

January 17, 2011

TO: MPMCSA MEMBERS

FROM: RONNA ALEXANDER, E.D.

LEGISLATIVE BULLETIN:

Week Two: Committees began hearing bills the second week of the Session with both parties putting forth their objectives for the next 85 days; the real work begins now. The issue spotlight for this report is medical marijuana reform. Over the past year and a half the number of people in Montana with medical marijuana cards has grown from a few thousand to almost 28,000. That's almost 3% of the population that is now "legally" using the cannabis. Consequently, more businesses are finding out about employees who are now using the drug and concerns are growing within the business community. The medical marijuana law was passed by 62% of voters in 2004 however, it's clear that a majority of the public may have buyer's remorse regarding their decision to approve medical marijuana. The Montana Chamber formed a work group to develop ideas to firm up employer rights for medical marijuana situations in the workplace. Those ideas include:

1. Disallowing wrongful discharge lawsuits and discrimination lawsuits against employers who fire people who use MM in the course of employment;
2. Expanding drug testing laws so employers have more certainty in the law on who can be lawfully tested;
3. Saying that work comp insurers and health insurance does not have to cover medical marijuana; and
4. Stating that medical use of marijuana cannot enhance disability benefits in work comp.

The Chamber is asking for support for House Bill 43 introduced by Representative Gary MacLaren in their efforts to bring common sense reform to this law. I have heard from some of you in the past with concerns about this issue; if you have specific experiences with medical marijuana in your workplace, please let us know what those were so we can assist the Chamber with HB43.

BILLS REPORT

Each week we will send a legislative update to your inboxes; the report will also be available on the Montana/WPMA website. You can also monitor bills yourself by creating a preference list on the Legislative website; http://leg.mt.gov/css/Sessions/62nd/laws_pref.asp.

SENATE BILL 9: *Senator Keane/Butte* To allow mixing zones at petroleum contaminated sites; resulting in a closure (no further action) letter from the DEQ and releasing the site from any further cleanup or monitoring action. This is the concept that the Association has been working on for several years and which the Environmental Quality Council Interim Committee unanimously endorsed at their October meeting last fall. The first hearing on the bill is scheduled for January 19th, at 3:00 pm in Senate Natural Resources. POSITION: SUPPORT

NOTE: We will be asking members to send their messages of support when the Committee has heard the bill.

SENATE BILL 20: *Senator Jim Shockley/Victor*. The bill would require labels on retail dispensers indicating the percentage of ethanol present in a particular grade of fuel and; require that a label be placed on the dispenser stating that the fuel grade did NOT contain ethanol if no blend was present. A hearing is scheduled for January 18th at 3:00 pm in the Senate Energy Committee. POSITION: OPPOSE

SENATE BILL 29: *Senator Lynda Moss/Billings*. This is the bill that was endorsed by the Interim Law & Justice Committee to require mandatory training for the sales/service of alcohol. The Association along with other affected organizations is negotiating with the sponsor for certain

amendments that if accepted, would insure our support for the bill. The amendments include; a three-year certification, statewide pre-emption to local governments seeking to pass similar ordinances and, assurance that the State/Department of Revenue is not a provider of certified training. The bill has yet to be scheduled for a hearing.

BILLS TO BE MONITORED:

HOUSE BILL 112: *Representative Tim Furey/Missoula* The bill was requested by the Department of Revenue and would put in law the types of legal identification to be used in conducting sales/service of alcohol. The bill states that if there is reasonable doubt as to the purchasers age the seller/server will require the individual to present one of the following ID's: A current drivers license issued by a state of the US or territory of Canada; A current ID card issued by a state of the US or territory of Canada; A current US armed forces ID; a valid passport; a current "green card"; a current tribal ID issued by a Montana tribal government or; MT temporary ID card or driver's license that was issued to the individual within the preceding 30 days.

HOUSE BILL 201: *Representative Wendy Warbuton/Havre* This bill would allow guns in a business parking lot, affecting your property rights and opening exposure to frivolous lawsuits. It would essentially ban any employer from prohibiting firearms in employee vehicles that are parked on company property. The Montana Chamber will be opposing this bill.