

January 31, 2011

TO: MPMCSA MEMBERS

FROM: RONNA ALEXANDER, E.D.
LEGISLATIVE BULLETIN:

HAPPY VALENTINE'S DAY!!!

Week Six: I'm sure you've heard or read in the media, medical marijuana bills are advancing including House Bill 161 which would repeal the entire act. The Association has supported House Bill 43 which clarifies the legal standings of businesses regarding the dismissal of employees in a medical marijuana situation; this bill has passed the House and will be heard in the Senate after transmittal break which is the week of February 21st.

WORKMEN'S COMPENSATION: Thank you to everyone who took time to contact legislators about House Bill 334 by Rep. Scott Reichner-Big Fork, that would reform the work comp system and is projected to save employers 25% in premiums in the first year. The bill has passed the House and is now being considered by the Appropriations Committee. The Governors' work comp bill, Senate Bill 243 was tabled in the Senate Business Committee but it is likely that some of the provisions of that bill will become part of HB334. As the bill moves forward it is important that businesses stay involved to give legislators the incentive to fend off a potential veto by the Governor.

BILLS REPORT

Each week we will send a legislative update to your inboxes; the report will 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

HOUSE BILL 201/368: GUNS IN THE WORKPLACE: *Representative Wendy Warbuton/Havre.*
I'm happy to report that this bill was tabled in the House Judiciary Committee!

SENATE BILL 29: MANDATORY ALCOHOL SALES TRAINING: *Senator Lynda Moss/Billings.*
This bill barely survived a committee vote, 6-5 and then barely survived a vote in the Senate.....it passed yesterday on a final vote of 25-24 with one excused member who probably would have voted no; tie votes causing the bill to fail. It became clear that Senate Republicans do not want to pass any kind of regulatory mandates on business. A couple of us met with Senate leadership and we had agreed to let the bill fail after a preliminary vote of 27-22; the caucus position was to kill the bill however, a couple Democrats and one Republican changed their votes causing it to pass. We will discuss this bill and the current language of it at the meeting in Las Vegas to determine the course of action from here.

HOUSE BILL 398: ALTERNATIVE FUEL TAX CREDITS: *Representative Chuck Hunter/Helena.*
HB398 would allow a commercial facility a \$500 income tax credit for the installation of alternative fuel dispensing equipment. The alternative fuels that would qualify are; CNG, LPG, LNG, hydrogen, E85 and electricity. Anyone purchasing an electric plug-in vehicle would be allowed a \$1,000 income tax credit. POSITION: Neutral

HOUSE BILL 434: TRANSPORTER LIABILITY: *Representative Steve Fitzpatrick/Great Falls.*
The Association will be supporting a bill that comes in response to a recent Supreme Court decision that found that a "transporter" of hazardous materials can be held liable for a state Superfund cleanup simply by being an "arranger" for delivery of a product, when the receiving entity spilled, leaked or dumped hazardous material into the environment. The bill clarifies that a transporter cannot be held

liable unless the contract with the customer specifically states that the fuel is intended to be “disposed” of. The bill will be heard in the House Natural Resources Committee Monday afternoon.

HOUSE BILL 509: FUEL TAX EXEMPTION FOR INDEPENDENT SCHOOL BUS

CONTRACTORS: *Representative Edie McClafferty/Butte.* The bill would allow independent school bus contractors to use dyed fuel or, receive a refund if under contract with a school district solely to transport students for school-related purposes. POSITION: Neutral