

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Joe Balyeat, on March 2, 2011 at 10:00 A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chair (R)
Sen. Verdell Jackson, Vice Chair (R)
Sen. Tom Facey (D)
Sen. Carmine Mowbray (R)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Mitch Tropila (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Frederick (Eric) Moore (R)
Sen. Jonathan Windy Boy (D)
Sen. Bruce Tutvedt (R)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 43, 2/23/2011

Executive Action: HB 44, Be Concurred In; HB 57, Be Concurred In; HB 84, Be Concurred In

HEARING ON HB 43**Opening Statement by Sponsor:**

00:01:47 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 43, Clarifying employer's rights related to employee use of medical marijuana.

Proponents' Testimony:

00:05:14 Jon Bennion, Montana Chamber of Commerce (MCC)
00:11:15 Larry Jones, Attorney, Liberty Mutual (LM) Liberty Mutual Northwest
00:13:15 Sheryl Wood, Montana Association of Counties (MaCO)
00:15:49 Rebecca Sturdevant, self

EXHIBIT(bus47a01)

00:17:40 Sen. Moore arrived.

00:17:43 Dave Galt, Executive Director, Montana Petroleum Industry (MPI)
00:18:08 Kevin Braun, Montana State Fund (MSF)
00:19:07 Bob Worthington, Montana Contractors Compensation Fund (MCCF)
00:19:42 Riley Johnson, National Federation of Independent Businesses (NFIB)
00:20:07 Barry 'Spook' Stang, Executive Vice President, Montana Motor Carriers (MCM)
00:20:54 Alan Hulse, CEO, Montana Municipal Interlocal Authority (MMIA)
00:22:01 Cary Hegreberg, Montana Contractors Association (MCA), and MCCF
00:22:44 Aiden Myhre, Plum Creek Timber Company, Montana Dakota Utilities (MDU)
00:23:11 John Flink, Montana Hospital Association (MHA), also five Catholic Hospitals
00:23:47 Aimee Grmoljez, Billings Clinic, Montana Bankers Association (MBA)
00:24:10 Ronda Wiggers, Great Falls Chamber of Commerce, Helena Chamber of Commerce

00:24:31 Pat Keim, Columbia Grain Incorporated (CGI), Great Falls
00:25:33 Bruce Spencer, Property Casualty Insurers (PCI); also appearing for Jacqueline Lenmark, American Insurance Association (AIA); Dwight Easton, Farmers Insurance Group (FIG); and Montana Auto Dealers (MAD)

00:26:41 Holly Franz, Montana Society of Certified Public Accountants (MSCPA)
00:27:02 Margaret Morgan, Independent Electrical Contractors (IEC)
00:27:26 Patrick Heffernan, Montana Wood Products Association (MWPA)
00:27:47 Dustin Stewart, Montana Building Industry (MBI)

Opponents' Testimony:

00:28:09 JC Weingartner, Montana Education Association-Montana Federation of Teachers (MEA-MFT)

00:35:54 Tom Daubert, Patients and Families United (PFU)

EXHIBIT(bus47a02)
EXHIBIT(bus47a03)

00:41:29 Jim Gingery, Executive Director, Montana Medical Growers Association (MMGA)

EXHIBIT(bus47a04)

00:45:24 Niki Zupanic, Public Policy Director, American Civil Liberties Union (ACLU)
00:47:52 Kate Cholewa, Alliance for Cannabis Science (ACS)
00:48:37 Andrea Olsen, Montana Trial Lawyers (MTL)

Informational Testimony:

00:53:14 Mark Cadwallader, Attorney, Department of Labor and Industry (DOLI)

00:53:59 Sen. Steinbeisser left the room.

Questions from Committee Members and Responses:

00:54:16 Sen. Mowbray
 00:54:43 Mr. Cadwallader, DOLI
 00:56:24 Sen. Moore
 00:58:45 Mr. Cadwallader
 00:58:56 Sen. Jackson
 01:02:11 Mr. Gingery, MMGA
 01:03:23 Chairman Balyeat
 01:03:27 Mr. Daubert, PFU
 01:05:03 Sen. Jackson
 01:05:15 Ms. Sturdevant, self
 01:08:04 Sen. Tropila
 01:10:04 Mr. Jones, LN
 01:11:22 Sen. Facey
 01:13:27 Mr. Jones
 01:14:06 Sen. Facey
 01:14:12 Mr. Weingartner, MEA-MFT
 01:15:48 Sen. Mowbray
 01:17:14 Ms. Sturdevant
 01:17:28 Sen. Tropila
 01:24:18 Ms. Sturdevant
 01:24:23 Chairman Balyeat
 01:24:49 Ms. Sturdevant
 01:26:05 Sen. Stewart-Peregoy
 01:27:59 Ms. Sturdevant
 01:28:12 Sen. Tropila
 01:29:29 Mr. Worthington, MCCF
 01:31:07 Sen. Facey
 01:32:09 Mr. Cadwallader
 01:33:36 Sen. Moore
 01:33:58 Mr. Cadwallader
 01:35:05 Chairman Balyeat
 01:38:18 Mr. Cadwallader
 01:39:14 Chairman Balyeat
 01:39:17 Ms. Sturdevant
 01:39:49 Sen. Moore
 01:40:51 Mr. Bennion
 01:43:20 Chairman Balyeat
 01:43:55 Mr. Bennion
 01:44:44 Sen. Tropila
 01:45:40 Ms. Cholewa, ACS

Closing by Sponsor:

01:48:07 Rep. MacLaren
01:50:31 Chairman Balyeat

EXECUTIVE ACTION ON HB 44

01:51:36 **Motion:** Sen. Facey moved that **HB 44 BE CONCURRED IN.**

Discussion:

01:51:45 Sen. Facey

01:52:15 **Vote:** Motion carried unanimously by voice vote. Sen. Steinbeisser, Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Facey will carry the bill on the Senate floor.

EXECUTIVE ACTION ON HB 57

01:53:09 **Motion:** Sen. Facey moved that **HB 57 BE CONCURRED IN.**

Discussion:

01:53:32 Sen. Facey

01:53:43 **Vote:** Motion carried unanimously by voice vote. Sen. Steinbeisser, Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Tropila will carry the bill on the Senate floor.

EXECUTIVE ACTION ON HB 84

01:54:28 **Motion:** Sen. Facey moved that **HB 84 BE CONCURRED IN.**

Discussion:

01:55:03 Sen. Facey
01:55:34 Chairman Balyeat

01:55:44 **Vote:** Motion carried unanimously by voice vote. Sen. Steinbeisser, Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Facey will carry the bill on the Senate floor.

01:56:27 Chairman Balyeat

01:56:36 Ms. Murdo
01:57:40 Chairman Balyeat

ADJOURNMENT

Adjournment: 11:58 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus47aad.pdf](#))