

of patients shall be given to those unable to pay for their care in private institutions. Whenever a patient has been admitted to such hospital from the county in which the hospital is situated, the Superintendent shall cause inquiry to be made as to his circumstances, and of the relatives of such patient legally liable for his support. If he finds that such patient or said relatives legally liable for his support, are able to pay for his treatment in whole or in part, an order shall be made directing such patient, or said relatives to pay to the County Treasurer for the support of such patient, a specified sum per week, in proportion to their financial ability, but such sum shall not exceed that charged by private hospital of similar size in the county for service of like character. The County Commissioners shall have the power and authority to collect such sum from said patient or his estate, or from his relatives legally liable for his support. If the Superintendent finds that such patient, or said relatives, are not able to pay, either in whole or in part, for his care and treatment in such hospital, said patient shall be admitted free of charge.

Payment  
by patients  
in county  
hospitals.

Passed the Senate March 1, 1945.

Passed the House February 28, 1945.

Approved by the Governor March 14, 1945.

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## CHAPTER 63.

[ S. B. 103. ]

### PUBLIC WORKS—WAGES.

AN ACT relating to public works, providing for the payment of the prevailing rate of wage, and providing penalties for its violation.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. The hourly wages to be paid to laborers, workmen or mechanics, upon all public

Hourly  
wages on  
public  
works.

works of the state or any county, municipality or political subdivision created by its laws, shall be not less than the prevailing rate of wage for an hour's work in the same trade or occupation in the locality within the state where such labor is performed. This act shall not apply to workmen or other persons regularly employed on monthly or per diem salary by the state, or any county, municipality, or political subdivision created by its laws.

Contracts  
must  
provide.

SEC. 2. The specifications for every contract for the construction, reconstruction, maintenance or repair of any public work to which the state or any county, municipality, or political subdivision created by its laws is a party, shall contain a provision stating the hourly minimum rate of wage, not less than the prevailing rate of wage, which may be paid to laborers, workmen or mechanics in each trade or occupation required for such public work employed in the performance of the contract either by the contractor, sub-contractor or other person doing or contracting to do the whole or any part of the work contemplated by the contract, and the contract shall contain a stipulation that such laborers, workmen or mechanics shall be paid not less than such specified hourly minimum rate of wage.

Prevailing  
wage.

SEC. 3. *Definitions.*

(a) The "prevailing rate of wage," for the intents and purposes of this act, shall be the rate of hourly wage and overtime paid in the locality, as hereinafter defined, to the majority of workmen, laborers, or mechanics, in the same trade or occupation. In the event that there is not a majority in the same trade or occupation paid at the same rate, then the average rate of hourly wage and overtime paid to such laborers, workmen or mechanics in the same trade or occupation shall be the prevailing rate. If the wage paid by any contractor or sub-contractor to laborers, workmen or mechanics on

any public work is based on some period of time other than an hour, the hourly wage for the purposes of this act shall be mathematically determined by the number of hours worked in such period of time.

(b) The "locality" for the purposes of this act shall be the largest city in the county wherein the physical work is being performed. Locality.

SEC. 4. Before payment is made by or on behalf of the state, or any county, municipality, or political subdivision created by its laws, of any sum or sums due on account of a contract for a public improvement, it shall be the duty of the State Treasurer, or of the Treasurer of the county or municipal corporation, or other officer or person charged with the custody and disbursement of the state or corporate funds, applicable to the contract under and pursuant to which payment is made, to require the contractor and each and every sub-contractor from the contractor or a sub-contractor, to file a statement in writing in form satisfactory to such officer, certifying the rate of hourly wage paid each classification of laborers, workmen or mechanics employed by him upon such work, and further certifying that no laborer, workman or mechanic employed by him upon such public work has been paid less than the prevailing rate of wage or less than the minimum rate of wage specified in the contract, which certificate and statement so to be filed shall be verified by the oath of the contractor or sub-contractor, as the case may be, that he has read such a statement and certificate subscribed by him and knows the contents thereof, and that the same is true to his knowledge. Report  
before  
payments.

SEC. 5. Any contractor or sub-contractor who shall upon his oath verify any statement required to be filed under this act which is known by him to be false, or is made without knowledge in reckless disregard of the truth, shall be guilty of perjury in Penalty:

the second degree and shall be punished as provided in section 101, chapter 249, Laws of 1909 (section 2353, Remington's Revised Statutes).

Disputes,  
how  
adjusted.

SEC. 6. Such contract shall contain a further provision that in case any dispute arises as to what are the prevailing rates of wages for work of a similar nature and such dispute cannot be adjusted by the parties involved, the matter shall be referred for arbitration to the Director of the Department of Labor and Industries of the state and his decision therein shall be final and conclusive and binding on all parties involved in the dispute.

Partial  
invalidity.

SEC. 7. If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Passed the Senate March 1, 1945.

Passed the House February 28, 1945.

Approved by the Governor March 14, 1945.