

State parks  
and recreation  
commission.  
Composition.

upon the same basis as expenses are payable to state officials and employees.

Payment of per diem and expenses, and all other expenses pertaining to the operation of the commission, shall be made upon vouchers certified to by such persons as shall be designated by the commission.

Passed the Senate March 22, 1965.

Passed the House April 9, 1965.

Approved by the Governor April 14, 1965.

### CHAPTER 133.

[ Senate Bill No. 318. ]

#### PUBLIC WORKS—WAGES—BENEFITS.

AN ACT relating to public works; providing for the payment of the prevailing rate of wage; amending section 3, chapter 63, Laws of 1945 and RCW 39.12.010; amending section 4, chapter 63, Laws of 1945 and RCW 39.12.040; amending section 6, chapter 63, Laws of 1945 and RCW 39.12.060; and adding a new section to chapter 63, Laws of 1945 and to chapter 39.12 RCW.

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

RCW 39.12.010  
amended.

SECTION 1. Section 3, chapter 63, Laws of 1945 and RCW 39.12.010 are each amended to read as follows:

Public works—  
Prevailing  
wages on.  
Definitions.

(1) The "prevailing rate of wage", for the intents and purposes of this chapter, shall be the rate of hourly wage, usual benefits, 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 subcontractor 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 chapter shall be mathematically determined by the number of hours worked in such period of time.

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

(3) The "usual benefits" for the purposes of this chapter shall include the amount of:

(a) The rate of contribution irrevocably made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan, or program; and

(b) The rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing benefits to workmen, laborers, and mechanics pursuant to an enforceable commitment to carry out a financially responsible plan or program which was communicated in writing to the workmen, laborers, and mechanics affected, for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness insurance, or accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other federal, state, or local law to provide any of such benefits.

SEC. 2. There is added to chapter 63, Laws of 1945, and to chapter 39.12 RCW a new section to read as follows:

Public works  
—Prevailing  
wages on.  
Determina-  
tions by  
statistician.

All determinations of the prevailing rate of wage shall be made by the industrial statistician of the department of labor and industries.

RCW 39.12.040  
amended.

SEC. 3. Section 4, chapter 63, Laws of 1945 and RCW 39.12.040 are each amended to read as follows:

Certified  
statement of  
hourly wage  
paid required.

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 subcontractor from the contractor or a subcontractor, to file a statement in writing to such officer and to the director of the department of labor and industries, 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 subcontractor, 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: *Provided, however,* That 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, the director of the department of labor and industries shall issue

a statement certifying that the prevailing wage requirements of this section have been satisfied.

SEC. 4. Section 6, chapter 63, Laws of 1945 and RCW 39.12.060 are each amended to read as follows:

RCW 39.12.060 amended.

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 in interest, including labor and management representatives, 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.

Director of labor and industries to arbitrate disputes.

Passed the Senate March 21, 1965.

Passed the House April 9, 1965.

Approved by the Governor April 16, 1965.

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## CHAPTER 134.

[ House Bill No. 428. ]

### MOTOR FREIGHT CARRIERS—PERMITS.

AN ACT relating to transportation; providing for the transfer or continuation of certain permits; and amending section 81.80.270, chapter 14, Laws of 1961 as amended by section 6, chapter 59, Laws of 1963 and RCW 81.80.270; and adding a new section to chapter 14, Laws of 1961, and to chapter 81.80 RCW.

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

SECTION 1. Section 81.80.270, chapter 14, Laws of 1961 as amended by section 6, chapter 59, Laws of 1963 and RCW 81.80.270 are each amended to read as follows:

RCW 81.80.270 amended.

No permit issued under the authority of this chapter shall be construed to be irrevocable. Nor

Motor freight carriers. Permit.