
SENATE BILL 5566

State of Washington

66th Legislature

2019 Regular Session

By Senators Braun and Takko; by request of Department of Labor & Industries

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.

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