

EXHIBIT NO. 9

My name is Gene Dziza. I own a body shop in Kalispell. I work hard to support my family of four kids and I work hard to do a nice job for my customer. I am a Platinum level ICAR technician, which is the highest level of ICAR training for an individual. DATE: 3-10-2011  
NO. HB 265

I also did time working as an insurance adjuster, so I have a very good grasp of the issue and feel I can view it well from both sides and I wouldn't take time off from my job to be over here if I didn't feel this was important.

One thing I'm not, is a paid speaker, so if you don't mind, I will just read my testimony as its pretty brief.

I don't write the factory recommended repair procedures, nor do I write the times and procedures in the required data bases. I just fix my customers cars, the best I can, using these procedures.

The other day, an adjuster for one of the major companies represented in this room, told me that structural adhesive was considered part of our paint materials expense. That's a lie. If I paint the roof, I get paid x amount of dollars for paint materials, for that specific roof. If I replace the roof, I get paid the same amount to paint it, but I also have to use a couple of tubes of structural adhesive at \$40 apiece, in addition to the paint materials. Why should I have to pass that cost on to my customer? The insurers owe it to my customer. Period.

Now I spend over \$600.00 per month for computerized estimating systems required by insurers for Direct Repair Programs. I have a hard time with insurers arbitrarily denying operations and/or materials deemed necessary by manufacturers and data base providers. I'm also having a hard time conceiving how insurers argue against this bill other than they just don't want to pay for procedures and materials deemed necessary, not by me, but by the vehicle manufacturer and the people that provide the data for the estimating systems. It seems absurd to me when you consider that according to my research, Property & Casualty Insurers realized a NET profit of 26.7 Billion in the first nine months of 2010.

Now, I am the past President of the Flathead Business and Industry Association and not a bigger bunch of free enterprise advocates exists. I'm a free enterprise kind of guy. But we have legislated in Montana that your constituents have to buy the product that insurers are selling. I think therefore, that this body is duty bound to provide some measure of protection to your constituents, in order to protect them from getting run over by an 800 TON insurance company. At the end of the day, I just don't know how you can say that this is not fair. It is fair and it is necessary.

Thank you so much for your time and dedication to serving your constituents.

Gene Dziza  
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