

---

**HOUSE BILL 1361**

---

**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Representatives Ormsby, Chandler, and Chapman; by request of Department of Labor & Industries

Read first time 01/21/19. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to setting fees for administration of the  
2 prevailing wage program; and amending RCW 39.12.070.

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

4 **Sec. 1.** RCW 39.12.070 and 2014 c 148 s 1 are each amended to  
5 read as follows:

6 (1) The department of labor and industries may charge fees to  
7 awarding agencies on public works for the approval of statements of  
8 intent to pay prevailing wages and the certification of affidavits of  
9 wages paid. The department may also charge fees to persons or  
10 organizations requesting the arbitration of disputes under RCW  
11 39.12.060. The amount of the fees shall be established by rules  
12 adopted by the department under the procedures in the administrative  
13 procedure act, chapter 34.05 RCW. Except as provided in subsection  
14 (3) of this section, the fees shall apply to all approvals,  
15 certifications, and arbitration requests made after the effective  
16 date of the rules. All fees shall be deposited in the public works  
17 administration account. The department may refuse to arbitrate for  
18 contractors, subcontractors, persons, or organizations which have not  
19 paid the proper fees. The department may, if necessary, request the  
20 attorney general to take legal action to collect delinquent fees.

1           (2) The department shall set the fees permitted by this section  
2 at a level that generates revenue that is as near as practicable to  
3 the amount of the appropriation to administer this chapter,  
4 including, but not limited to, the performance of adequate wage  
5 surveys, and to investigate and enforce all alleged violations of  
6 this chapter, including, but not limited to, incorrect statements of  
7 intent to pay prevailing wage, incorrect certificates of affidavits  
8 of wages paid, and wage claims, as provided for in this chapter and  
9 chapters 49.48 and 49.52 RCW. However, the fees charged for the  
10 approval of statements of intent to pay prevailing wages and the  
11 certification of affidavits of wages paid shall be forty dollars or  
12 less, as determined by the director of labor and industries in  
13 accordance with this subsection. For the 2019-2021 biennium, the fees  
14 shall not be more than twenty dollars.

15           (3) If, at the time an individual or entity files an affidavit of  
16 wages paid, the individual or entity is exempt from the requirement  
17 to pay the prevailing rate of wage under RCW 39.12.020, the  
18 department of labor and industries may not charge a fee to certify  
19 the affidavit of wages paid.

--- END ---