

NEW SECTION. Sec. 2. A new section is added to chapter 46.85 RCW to read as follows:

The department may refuse registration of a vehicle if the applicant has failed to furnish proof, acceptable to the department, that the federal heavy vehicle use tax imposed by section 4481 of the internal revenue code of 1954 has been paid.

The department may adopt rules as deemed necessary to administer this section.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 12, 1985.

Passed the Senate April 9, 1985.

Approved by the Governor April 18, 1985.

Filed in Office of Secretary of State April 18, 1985.

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CHAPTER 80

[Substitute House Bill No. 15]

PUBLIC WORKS—LIENS—PREVAILING WAGE CLAIMANTS HAVE PRIORITY

AN ACT Relating to public works; and amending RCW 60.28.040.

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

Sec. 1. Section 4, chapter 236, Laws of 1955 as amended by section 1, chapter 299, Laws of 1971 ex. sess. and RCW 60.28.040 are each amended to read as follows:

The amount of all taxes, increases and penalties due or to become due under Title 82 RCW, from a contractor or ~~((his))~~ the contractor's successors or assignees with respect to a public improvement contract wherein the contract price is twenty thousand dollars or more shall be a lien prior to all other liens upon the amount of the retained percentage withheld by the disbursing officer under such contract, ~~((and))~~ except that the employees of a contractor or the contractor's successors or assignees who have not been paid the prevailing wage under such a public improvement contract shall have a first priority lien against the bond or retainage prior to all other liens. The amount of all other taxes, increases and penalties due and owing

from the contractor shall be a lien upon the balance of such retained percentage remaining in the possession of the disbursing officer after all other statutory lien claims have been paid.

Passed the House February 27, 1985.

Passed the Senate April 8, 1985.

Approved by the Governor April 18, 1985.

Filed in Office of Secretary of State April 18, 1985.

## CHAPTER 81

[House Bill No. 213]

### PORT DISTRICT COMMISSIONERS—HEALTH AND ACCIDENT INSURANCE

AN ACT Relating to insurance for port district commissioners; and amending RCW 53.08.170.

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

Sec. 1. Section 1, chapter 64, Laws of 1955 as last amended by section 1, chapter 6, Laws of 1973 1st ex. sess. and RCW 53.08.170 are each amended to read as follows:

The port commission shall have authority to create and fill positions, to fix wages, salaries and bonds thereof, to pay costs and assessments involved in securing or arranging to secure employees, and to establish such benefits for employees, including holiday pay, vacations or vacation pay, retirement and pension benefits, medical, surgical or hospital care, life, accident, or health disability insurance, and similar benefits, already established by other employers of similar employees, as the port commissioner shall by resolution provide: PROVIDED, That any district providing insurance benefits for its employees in any manner whatsoever may provide health and accident insurance, and business related travel, liability, ((health;)) and errors and omissions ((and accident)) insurance, for its commissioners, which insurance shall not be considered to be compensation.

The port commission shall have authority to provide or pay such benefits directly, or to provide for such benefits by the purchase of insurance policies or entering into contracts with and compensating any person, firm, agency or organization furnishing such benefits, or by making contributions to vacation plans or funds, or health and welfare plans and funds, or pension plans or funds, or similar plans or funds, already established by other employers of similar employees and in which the port district is permitted to participate for particular classifications of its employees by the trustees or other persons responsible for the administration of such established plans or funds: PROVIDED FURTHER, That no port district employee shall be allowed to apply for admission to or be accepted as a member of the state employees' retirement system after January 1, 1965 if admission to such system would result in coverage under both a private pension system and