

# SENATE BILL REPORT

## SB 5931

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As of February 17, 2015

**Title:** An act relating to exempting from the prevailing wage laws work performed or funded for projects involved in gang prevention.

**Brief Description:** Exempting from the prevailing wage laws work performed or funded for projects involved in gang prevention.

**Sponsors:** Senators Brown, Hewitt and Warnick.

**Brief History:**

**Committee Activity:** Commerce & Labor: 2/16/15.

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### SENATE COMMITTEE ON COMMERCE & LABOR

**Staff:** Richard Rodger (786-7461)

**Background:** Employers on public works projects must pay prevailing wages. The prevailing wage is the hourly wage, usual benefits, and overtime paid to the majority of workers in the same trade or occupation in the largest city of the county where the work is being performed. The prevailing wage requirement applies to all public works and public building service maintenance contracts of the state or any county, municipality, or political subdivision.

Workers regularly employed by the state or any political subdivision are statutorily exempt from the prevailing wage requirements.

**Summary of Bill:** Certain public works projects are exempt from prevailing wage requirements if specified conditions are met. The projects must be designed for youth recreational activities, with the purpose of: (1) increasing opportunities for gang prevention, intervention, and suppression; (2) reducing the impacts of gang involvement and recruitment; (3) building supportive ties and affiliations between youth and the local community; and (4) creating a unified effort among parents and community, educational, criminal justice, and employment systems.

Youth recreational activities include such programs as those providing exposure to positive sports, programming, and cultural activities.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

To qualify for the exemption, a municipality must hold a public hearing regarding the uses and benefits of the public works project, and pass an ordinance or resolution identifying the project as meeting the statutory purposes.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: We need more alternatives for children who live in gang-influenced communities. This bill will allow our community to build a project that allows our children to participate in activities that will provide them with skills and knowledge that make them employable in the trades. It might be good to have the city council do a review of these projects before it can move forward to a public hearing.

CON: What these kids need are jobs. We should allow them to work on these types of public works projects. We don't approve of any line-item exemptions to the public works prevailing wage requirements. If a project involves federal funds, this bill will be inconsistent with the Federal Davis-Bacon Act and it will cause confusion.

**Persons Testifying:** PRO: Senator Brown, prime sponsor.

CON: Josh Swanson, International Union of the Operating Engineers; Lee Newgent, WA Building Trades.