



MONTANA CONTRACTORS' ASSOCIATION

2011 LEGISLATIVE SCORE CARD



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MONTANA CONTRACTORS' ASSOCIATION 2011 LEGISLATIVE SCORE CARD

The 62nd Regular Session of the Montana Legislature convened Monday, January 3, 2011. Adjournment was on April 28th, 2011, two days to spare out of the 90 days allowed by law.

Republicans held a majority in both chambers: 68 Republicans to 32 Democrats in the House, and 28 Republicans to 22 Democrats in the Senate. Of the 150 legislators, 47 were new and 40 of those freshman legislators were in the House. is seating 40 of those freshman.

Governor Brian Schweitzer (D) is in his second and last, four year term as governor. This was the last regular legislative session before his term limit is up.

Bills selected for the MCA 2011 Legislative Score Card represented public construction projects funding, project bidding, gravel resources access, county zoning, labor relations including medical marijuana, business equipment tax relief, workers comp, state-required environmental reviews of projects, and eminent domain

MCA wishes to thank all members that responded to legislative alerts with calls, emails and faxes to legislators. The involvement of members is critical.



Representative Tom Burnett visits with MCA President Tony Martel, Martel Construction



MCA's Ron Pike, Sime Construction, visits with Senator Art Wittich

Scoring Methodology

FLOOR VOTES: Floor votes can include second or third reading votes, or votes on motions that set the outcome of a bill. Points are awarded to legislators for each floor vote that supported MCA's position. Points are listed in each bill column header. No points are awarded or deducted for votes against MCA's position. Floor votes for which a legislator is excused or absent are not factored into the final score so they do not affect the legislator's final score neither positively nor negatively.

COMMITTEE VOTES: One point is awarded to legislators for each vote in committee on selected bills that supported MCA's position. No points are awarded or deducted for votes against the MCA's position.

BILL SPONSOR POINTS: Two points are awarded to a legislator who sponsors selected MCA Supported or Pro-Business bills. Two points are deducted if a legislator sponsors selected MCA Opposed or Anti-Business bills. Selected bills are listed on the pages titled "Bills Selected to Determine Sponsor

Score Formula

$$\begin{aligned} & \text{Floor vote points earned} + \text{Sponsor points} + \text{Committee vote points earned} \\ & \div \\ & (\text{possible floor vote points} + \text{possible committee vote points}) \\ & = \\ & \text{MCA Score} \end{aligned}$$

If a legislator earns all possible floor vote points and all possible committee vote points plus sponsors a good bill thus gaining 2 more points, the legislator can earn a score of more than 100%. MCA chooses to report the highest score as 100%.



Cary Hegreberg and Ron Pike talk business with Senator Ron Arthun



Senator Jim Peterson and Representative Mike Milburn brand the Jobs Bill Package

MCA Position Weighting points Bill	yes	no	yes	yes	yes	yes	yes	no	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	Sponsor Points	Committee Votes	MCA Score
	1	1	3	6	1	1	1	3	6	3	3	6	3	6	1	3	6	3	6	3	6	3			
	HB 43	HB 71	HB 161	HB 198	HB 274	HB 300	HB 319	HB 321	HB 334	HB 351	HB 366	HB 402	HB 439	HB 439	HB 603	SB 183	SB 233	SB 287	SB 372	SB 379					
Knox, James (R-Billings)	+	--	+	+	+	+	+	--	+	+	+	+	--	+	+	+	--	+	+	+	+			76%	
Knudson, Austin (R-Culbertson)	+	--	--	e	+	+	e	--	+	+	+	+	--	+	+	+	+	+	+	+	+			73%	
Lavin, Steve (R-Kalispell)	+	--	+	+	+	+	+	--	+	+	+	+	+	+	+	+	+	+	+	+	+		0 of 1	93%	
Loney, Cleve (R-Great Falls)	+	--	+	+	+	+	+	--	+	+	+	+	+	+	+	+	+	--	+	+	+			89%	
MacDonald, Margaret (D-Billings)	+	+	--	--	--	+	+	+	--	+	--	--	+	+	--	--	--	+	--	--	--			33%	
MacLaren, Gary (R-Victor)	+	--	+	+	+	+	+	--	+	+	+	+	+	+	+	+	+	+	+	+	+			94%	
Malek, Sue (D-Missoula)	+	+	--	--	--	+	+	+	--	--	--	--	+	+	--	--	--	+	--	--	--			29%	
McChesney, Bill (D-Miles City)	+	+	--	+	--	+	+	+	--	+	--	+	+	+	--	--	+	+	--	+	+			65%	
McClafferty, Edith (D-Butte)	--	+	--	--	--	+	+	+	--	--	--	--	+	+	--	--	+	+	--	--	--			36%	
McGillvray, Tom (R-Billings)	+	--	+	+	+	+	+	--	+	+	+	+	--	+	+	+	+	+	+	+	+	-2		82%	
McNally, Mary (D-Billings)	+	+	--	+	--	+	+	+	--	+	--	--	+	+	--	--	--	+	--	--	--			42%	
McNiven, Jonathan (R-Huntley)	+	--	+	+	+	+	+	--	+	+	+	+	--	--	+	+	+	+	+	+	+		3 of 3	81%	
McNutt, Walt (R-Sidney)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	--	+	+	+	+	+	+			98%	
Mehlhoff, Robert (D-Great Falls)	+	--	--	+	+	+	+	+	--	+	--	--	+	+	--	--	+	+	--	--	--			52%	
Menahan, Mike (D-Helena)	+	+	--	+	--	+	+	+	--	+	--	--	+	+	--	--	--	+	--	--	--			42%	
Milburn, Mike (R-Cascade)	+	--	+	+	+	+	+	--	+	+	+	+	+	--	+	+	+	+	+	+	+	+2		88%	
Miller, Mike (R-Helmville)	+	--	--	--	+	+	+	--	+	+	+	+	+	+	+	+	+	+	+	+	+			80%	
More, Michael (R-Gallatin Gateway)	+	--	+	--	+	+	+	+	--	+	+	+	--	--	+	+	+	--	+	+	+	-2		55%	
Noonan, Pat (D-Ramsay)	--	+	--	--	--	+	+	+	--	--	--	--	+	+	--	--	+	+	--	--	--		2 of 3	38%	
O'Hara, Jesse (R-Great Falls)	+	--	+	+	+	+	+	--	+	+	+	+	+	+	+	+	+	+	+	+	+			94%	
O'Neil, Jerry (R-Columbia Falls)	+	--	--	--	+	+	--	--	+	+	+	+	--	--	+	+	+	--	+	--	--		1 of 1	57%	
Osmondson, Ryan (R-Butte)	+	--	+	+	+	+	+	--	+	+	+	+	--	--	+	+	+	+	+	+	+			80%	
Pease-Lopez, Carolyn (D-Billings)	--	+	--	--	--	+	+	+	--	--	--	--	+	+	--	--	--	+	--	--	--			27%	
Peterson, Ken (R-Billings)	+	--	+	+	+	+	+	--	+	+	+	+	+	+	+	+	+	+	+	+	+	+2		97%	
Phillips, Mike (D-Bozeman)	--	+	--	+	--	+	+	+	e	--	--	--	+	+	--	--	--	+	--	--	--			40%	
Price, Jean (D-Great Falls)	+	+	--	+	--	+	+	+	--	+	--	--	+	+	--	--	--	+	--	--	--			42%	
Randall, Lee (R-Broadus)	+	--	+	--	+	+	+	--	+	+	+	+	--	--	+	+	+	--	+	+	+		1 of 1	67%	
Read, Joe (R-Ronan)	+	--	+	+	--	+	--	--	+	+	+	+	+	+	+	+	+	+	+	+	+			91%	
Regier, Keith (R-Kalispell)	+	--	+	+	+	+	+	--	+	+	+	+	--	--	+	+	+	+	+	+	+			80%	
Reichner, Scott (R-Bigfork)	+	--	+	+	+	+	+	--	+	+	+	--	+	+	+	+	+	+	+	+	+	+2	3 of 3	88%	
Reinhart, Michele (D-Missoula)	--	+	--	--	--	+	+	+	--	+	--	--	+	+	--	--	--	+	--	--	--		2 of 3	33%	
Roberts, Don (R-Billings)	+	--	+	+	+	+	+	--	+	+	--	+	+	+	+	+	+	+	+	+	+			89%	
Rosendale, Matthew (R-Glendive)	+	--	+	--	+	+	+	--	+	+	+	+	--	--	+	+	+	+	+	+	+	+4	4 of 4	79%	
Salomon, Daniel (R-Ronan)	+	--	+	+	+	+	+	--	+	+	+	+	+	+	+	+	+	+	+	+	+		3 of 3	94%	
Sands, Diane (D-Missoula)	+	+	--	--	--	+	+	+	--	--	--	--	+	+	--	--	--	+	--	--	--			29%	
Schmidt, Trudi (D-Great Falls)	+	+	--	+	--	+	+	+	--	--	--	--	+	+	--	--	--	+	--	--	--			38%	
Sesso, Jon (D-Butte)	--	+	--	--	--	+	+	+	--	--	--	--	+	+	--	--	--	+	--	--	--			36%	
Skattum, Dan (R-Livingston)	+	--	+	+	+	+	+	--	+	--	+	+	--	--	+	+	+	--	+	+	+			71%	
Skees, Derek (R-Whitefish)	+	--	+	--	+	+	+	--	+	+	+	+	--	--	+	+	+	--	+	+	+			67%	
Small, Sterling (R-Busby)	+	--	--	+	+	+	+	--	+	+	+	+	+	+	+	+	+	+	+	+	+		3 of 3	90%	
Smith, Cary (R-Billings)	+	--	+	+	+	+	+	--	+	+	+	+	--	--	+	+	+	--	+	+	+		3 of 3	77%	
Smith, Frank (D-Poplar)	+	--	--	+	--	+	+	+	--	--	--	--	+	+	--	--	--	+	--	--	--		1 of 1	42%	
Squires, Carolyn (D-Missoula)	--	+	--	+	--	+	+	+	--	--	--	--	+	+	--	--	--	+	--	--	--		3 of 4	39%	
Stahl, Wayne (R-Saco)	+	--	+	+	+	+	+	--	+	+	+	+	+	--	+	+	+	+	+	+	+			85%	
Swanson, Kathy (D-Anaconda)	--	+	--	+	--	+	+	+	--	e	--	--	+	+	--	--	+	+	--	--	--		1 of 1	48%	
Taylor, Janna (R-Dayton)	+	--	+	+	+	+	+	--	+	+	+	+	--	--	+	+	+	+	+	+	+			80%	
Vance, Gordon (R-Bozeman)	+	--	+	+	+	+	+	--	+	+	+	+	--	--	+	+	+	+	+	+	+		4 of 4	81%	
Wagner, Bob (R-Harrison)	+	--	+	--	+	+	--	--	+	--	+	+	--	--	+	+	+	--	+	+	+			61%	
Warburton, Wendy (R-Havre)	+	--	+	+	+	+	+	--	+	+	+	+	+	+	+	e	+	e	+	+	+			93%	
Washburn, Ted (R-Bozeman)	+	--	+	+	+	+	+	--	+	+	+	+	+	--	+	+	+	+	+	+	+			85%	
Welborn, Jeffrey (R-Dillon)	+	+	+	--	--	+	+	--	+	--	+	--	+	+	+	+	+	+	+	+	+		3 of 3	72%	
Williams, Kathleen (D-Bozeman)	+	+	--	--	--	+	+	+	--	+	--	--	+	+	--	--	--	+	--	--	--			33%	
Wilmer, Franke (D-Bozeman)	+	+	--	+	--	+	+	+	--	--	--	--	+	+	--	--	--	+	--	--	--			38%	
Yates, Max (R-Butte)	+	--	+	--	--	+	+	--	+	e	--	--	e	+	--	+	+	+	+	+	+			65%	

+ = vote for MCA position -- = vote against MCA position
a = Absent (not counted in score) e = Excused (not counted in score)

SENATE

MCA Position Weighting points Bill	Provide for a primary seat belt law	Revise interim zoning laws	Generally revise environmental impact laws	Require officers or managers of LLC's to obtain work comp	Lower business equipment tax	Generally revise county zoning laws	Clarifying employer's rights re employee use of med marijuana	Repeal medical marijuana law	Generally revise eminent domain laws	Allow more than 8 hour workday for certain industries if agreed to	Require contractors to list special fuel users' permit on bids for govt projects	Generally revise workers' compensation	Treasure state endowment appropriations	Revise county interim zoning law	Revise zoning laws for sand and gravel	General obligation bonds for state government	Sponsor Points	Committee Votes	MCA Score
	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes			
	1	3	6	3	6	3	1	3	6	1	1	6	3	3	6	6			
	SB 82	SB 183	SB 233	SB 287	SB 372	SB 379	HB 43	HB 161	HB 198	HB 300	HB 319	HB 334	HB 351	HB 366	HB 402	HB 439			
Arthun, Ron (R-Wilsall)	--	+	+	+	+	+	+	+	--	+	+	+	+	+	--	+		0 of 2	75%
Augare, Shannon (D-Browning)	--	--	+	+	--	--	+	--	--	+	+	+	+	--	--	+			47%
Balyeat, Joe (R-Bozeman)	--	+	+	--	+	+	+	+	--	+	+	+	--	+	+	--		0 of 2	65%
Barrett, Debby (R-Dillon)	--	+	+	+	+	+	+	+	--	+	+	+	+	+	+	--			78%
Blewett, Anders (D-Great Falls)	+	--	--	+	--	--	--	--	+	+	+	+	--	--	--	+		1 of 2	42%
Branae, Gary (D-Billings)	+	--	--	+	--	--	--	--	+	+	+	+	--	--	--	+		0 of 1	41%
Brenden, John (R-Scobey)	--	+	+	+	+	+	+	+	--	+	--	+	+	+	+	--			76%
Brown, Taylor (R-Huntley)	--	+	+	+	+	+	+	+	--	+	+	+	+	+	+	--	+2	1 of 1	81%
Buttrey, Edward (R-Great Falls)	--	+	+	--	+	+	+	+	+	+	+	+	+	+	+	+		1 of 2	92%
Caferro, Mary (D-Helena)	+	--	--	+	--	--	--	--	+	+	+	+	--	--	--	+		1 of 2	42%
Erickson, Ron (D-Missoula)	+	--	--	+	--	--	--	--	+	+	+	--	--	--	--	+			31%
Essmann, Jeff (R-Billings)	+	+	+	+	+	+	+	+	--	+	+	+	+	+	+	--		1 of 1	80%
Facey, Tom (D-Missoula)	+	--	--	+	--	--	+	--	+	+	+	+	--	--	--	+		1 of 3	43%
Gallus, Steve (D-Butte)	+	+	+	+	--	+	--	--	+	+	+	--	--	--	--	+			52%
Gillan, Kim (D-Billings)	+	--	--	+	--	--	+	--	+	+	+	+	--	--	--	+			43%
Hamlett, Bradley (D-Cascade)	+	--	+	+	--	--	+	--	+	+	+	+	+	--	--	+			59%
Hawks, Bob (D-Bozeman)	+	--	--	+	--	--	--	--	+	+	+	+	--	--	--	+		0 of 1	41%
Hinkle, Greg (R-Thompson Falls)	--	+	+	--	+	+	+	+	--	+	--	+	--	+	+	--			66%
Hutton, Rowlie (R-Havre)	--	+	+	+	+	+	+	+	--	+	+	+	+	+	+	+			88%
Jackson, Verdell (R-Kalispell)	--	+	+	--	+	+	+	+	+	+	+	+	+	+	+	--		1 of 2	82%
Jent, Larry (D-Bozeman)	+	--	--	+	--	--	+	+	+	+	+	+	--	--	--	+			48%
Jones, Llew (R-Conrad)	--	+	+	+	+	+	+	+	--	+	+	+	+	+	--	+		1 of 2	77%
Kaufmann, Christine (D-Helena)	+	--	--	+	--	--	--	--	+	+	+	--	--	--	--	+			31%
Keane, Jim (D-Butte)	+	+	+	+	--	+	--	--	+	+	+	+	--	--	--	+	+4	1 of 2	68%
Lake, Bob (R-Hamilton)	--	+	+	--	+	+	+	+	+	+	+	+	+	+	+	+		0 of 1	92%
Larsen, Cliff (D-Missoula)	+	--	--	+	--	--	--	--	+	+	+	+	--	--	--	+			41%
Lewis, Dave (R-Helena)	--	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+			98%
Moore, Eric (R-Miles City)	--	+	+	+	+	+	+	+	--	+	+	+	+	+	+	--		2 of 3	77%

+ = vote for MCA position -- = vote against MCA position
a = Absent (not counted in score) e = Excused (not counted in score)

MCA Position Weighting points Bill	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	Sponsor Points	Committee Votes	MCA Score
	1	3	6	3	6	3	1	3	6	1	1	6	3	3	6	6				
	SB 82	SB 183	SB 233	SB 287	SB 372	SB 379	HB 43	HB 161	HB 198	HB 300	HB 319	HB 334	HB 351	HB 366	HB 402	HB 439				
Moss, Lynda (D-Billings)	+	--	--	+	--	--	--	--	--	+	+	+	--	--	--	+			31%	
Mowbray, Carmine (R-Polson)	--	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+		2 of 4	95%	
Murphy, Terry (R-Cardwell)	--	+	+	+	+	--	+	--	+	+	+	+	+	--	+	--			72%	
Olson, Alan (R-Roundup)	--	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+2		100%	
Peterson, Jim (R-Buffalo)	--	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+			98%	
Priest, Jason (R-Red Lodge)	--	+	+	--	+	+	+	+	--	+	--	+	--	+	+	--			66%	
Ripley, Rick (R-Wolf Creek)	--	+	+	+	+	+	+	+	--	+	--	+	+	+	+	+		0 of 1	85%	
Shockley, Jim (R-Victor)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+			100%	
Sonju, Jon (R-Kalispell)	--	+	+	--	+	+	+	+	--	+	--	+	--	+	+	--		1 of 2	65%	
Steinbeisser, Donald (R-Sidney)	--	+	+	--	+	+	+	+	--	+	+	+	+	+	+	+		2 of 2	83%	
Stewart-Peregoy, Sharon (D-Crow Agency)	+	--	--	+	--	--	--	--	--	+	+	--	+	--	--	+		2 of 3	28%	
Tropila, Mitch (D-Great Falls)	+	--	--	+	--	--	--	--	--	+	+	+	+	--	--	+		1 of 2	37%	
Tutvedt, Bruce (R-Kalispell)	--	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+2	3 of 4	100%	
Van Dyk, Kendall (D-Billings)	+	--	--	+	--	--	+	--	+	+	+	+	--	--	--	+			43%	
Vincent, Chas (R-Libby)	--	+	+	--	+	+	+	+	+	+	--	+	+	+	+	--			81%	
Vuckovich, Gene (D-Anaconda)	+	--	+	+	--	--	--	--	+	+	+	+	--	--	--	+		2 of 4	52%	
Walker, Edward (R-Billings)	+	+	+	+	+	+	+	+	--	+	--	+	+	+	+	--			78%	
Wanzenried, Dave (D-Missoula)	+	--	--	+	--	--	+	--	--	+	+	+	--	--	--	+		1 of 2	33%	
Williams, Carol (D-Missoula)	+	--	--	+	--	--	--	--	+	+	e	+	--	--	--	+			40%	
Windy Boy, Johathan (D-Box Elder)	+	--	+	+	--	--	--	--	--	+	+	--	--	--	--	+		1 of 2	32%	
Wittich, Art (R-Bozeman)	--	--	--	--	+	+	+	+	--	+	--	+	+	+	--	--			45%	
Zinke, Ryan (R-Whitefish)	--	--	--	--	+	+	+	+	+	+	+	+	+	+	--	+		0 of 3	64%	

+ = vote for MCA position -- = vote against MCA position
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Bills Used for MCA 2011 Legislative Score Card

HB 43 MacLaren, Gary (R-Victor)

Legislative short title: Clarifying the rights of employers relative to the employee's use of medical marijuana.

Score card title: Clarifying employer's rights re employee use of med marijuana

Floor vote weight = 1 point

Summary; Allows employers to prohibit medical use of marijuana, protects employers from wrongful discharge or discrimination relative to employee medical use of marijuana, and limits eligibility for work comp benefits when medical use of marijuana is the major contributing cause.

MCA Position = Support

Votes used:

House Floor 3rd Reading , Feb 9, 2011 Vote with MCA position: Yes	Vote results 84 Yes 15 No 1 Excused/Absent
Senate Floor 3rd Reading , Mar 25, 2011 Vote with MCA position: Yes	Vote results 35 Yes 15 No 0 Excused/Absent

HB 71 Vance, Gordon (R-Bozeman)

Legislative short title: Provide that illegal alien may not receive workers' comp

Floor vote weight = 1 point

Summary: Disallowing illegal aliens receiving work comp benefits poses problems for the business community from the standpoint of liability. There is risk in losing "exclusive remedy" provisions.

MCA Position = Oppose

Votes used:

House Floor 3rd Reading , Jan 19, 2011 Vote with MCA position: No	Vote results 61 Yes 39 No 0 Excused/Absent
Senate Business, Labor & Economic Affairs Committee Motion to table , Vote with MCA position: Yes	Vote results 8 Yes 3 No
Voting Yes Facey, Tom (D-Missoula) Moore, Eric (R-Miles City) Steinbeisser, Donald (R-Sidney) Stewart-Peregoy, Sharon (D-Crow Agency) Tropila, Mitch (D-Great Falls) Tutvedt, Bruce (R-Kalispell) Vuckovich, Gene (D-Anaconda) Windy Boy, Johathan (D-Box Elder)	Voting No Balyeat, Joe (R-Bozeman) Jackson, Verdell (R-Kalispell) Mowbray, Carmine (R-Polson)

HB 72 Hollenbaugh, Galen (D-Helena)

Legislative short title: Require bidder workplace safety history

Summary: Requires bidders on public construction projects to have an acceptable workplace safety history. Acceptable amendments were not offered.

MCA Position = Oppose

Vote used:

House Business & Labor Committee Motion to table, Vote with MCA position: Yes	Vote results 14 Yes 7 No
Voting Yes Arntzen, Elsie (R-Billings) Berry, Tom (R-Roundup) Clark, Christy (R-Choteau) Evans, Lila Walter (R-Browning) Greef, Edward (R-Florence) Klock, Harry (R-Harlowton) McNiven, Jonathan (R-Huntley) Reichner, Scott (R-Bigfork) Rosendale, Matthew (R-Glendive) Salomon, Daniel (R-Ronan) Smith, Cary (R-Billings) Small, Sterling (R-Busby) Vance, Gordon (R-Bozeman) Welborn, Jeffrey (R-Dillon)	Voting No Boland, Carlie (D-Great Falls) Court, Virginia (D-Billings) Furey, Timothy (D-Missoula) Hunter, Chuck (D-Helena) Noonan, Pat (D-Ramsay) Reinhart, Michele (D-Missoula) Squires, Carolyn (D-Missoula)

HB 161 Milburn, Mike (R-Cascade)

Legislative short title: Repeal medical marijuana law

Floor vote weight = 3 points

Summary: Strikes all of medical marijuana act enacted by voter approved ballot initiative.

MCA Position = Support

Votes used:

House Floor 3rd Reading, Feb 21, 2011 Vote with MCA position: Yes	Vote results 62 Yes 37 No 1 Excused/Absent
Senate Floor 3rd Reading, Apr 1, 2011 Vote with MCA position: Yes	Vote results 28 Yes 22 No 0 Excused/Absent

HB 198 Peterson, Ken (R-Billings)

Legislative short title: Generally revise eminent domain laws

Floor vote weight = 6 points

Summary: Revises Montana's eminent domain laws in a way allowing private companies building power lines, pipelines, etc. to acquire private property for construction of those facilities.

MCA Position = Support

Votes used:

House Floor 3rd Reading, Feb 7, 2011 Vote with MCA position: Yes	Vote results 69 Yes 30 No 1 Excused/Absent
Senate Floor 3rd Reading, Apr 20, 2011 Vote with MCA position: Yes	Vote results 28 Yes 22 No 0 Excused/Absent

HB 274 Howard, David (R-Billings)

Legislative short title Provide that employment of an unauthorized alien is unlawful

Floor vote weight = 1 point

Summary: Recommends employers use the federal e-verify system and largely absolves them from liability if e-verify documents workers' presence in the U.S. as legal.

MCA Position = Support

Votes used:

House Floor 3rd Reading , Mar 30, 2011 Vote with MCA position: Yes	Vote results 64 Yes 36 No 0 Excused/Absent
Senate Business, Labor & Economic Affairs Committee Motion to table , Vote with MCA position: No	Vote results 7 Yes 4 No
Voting Yes Balyeat, Joe (R-Bozeman) Facey, Tom (D-Missoula) Moore, Eric (R-Miles City) Stewart-Peregoy, Sharon (D-Crow Agency) Tropila, Mitch (D-Great Falls) Vuckovich, Gene (D-Anaconda) Windy Boy, Johathan (D-Box Elder)	Voting No Jackson, Verdell (R-Kalispell) Mowbray, Carmine (R-Polson) Steinbeisser, Donald (R-Sidney) Tutvedt, Bruce (R-Kalispell)

HB 300 Flynn, Kelly (R-Townsend)

Legislative short title: Allow more than 8 hour workday for certain industries if agreed to

Floor vote weight = 1 point

Summary: Request of MCA and Montana Coal Council; cleans up outdated statutes by allowing more than an eight-hour work day for certain mining industries.

MCA Position = Support

Votes used:

House Floor 3rd Reading , Feb 9, 2011 Vote with MCA position: Yes	Vote results 99 Yes 0 No 1 Excused/Absent
Senate Floor 3rd Reading , Mar 17, 2011 Vote with MCA position: Yes	Vote results 50 Yes 0 No 0 Excused/Absent

HB 319 McNutt, Walt (R-Sidney)

Legislative short title: Require contractors to list special fuel users' permit on bids for govt projects

Floor vote weight = 1 point

Summary: Requires contractors bidding certain public projects to list their special fuel users permit number.

MCA Position = Support

Votes used:

House Floor 3rd Reading , Feb 7, 2011 Vote with MCA position: Yes	Vote results 92 Yes 7 No 1 Excused/Absent
Senate Floor 3rd Reading , Mar 22, 2011 Vote with MCA position: Yes	Vote results 41 Yes 8 No 1 Excused/Absent

HB 321 Kerns, Krayton (R-Laurel)

Legislative short title: Nullify federal endangered species act

Floor vote weight = 3 points

Summary: If passed, Montana would lose hundreds of millions of dollars in federal funding for construction projects and most everything else

MCA Position = Oppose

Votes used:

House Floor 2nd Reading , Feb 19, 2011 Vote with MCA position: No	Vote results 61 Yes 39 No 0 Excused/Absent
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HB 334 Reichner, Scott (R- Bigfork)

Legislative short title: Generally revise workers' compensation

Floor vote weight = 6 points

Summary: Republican's centerpiece bill for work comp reform to reduce work comp rates; with amendments to meet concerns expressed by MCA and other business groups that it may not pass legal scrutiny due to cutting off benefits and amendments from the Governor, passed both Houses.

MCA Position = Support

Votes used:

House Floor 3rd Reading , Feb 24, 2011 Vote with MCA position: Yes	Vote results 67 Yes 31 No 2 Excused/Absent
Senate Floor 3rd Reading , Mar 28, 2011 Vote with MCA position: Yes	Vote results 45 Yes 5 No 0 Excused/Absent

HB 351 Cook, Rob (R-Conrad)

Legislative short title: Treasure state endowment appropriations and transfers to the general fund

Score card title: Treasure state endowment appropriations

Floor vote weight = 3 points

Summary: Bill funds public construction projects from TSEP fund.

MCA Position = Support

Votes used:

House Floor 3rd Reading , Mar 24, 2011 Vote with MCA position: Yes	Vote results 77 Yes 19 No 4 Excused/Absent
Senate Floor 3rd Reading , Apr 11, 2011 Vote with MCA position: Yes	Vote results 28 Yes 22 No 0 Excused/Absent

HB 366 Rosendale, Matthew (R-Glendive)

Legislative short title: Revise county interim zoning law

Floor vote weight = 3 points

Summary: Tightens the requirements county commissioners must follow when conducting interim zoning.

MCA Position = Support

Votes used:

House Floor 3rd Reading , Feb 21, 2011 Vote with MCA position: Yes	Vote results 64 Yes 35 No 1 Excused/Absent
Senate Floor 3rd Reading , Apr 1, 2011 Vote with MCA position: Yes	Vote results 27 Yes 23 No 0 Excused/Absent

HB 402 Rosendale, Matthew (R-Glendive)

Legislative short title: Revise zoning laws for sand and gravel

Floor vote weight = 6 points

Summary: MCA bill. Restricts county commissioners from denying gravel operations by zoning an area as "residential" after an application for an open cut mining permit has been submitted to DEQ.

MCA Position = Support

Votes used:

House Floor 3rd Reading , Feb 18, 2011 Vote with MCA position: Yes	Vote results 64 Yes 35 No 1 Excused/Absent
Senate Floor 2nd Reading , Mar 21, 2011 Vote with MCA position: Yes	Vote results 24 Yes 26 No 0 Excused/Absent



News conference with Helena Sand & Gravel truck as backdrop.



Scott Olsen, Helena Sand & Gravel talks with Representative Michael More.

HB 427 Knox, James (R-Billings)

Legislative short title: Revise law related to eligibility for unemployment insurance

Summary: Attempts to prevent abuse of unemployment by narrowing the criteria of eligibility for unemployment benefits. The MCA found the bill to be unworkable for construction companies.

MCA Position = Oppose

Vote used:

House Business & Labor Committee Motion to table , Vote with MCA position: Yes	Vote results 21 Yes 0 No
Voting Yes Arntzen, Elsie (R-Billings) Berry, Tom (R-Roundup) Boland, Carlie (D-Great Falls) Clark, Christy (R-Choteau) Court, Virginia (D-Billings) Evans, Lila Walter (R-Browning) Furey, Timothy (D-Missoula) Greef, Edward (R-Florence) Hunter, Chuck (D-Helena) Klock, Harry (R-Harlowton) McNiven, Jonathan (R-Huntley) Noonan, Pat (D-Ramsay) Reichner, Scott (R-Bigfork) Reinhart, Michele (D-Missoula) Rosendale, Matthew (R-Glendive) Salomon, Daniel (R-Ronan) Smith, Cary (R-Billings) Small, Sterling (R-Busby) Squires, Carolyn (D-Missoula) Vance, Gordon (R-Bozeman) Welborn, Jeffrey (R-Dillon)	Voting No

HB 439 Hollenbaugh, Galen (D-Helena)

Legislative short title: General obligation bonds for state government

Summary: Approves bonding of approx. \$98 million for construction of state buildings, contingent upon an improvement in the economy and an adequate "ending fund balance." To approve state indebtedness requires 2/3 vote, 67 votes in the House and 34 votes in the Senate.

MCA Position = Support

Votes used:

Floor vote weight = 3 points

House Floor 3rd Reading , Mar 25, 2011 Vote with MCA position: Yes	Vote results 72 Yes 25 No 3 Excused/Absent
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Floor vote weight = 6 points

Senate Floor 3rd Reading , Apr 11, 2011 Vote with MCA position: Yes	Vote results 36 Yes 14 No 0 Excused/Absent
House Floor 3rd Reading , Apr 27, 2011 Vote with MCA position: Yes	Vote results 62 Yes 38 No 0 Excused/Absent

HB 462 More, Michael (R-Gallatin Gateway)

Legislative short title: Prohibit contractor bid shopping with respect to subcontractors

Summary: Requires general contractors to list subcontractors when bids are submitted on public projects to prevent "bid shopping."

MCA Position = Oppose

Vote used:

House Business & Labor Committee Motion to table , Vote with MCA position: Yes	Vote results 21 Yes 0 No
Voting Yes Arntzen, Elsie (R-Billings) Berry, Tom (R-Roundup) Boland, Carlie (D-Great Falls) Clark, Christy (R-Choteau) Court, Virginia (D-Billings) Evans, Lila Walter (R-Browning) Furey, Timothy (D-Missoula) Greef, Edward (R-Florence) Hunter, Chuck (D-Helena) Klock, Harry (R-Harlowton) McNiven, Jonathan (R-Huntley) Noonan, Pat (D-Ramsay) Reichner, Scott (R-Bigfork) Reinhart, Michele (D-Missoula) Rosendale, Matthew (R-Glendive) Salomon, Daniel (R-Ronan) Smith, Cary (R-Billings) Small, Sterling (R-Busby) Squires, Carolyn (D-Missoula) Vance, Gordon (R-Bozeman) Welborn, Jeffrey (R-Dillon)	Voting No

HB 599 McGillvray, Tom (R-Billings)

Legislative short title: Prohibit leaving unattended equipment and material in clear recovery area

Summary: Prohibits contractors from leaving unattended equipment and material in the "clear area" of a highway construction project, defined as 30 feet from the outer edge of a paved road or 42 feet from an unpaved road; involves only construction equipment and has harsh fines.

MCA Position = Oppose

Vote used:

House Transportation Committee Motion to table , Vote with MCA position: Yes	Vote results 10 Yes 2 No 1 Excused
Voting Yes Berry, Tom (R-Roundup) Greef, Edward (R-Florence) Kerns, Krayton (R-Laurel) O'Neil, Jerry (R-Columbia Falls) Randall, Lee (R-Broadus) Rosendale, Matthew (R-Glendive) Smith, Frank (D-Poplar) Squires, Carolyn (D-Missoula) Swanson, Kathy (D-Anaconda) Vance, Gordon (R-Bozeman)	Voting No Arntzen, Elsie (R-Billings) Lavin, Steve (R-Kalispell)

HB 603 Blasdel, Mark (R-Kalispell)

Legislative short title Provide for Public Charter Schools

Floor vote weight = 1 point

Summary: Authorizes charter schools in Montana. MCA supported the bill in the House because several AGC chapters around the country have formed highly successful charter schools with a construction curriculum.

MCA Position = Support

Votes used:

House Floor 3rd Reading, Mar 30, 2011 Vote with MCA position: Yes	Vote results 59 Yes 41 No 0 Excused/Absent
Senate Education & Cultural Resources Committee Motion to table, Vote with MCA position: No	Vote results 6 Yes 4 No
Voting Yes Branae, Gary (D-Billings) Facey, Tom (D-Missoula) Hawks, Bob (D-Bozeman) Lake, Bob (R-Hamilton) Ripley, Rick (R-Wolf Creek) Zinke, Ryan (R-Whitefish)	Voting No Brown, Taylor (R-Huntley) Essmann, Jeff (R-Billings) Moore, Eric (R-Miles City) Stewart-Peregoy, Sharon (D-Crow Agency)

SB 82 Hamlett, Bradley (D-Cascade)

Legislative short title: Provide for a primary seat belt law

Floor vote weight = 1 point

Summary: Makes not using seat belts a primary offense.

MCA Position = Support

Votes used:

Senate Highways & Transportation Committee Motion to table, Vote with MCA position: No	Vote results 7 Yes 5 No
Voting Yes Arthun, Ron (R-Wilsall) Buttrey, Edward (R-Great Falls) Jones, Lew (R-Conrad) Mowbray, Carmine (R-Polson) Sonju, Jon (R-Kalispell) Tutvedt, Bruce (R-Kalispell) Zinke, Ryan (R-Whitefish)	Voting No Blewett, Anders (D-Great Falls) Caferro, Mary (D-Helena) Keane, Jim (D-Butte) Vuckovich, Gene (D-Anaconda) Wanzenried, Dave (D-Missoula)
Senate Floor: Motion to bring to floor from committee, Mar 30, 2011 Vote with MCA position: Yes	Vote results 24 Yes 26 No 0 Excused/Absent

SB 183 Brown, Taylor (R-Huntley)

Legislative short title: Revise interim zoning laws

Floor vote weight = 3 points

Summary: Request of the Montana Association of Counties; curtails the ability for county commissioners to implement interim zoning.

MCA Position = Support

Votes used:

Senate Floor 3rd Reading , Feb 21, 2011 Vote with MCA position: Yes	Vote results 28 Yes 22 No 0 Excused/Absent
House Floor 3rd Reading , Apr 2, 2011 Vote with MCA position: Yes	Vote results 64 Yes 33 No 3 Excused/Absent

SB 233 Keane, Jim (D-Butte)

Legislative short title: Generally revise environmental impact laws

Floor vote weight = 6 points

Summary: Limits Montana Environmental Policy Act analysis to impacts within the State; remand to the agency to correct deficiencies is remedy allowed to courts; permits, licenses, leases issued by an agency remain valid even if MEPA process is challenged.

MCA Position = Support

Votes used:

House Floor 3rd Reading , Apr 11, 2011 Vote with MCA position: Yes	Vote results 74 Yes 25 No 1 Excused/Absent
Senate Floor concur in House amendments 3rd Reading , Apr 18, 2011 Vote with MCA position: Yes	Vote results 32 Yes 18 No 0 Excused/Absent

SB 235 Sonju, Jon (R-Kalispell)

Legislative short title: Allow admissibility of seat belt use as evidence in civil cases

Summary: Allows non-use of seat belts to be admissible in civil litigation.

MCA Position = Support

Votes used:

Senate Highways & Transportation Committee Motion to table , Vote with MCA position: No	Vote results 7 Yes 5 No
Voting Yes Arthun, Ron (R-Wilsall) Blewett, Anders (D-Great Falls) Caferro, Mary (D-Helena) Keane, Jim (D-Butte) Vuckovich, Gene (D-Anaconda) Wanzenried, Dave (D-Missoula) Zinke, Ryan (R-Whitefish)	Voting No Buttrey, Edward (R-Great Falls) Jones, Llew (R-Conrad) Mowbray, Carmine (R-Polson) Sonju, Jon (R-Kalispell) Tutvedt, Bruce (R-Kalispell)

SB 287 Keane, Jim (D-Butte)

Legislative short title: Require certain corporate officers or managers of LLC's to obtain work comp

Score card title: Require officers or managers of LLC's to obtain work comp

Floor vote weight = 3 points

Summary: Eliminates the ability for "manager-managed LLCs" to continue operating without workers compensation insurance on the so-called "owners" of the company, who are really laborers on construction projects.

MCA Position = Support

Votes used:

Senate Floor 3rd Reading , Feb 23, 2011 Vote with MCA position: Yes	Vote results 39 Yes 11 No 0 Excused/Absent
House Floor 3rd Reading , Apr 2, 2011 Vote with MCA position: Yes	Vote results 73 Yes 24 No 3 Excused/Absent

SB 372 Tutvedt, Bruce (R-Kalispell)

Legislative short title: Lower business equipment tax -- phase more reduction on state economic growth

Score card title: Lower business equipment tax

Floor vote weight = 6 points

Summary: Reduces class 8 business equipment taxes for large and small companies, with a phase-out provision tied to the State's economic strength

MCA Position = Support

Votes used:

Senate Floor 3rd Reading , Mar 26, 2011 Vote with MCA position: Yes	Vote results 28 Yes 22 No 0 Excused/Absent
House Floor 3rd Reading , Apr 13, 2011 Vote with MCA position: Yes	Vote results 68 Yes 32 No 0 Excused/Absent

SB 379 Olson, Alan (R-Roundup)

Legislative short title: Generally revise county zoning laws

Floor vote weight = 3 points

Summary: Revises the manner in which landowners can protest county zoning decisions in order to stop oppressive zoning actions that effectively take the value of larger landowners' property away.

MCA Position = Support

Votes used:

Senate Floor 3rd Reading , Mar 5, 2011 Vote with MCA position: Yes	Vote results 29 Yes 21 No 0 Excused/Absent
House Floor 3rd Reading , Apr 11, 2011 Vote with MCA position: Yes	Vote results 70 Yes 29 No 1 Excused/Absent

Summary of Committee Votes Used

House Business & Labor Committee

HB 72 G. Hollenbaugh, D-Helena
Require bidder workplace safety history MCA position: oppose

HB 427 J. Knox, R-Billings
Revise law related to eligibility for unemployment insurance MCA position: oppose

HB 462 M. More, R-Gallatin Gateway
Prohibit contractor bid shopping with respect to subcontractors MCA position: oppose

House Transportation Committee

HB 599 T. McGillvray, R-Billings
Prohibit leaving unattended equipment and material
in clear recovery area MCA position: oppose

Senate Business, Labor & Economic Affairs Committee

HB 71 G. Vance, R-Bozeman
Provide that illegal alien may not receive workers' comp MCA position: oppose

HB 274 D. Howard, R-Billings
Provide that employment of an unauthorized alien is unlawful MCA position: support

Senate Education & Cultural Resources Committee

HB 603 M. Blasdel, R-Kalispell
Provide for Public Charter Schools MCA position: support

Senate Highways & Transportation Committee

SB 235 J. Sonju, R-Kalispell
Allow admissibility of seat belt use as evidence in civil cases MCA position: support



Representative Rob Cook talking with Helena
Sand & Gravel workers

2011 Bills Selected to Determine Sponsor Points

MCA Supported and Pro-Business Bills (Two points added)

HB 161	Milburn, Mike (R-Cascade)	Repeal medical marijuana law
HB 198	Peterson, Ken (R-Billings)	Generally revise eminent domain laws
HB 334	Reichner, Scott (R-Bigfork)	Generally revise workers' compensation
HB 351	Cook, Rob (R-Conrad)	Treasure state endowment appropriations
HB 366	Rosendale, Matthew (R-Glendive)	Revise county interim zoning law
HB 402	Rosendale, Matthew (R-Glendive)	Revise zoning laws for sand and gravel
HB 439	Hollenbaugh, Galen (D-Helena)	General obligation bonds for state government
SB 183	Brown, Taylor (R-Huntley)	Revise interim zoning laws
SB 233	Keane, Jim (D-Butte)	Generally revise environmental impact laws
SB 287	Keane, Jim (D-Butte)	Require certain corporate officers or managers of LLC's to obtain work comp
SB 372	Tutvedt, Bruce (R-Kalispell)	Lower business equipment tax
SB 379	Olson, Alan (R-Kalispell)	Generally revise county zoning laws

MCA Opposed and Anti-Business Bills (Two points subtracted)

HB 321	Kerns, Krayton (R-Laurel)	Nullify federal endangered species act
HB 462	More, Michael (R-Gallatin Gateway)	Prohibit contractor bid shopping with respect to subcontractors
HB 599	McGillvray, Tom (R-Billings)	Prohibit leaving unattended equipment and material in clear recovery area



Kerry Gray, Highway Specialties, talks to Representative Jean Price



Jackie Flikkema, Knife River with Representative Ted Washburn and his wife



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