



A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY ON PUBLIC CONTRACTS AND PREVAILING WAGE LAW.

WHEREAS, Montana's prevailing wage law applies to public works contracts exceeding \$25,000 entered into for construction or nonconstruction services by the state, a county, municipality, school district, or political subdivision; and

WHEREAS, the methods of establishing wage rates currently include wage surveys, special project rates, valid collective bargaining agreements, and wage rates determined by the federal government; and

WHEREAS, the existing intent, need, impacts, and criteria for establishing wage rates should be reevaluated in the interest of all stakeholders, including Montana's taxpayers, workforce, and statewide and local economies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee or statutory committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

- (1) review and examine practices related to prevailing wage and public works contract law, including:
 - (a) the current method used to establish prevailing wage rates, including travel, per diem, zone pay, and other rates;
 - (b) the use of, intent of, and methods for the determination of prevailing wages in other comparable states;
 - (c) the current responsibilities of the contracting agent, contractor, and subcontractor;
 - (d) the current methods for receiving and responding to wage complaints;

- (e) the effects of prevailing wage laws on Montana's overall labor force earnings;
 - (f) prevailing wage laws' impacts on Montana's statewide and local economies;
 - (g) the effect of altering prevailing wage laws and public work contract law on Montana-based contractors' ability to secure public contracts;
 - (h) the role, if any, that prevailing wage laws play in maximizing Montana's public dollars throughout the Montana economy; and
 - (i) any other necessary prevailing wage or public works contract requirements; and
- (2) allow the committee to make recommendations for statutory, rule, or other regulatory changes, if considered appropriate.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2022.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 68th Legislature.

- END -

I hereby certify that the within bill,
SJ 13, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2021.

Speaker of the House

Signed this _____ day
of _____, 2021.

SENATE JOINT RESOLUTION NO. 13

INTRODUCED BY S. HINEBAUCH

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