

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on March 10, 2009 at 10
A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused:

Sen. Gregory D. Barkus (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Jim Peterson (R)
Sen. Carolyn Squires (D)

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 136, HB 286, HB 291, 2/24/2009

Executive Action: HB 136

HEARING ON HB 136

Opening Statement by Sponsor:

00:00:48 Rep. Carlie Boland (D), HD 23, opened the hearing on HB 136, Clarify appointment process for Board of Personnel Appeals.

00:02:00 Sen. Windy Boy left the room.

Proponents' Testimony:

00:02:56 Jerry Keck, Administrator, Employment Relations Division, Department of Labor and Industry (DOLI)

EXHIBIT (bus53a01)

00:03:33 Tom Schneider, Montana Public Employees Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:04:32 Chairman Balyeat

00:05:06 Tom Schneider

Closing by Sponsor:

00:05:19 Rep. Boland

HEARING ON HB 286

Opening Statement by Sponsor:

00:06:17 Rep. Jon Sonju (R), HD 7, opened the hearing on HB 286, Require insurer to use auto repair cost identified by estimating system.

00:06:50 Sen. Brown entered the room.

00:06:53 Chairman Balyeat left the room and Vice Chair Jackson assumed the position of chair.

Proponents' Testimony:

00:07:07 Bruce Halcro, Capital Collision, Helena

00:10:02 Max Yates, Yates Autobody Inc, Butte, member of Board,
Montana Collision Repair Specialists (MCRS)

EXHIBIT (bus53a02)

00:17:00 Todd Litton, American Auto Body, Billings, MCRS

EXHIBIT (bus53a03)

00:22:14 Donna Fastenau, Hanks Body Shop, Billings, Treasurer
MCRS

00:23:59 Janet Chaney, Executive Director, MCRS and Secretary of
National Auto Body Council

00:25:23 Mike Mitchell, Great Falls

00:25:50 Drew Geiger, MCRS

Opponents' Testimony:

00:28:11 Ernie Hebert, State Farm Insurance

00:33:15 Greg VanHorssen, State Farm Insurance

00:37:37 Bruce Spencer, Property Casualty Insurers Association
of America

EXHIBIT (bus53a04)

00:39:42 Jon Metropoulos, Farmers Insurance Group

00:41:58 Jacqueline Lenmark, American Insurance Association

00:44:33 Mona Jamison, All State Insurance Company

Informational Testimony: None

Questions from Committee Members and Responses:

00:46:05 Sen. Tropila

00:46:13 Jacqueline Lenmark

00:46:54 Sen. Tropila

00:47:06 Jon Metropoulos

00:48:22 Sen. Tropila

00:48:31 Bruce Halcro

00:50:09 Sen. Tropila

00:50:21 Sen. Brown

00:55:15 Rep. Sonju

00:55:56 Sen. Brown

00:56:27 Janet Chaney

00:56:55 Bruce Halcro

00:57:50 Sen. Brown

00:57:57 Greg VanHorssen

00:58:14 Vice Chair Jackson

01:00:15 Mike Mitchell

01:00:19 Vice Chair Jackson

01:00:22 Max Yates

01:01:43 Sen. Steinbeisser

01:01:47 Max Yates
01:03:23 Sen. Tropila
01:04:02 Vice Chair Jackson

Closing by Sponsor:

01:04:25 Rep. Sonju
01:05:58 Sen. Keane entered the room.

HEARING ON HB 291

Opening Statement by Sponsor:

01:10:17 Rep. Jon Sonju (R), HD 7, opened the hearing on HB 291, Revise ins. law on glass & body repair to use average prevailing market price.
00:14:10 Sen. Balyeat entered the room but did not assume the role of Chair at that time.

Proponents' Testimony:

01:14:13 Drew Geiger, Montana Collision Repair Specialists (MCRS)
01:14:43 Bruce Halcro, Capitol Collision, Helena; also speaking for Max Yates, Yates Autobody Inc, Todd Litton, American Auto Body, Mike Mitchell, Great Falls, and Janet Chaney, Executive Director, MCRS

EXHIBIT (bus53a05)

01:16:41 Donna Fastenau, Hanks Body Shop, Billings, Treasurer MCRS

Opponents' Testimony:

01:18:11 Ernie Hebert, State Farm Insurance
01:21:59 Greg VanHorssen, State Farm Insurance
01:24:28 Bruce Spencer, Property Casualty Insurance; also speaking for Mona Jamison, All State Insurance
01:25:13 Jaqueline Lenmark, American Insurance Association
01:27:24 Jon Metropoulos, Farmers Insurance Group

EXHIBIT (bus53a06)

Informational Testimony: None

Questions from Committee Members and Responses:

01:29:26 Sen. Balyeat
01:32:11 Ernie Hebert
01:32:52 Sen. Balyeat
01:33:44 Bruce Halcro
01:34:33 Sen. Balyeat
01:37:41 Rep. Sonju
01:37:54 Vice Chair Jackson
01:38:13 Rep. Sonju
01:39:27 Sen. Keane
01:39:33 Jon Metropoulos
01:40:06 Sen. Brown
01:40:10 Bruce Spencer
01:41:30 Sen. Balyeat
01:41:35 Ernie Hebert
01:43:00 Sen. Keane
01:43:45 Jacqueline Lenmark

Closing by Sponsor:

01:44:11 Rep. Sonju
01:46:32 Vice Chair Jackson
01:47:24 Chairman Balyeat assumed the role of Chair.

Note: Sen. Barkus, Sen. Peterson, Sen. Squires, and Sen. Windy Boy were not in the room when Executive Action began.

EXECUTIVE ACTION ON HB 136

01:47:41 **Motion/Vote:** Sen. Tropila moved that **HB 136 BE CONCURRED IN.** Motion carried unanimously 11-0 by voice vote. Sen. Barkus, Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted by proxy. Sen. Tropila will carry the bill in the Senate.
01:49:00 Chairman Balyeat

ADJOURNMENT

Adjournment: 11:50 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus53aad.pdf](#))