

SENATE BILL NO. 264

INTRODUCED BY J. SMALL

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING CONTRACT REQUIREMENTS FOR WORK COMPLETED TO IMPLEMENT A REMEDIATION PLAN; AMENDING SECTION 75-8-107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 75-8-107, MCA, is amended to read:

"75-8-107. Degree of cleanup required -- labor requirements. (1) A remediation plan must demonstrate that it will meet the requirements of subsection (2) and attain a degree of cleanup of the affected property consistent with, but not more stringent than, applicable legal obligations, giving consideration to reasonably anticipated future uses of affected property.

(2) When contracting for the performance of construction, alteration, demolition, installation, repair, or maintenance work to implement a remediation plan, an owner shall require that its contractors and any subcontractors use a skilled and trained workforce to perform all remediation. Contracts signed must require contractors and subcontractors to:

(a) pay the standard prevailing rate of wages as defined in 18-2-401 for remediation; and
(b) pay apprentice wage rates, as applicable, in accordance with 39-6-108 for remediation completed by an apprentice employed by a contractor or subcontractor."

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

NEW SECTION. Section 3. Applicability. [This act] applies to remediation that occurs on or after [the effective date of this act].

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