of affidavits of wages paid,
14 and wage claims, as provided for in this chapter and chapters 49.48 and
15 49.52 RCW. However, the fees charged for the approval of statements of
16 intent to pay prevailing wages and the certification of affidavits of
17 wages paid shall be no greater than twenty-five dollars.

18 **Sec. 2.** RCW 39.12.080 and 2001 c 219 s 3 are each amended to read
19 as follows:

20 The public works administration account is created in the state
21 treasury. The department of labor and industries shall deposit in the
22 account all moneys received from fees or civil penalties collected
23 under RCW 39.12.050, 39.12.065, and 39.12.070. Appropriations from the
24 account(~~(, not including moneys transferred to the general fund~~
25 ~~pursuant to RCW 39.12.070,))~~ may be made only for the purposes of
26 administration of this chapter, including, but not limited to, the
27 performance of adequate wage surveys, and for the investigation and
28 enforcement of all alleged violations of this chapter as provided for
29 in this chapter and chapters 49.48 and 49.52 RCW.

30 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2007.

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