

SENATE BILL NO. 272

INTRODUCED BY S. HINEBAUCH

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DETERMINATION OF ZONE PAY AND PER DIEM RELATED TO PREVAILING WAGES; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 18-2-419, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

**Section 1.** Section 18-2-419, MCA, is amended to read:

**"18-2-419. Zone pay and per diem -- definition.** (1) Using the surveys provided for in 18-2-413 through 18-2-415, the department shall establish zone pay and per diem for the applicable construction or nonconstruction services and trade classifications in a prevailing wage rate district determined under 18-2-411.

(2) (a) The department shall set for each prevailing wage rate district a standard zone pay and standard per diem in increments.

(b) The increments for zone pay must provide a free zone up to 30 miles from the nearest dispatch city and two levels of increase, with the first level starting at 30 miles from the nearest dispatch city and the second level starting at 60 miles from the nearest dispatch city.

(c) The increments for per diem must provide a free zone up to 70 miles from the nearest dispatch city and two levels of increase, with the first level starting at 70 miles from the nearest dispatch city and the second level starting at 140 miles from the nearest dispatch city.

(3) The dispatch cities for the purposes of zone pay and per diem are: Billings, Bozeman, Butte, Glasgow, Great Falls, Havre, Helena, Kalispell, Lewistown, Miles City, Missoula, and Sidney.

(4) If there is not sufficient data reported to establish zone pay or per diem for a trade classification from the surveys, the department may establish a standard zone pay or a standard per diem amount that reasonably approximates an applicable average zone pay or per diem rate that is payable for the trade classification.

(5) For the purposes of this section, "zone pay" is an amount added to the base wage used in calculating the standard prevailing rate of wages. Although calculated by the road miles one way over the shortest practical maintained route from the nearest dispatch city to the center of the job site, the zone pay is not a travel allowance, which is based on travel both to and from a job site and subject to special provisions determined by the

1 department by rule for each trade classification."

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3 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2019.

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