

SENATE BILL NO. 264

INTRODUCED BY J. SMALL, B. BENNETT, T. JACOBSON, J. KEANE, R. LYNCH, M. MCNALLY,  
S. STEWART PEREGOY, S. WEBBER

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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