

RCW, the commissioner shall direct that collection of contributions under this section be terminated on the following January 1st.

~~((Contributions under this section shall be payable only for calendar years 1986 and 1987.))~~

NEW SECTION. Sec. 5. Section 14, chapter 5, Laws of 1985 ex. sess. (uncodified) is repealed.

NEW SECTION. Sec. 6. The sum of six million three hundred fifty thousand dollars, or so much thereof as may be necessary, is appropriated from the special account of the administrative contingency fund of the employment security department to the employment security department to support the job service program under chapter 50.62 RCW for the biennium ending June 30, 1989. However, if federal funding is increased to provide for the financing of the services specified in this act, this appropriation shall be reduced by the amount that federal funding is increased specifically for such services. This portion of the state appropriation shall be deposited in the unemployment compensation fund.

NEW SECTION. Sec. 7. If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is hereby declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House March 12, 1987.

Passed the Senate April 13, 1987.

Approved by the Governor April 23, 1987.

Filed in Office of Secretary of State April 23, 1987.

CHAPTER 172

[Engrossed Substitute House Bill No. 465]

WAGE CLAIMS—LABOR AND INDUSTRIES DEPARTMENT AUTHORITY REVISED

AN ACT Relating to collection of wages; amending RCW 49.48.040; and prescribing penalties.

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

Sec. 1. Section 1, chapter 96, Laws of 1935 and RCW 49.48.040 are each amended to read as follows:

~~((The director of labor and industries by and through the division of industrial relations shall have the power and authority, when in his judgment he deems it necessary, to take assignments of wage claims and prosecute actions for the collection of wages of persons who are financially unable to employ counsel in cases in which, in the judgment of the director, the claims for wages are valid and enforceable in the courts, and the said director, and any supervisor and any other person in the employ of the department of labor and industries, duly designated by them, or either or any of them, shall have authority to issue subpoenas, to compel the attendance of witnesses or parties and the production of books, papers or records, and to administer oaths and to examine witnesses under oath, and to take the verification of proof of instruments of writing and to take depositions and affidavits for the purpose of carrying out the provisions of RCW 49.48.040 through 49.48.080. When such assignments for wage claims are taken, no court costs shall be payable by said director for prosecuting such suits. The director shall have a seal inscribed "Department of Labor and Industries—State of Washington" and all courts shall take judicial notice of such seal. Obedience to subpoenas issued by the director, a supervisor or a duly authorized representative shall be enforced by the courts in any county. The director, the supervisors and the authorized representatives shall have free access to all places and works of labor, and any employer, or any agent or employee of such employer, who shall refuse them, or any of them, admission therein, or who shall, when requested by them, or any of them, wilfully neglect or refuse to furnish them, or any of them, any statistics or information pertaining to his lawful duties, which may be in his possession or under the control of said employer, or agent, shall be guilty of a misdemeanor.)) (1) The department of labor and industries may:~~

(a) Upon obtaining information indicating an employer may be committing a violation under chapters 39.12, 49.46, and 49.48 RCW, conduct investigations to ensure compliance with chapters 39.12, 49.46, and 49.48 RCW;

(b) Order the payment of all wages owed the workers and institute actions necessary for the collection of the sums determined owed; and

(c) Take assignments of wage claims and prosecute actions for the collection of wages of persons who are financially unable to employ counsel when in the judgment of the director of the department the claims are valid and enforceable in the courts.

(2) The director of the department or any authorized representative may, for the purpose of carrying out RCW 49.48.040 through 49.48.080: (a) Issue subpoenas to compel the attendance of witnesses or parties and the production of books, papers, or records; (b) administer oaths and examine witnesses under oath; (c) take the verification of proof of instruments of

writing; and (d) take depositions and affidavits. If assignments for wage claims are taken, court costs shall not be payable by the department for prosecuting such suits.

(3) The director shall have a seal inscribed "Department of Labor and Industries—State of Washington" and all courts shall take judicial notice of such seal. Obedience to subpoenas issued by the director or authorized representative shall be enforced by the courts in any county.

(4) The director or authorized representative shall have free access to all places and works of labor. Any employer or any agent or employee of such employer who refuses the director or authorized representative admission therein, or who, when requested by the director or authorized representative, wilfully neglects or refuses to furnish the director or authorized representative any statistics or information pertaining to his or her lawful duties, which statistics or information may be in his or her possession or under the control of the employer or agent, shall be guilty of a misdemeanor.

Passed the House March 12, 1987.

Passed the Senate April 14, 1987.

Approved by the Governor April 23, 1987.

Filed in Office of Secretary of State April 23, 1987.

CHAPTER 173

[Engrossed House Bill No. 248]

STATE PATROL RETIREMENT ALLOWANCES REVISED

AN ACT Relating to state patrol retirement allowances; amending RCW 43.43.275; adding a new section to chapter 43.43 RCW; making an appropriation; providing an effective date; and declaring an emergency.

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

Sec. 1. Section 3, chapter 96, Laws of 1979 ex. sess. and RCW 43.43-.275 are each amended to read as follows:

(1) Notwithstanding any provision of law to the contrary, effective July 1, ~~((1979))~~ 1987, no beneficiary receiving a retirement allowance pursuant to this chapter shall receive less than ~~((ten))~~ thirteen dollars per month for each year of service creditable to the person whose service is the basis of the retirement allowance. Portions of a year shall be treated as fractions of a year and the decimal equivalent shall be multiplied by ~~((ten))~~ thirteen dollars. Where the retirement allowance was adjusted at the time benefit payments to the beneficiary commenced, the minimum retirement allowance provided in this subsection shall be adjusted in a manner consistent with that adjustment. The minimum retirement allowance provided in this subsection shall not be applicable to those receiving benefits pursuant to RCW 43.43.040 or 43.43.270 (3) or (4).