

HOUSE BILL 671

IN THE HOUSE

February 8, 1979

Introduced and referred to
Committee on Labor and Employment
Relations.

February 15, 1979

Committee recommend bill, do
pass.

February 17, 1979

Second reading, do not pass.

1 *HOUSE* BILL NO. *671*
 2 INTRODUCED BY *Mencher Hammett Durlin*
 3 *Daily Carlmit Brand Manning Hillen*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE *D. APPROVAL*
 5 OF PUBLIC WORKS CONTRACTS UNLESS THE CONTRACTOR,
 6 SUBCONTRACTOR, OR EMPLOYER CERTIFIES TO THE CONTRACTING
 7 AUTHORITY THAT HE PROVIDES AND WILL CONTINUE TO PROVIDE HIS
 8 EMPLOYEES WITH A HEALTH AND WELFARE PROGRAM AND A PENSION
 9 PLAN; AMENDING SECTIONS 18-2-404 AND 18-2-405, MCA."
 10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 18-2-404, MCA, is amended to read:
 13 "18-2-404. Approval of contract -- bond. (1) All
 14 public works contracts under this part shall be approved in
 15 writing by the legal adviser of the contracting state,
 16 county, municipal corporation, school district, assessment
 17 district, or special improvement district body or officer
 18 prior to execution by the contracting public officer or
 19 officers.
 20 ~~(2) Approval of all public works contracts must be~~
 21 ~~denied by the contracting state, county, municipal~~
 22 ~~corporation, school district, assessment district, or~~
 23 ~~special improvement district body or officer unless the~~
 24 ~~contractor, subcontractor, or employer certifies to the~~
 25 ~~contracting authority that he provides and will continue to~~

1 ~~provide a participating health and welfare program or~~
 2 ~~registered pension plan for his employees.~~
 3 ~~(2)(3) In all contracts entered into under the~~
 4 ~~provisions of this part at least \$1,000 of the contract~~
 5 ~~price shall be withheld at all times until the termination~~
 6 ~~of the contract."~~
 7 Section 2. Section 18-2-405, MCA, is amended to read:
 8 "18-2-405. When fringe benefits paid as wages.
 9 Whenever the ~~contractor, subcontractor, or employer~~ is not
 10 signatory party to a collective bargaining agreement, those
 11 moneys designated as negotiated fringe benefits, ~~other than~~
 12 ~~participating health and welfare programs or registered~~
 13 ~~pension plans~~ shall be paid to the employee as wages."

-End-