

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: Chair Gordon Vance, on February 4, 2011 at 3:00 PM, in Room 455
Capitol

ROLL CALL

Members Present:

Rep. Gordon Vance, Chair (R)
Rep. Lee Randall, Vice Chair (R)
Rep. Carolyn Squires, Vice Chair (D)
Rep. Tom Berry (R)
Rep. Edward Greef (R)
Rep. Krayton Kerns (R)
Rep. Steve Lavin (R)
Rep. Jerry O'Neil (R)
Rep. Matthew M. Rosendale Sr (R)
Rep. Frank Smith (D)
Rep. Kathy Swanson (D)

Members Excused: Rep. Elsie Arntzen (R)
Rep. Diane Sands (D)

Members Absent: None

Staff Present: Stephanie Fletcher, Committee Secretary
Megan Moore, 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 264, 2/4/2011; HB 265, 2/4/2011

Executive Action: HB 290

HEARING ON HB 264**Opening Statement by Sponsor:**

00:00:02 Rep. Gordon Vance (R), HD 67, opened the hearing on HB 264, Allow any person to file complaint with insurance commissioner.

Proponents' Testimony:

00:01:31 Bruce Halcro, Capital Collision Center

00:04:03 Donna Gabel, Montana Collision Repair Specialist

[EXHIBIT\(trh28a01\)](#)

[EXHIBIT\(trh28a02\)](#)

[EXHIBIT\(trh28a03\)](#)

00:07:28 Larry Stammen, Don Kay Subaru and Chevrolet Dealer

00:09:59 Sen. John Sonju

00:10:20 Drew Geiger, Montana Collision Repair Specialist

00:10:35 Mike Mitchell, Montana Collision Repair Specialist, Crash Repair

00:10:45 Paul Flores, Mike's Auto Body in Missoula

Opponents' Testimony:

00:11:08 Jacqueline Lenmark, American Insurance Association (AIA)

00:17:31 Greg VanHorssen, State Farm Insurance Company

00:19:49 Dwight Easton, Farmers Insurance Group of Companies

Informational Testimony:

00:20:38 Jesse Laslovich, Representing the Commissioner of Insurance

Questions from Committee Members and Responses:

00:24:47 Rep. Kerns

00:25:27 Sen. Sonju

00:28:47 Rep. Kerns

00:29:00 Rep. Randall

00:29:13 Rep. Squires

00:30:16 Sen. Sonju

00:31:06 Rep. Berry

00:31:22 Rep. Squires

00:31:47 Rep. Berry

00:32:48 Jesse Laslovich

00:33:28 Rep. Berry

00:33:51 Jesse Laslovich

00:34:29 Rep. Berry
00:34:34 Rep. Randall

Closing by Sponsor:

00:34:46 Rep. Vance
00:38:07 Rep. Randall

HEARING ON HB 265

Opening Statement by Sponsor:

00:38:12 Rep. Gordon Vance (R), HD 67, opened the hearing on HB 265, Prohibit insurer from disregarding cost item identified by estimating system.

Proponents' Testimony:

00:39:00 Bruce Halcro
00:42:02 Larry Stammen
00:46:03 Donna Gabel
00:47:40 Rep. Max Yates, owner of a repair and body shop.
00:53:46 Mike Mitchell, Mitchell Crash Repair
00:55:18 Janet Chaney, Montana Crash Repair Specialist

EXHIBIT(trh28a04)

EXHIBIT(trh28a05)

00:57:39 Rep. Randall
00:57:44 Paul Flores, Rick's Auto Body, Missoula
00:59:01 Sen. Sonju

EXHIBIT(trh28a06)

01:02:35 Rep. Randall

Opponents' Testimony:

01:02:44 Jacqueline Lenmark, AIA

EXHIBIT(trh28a07)

01:07:46 Greg VanHorssen
01:14:19 Rep. Smith left the room.
01:18:53 Rep. Randall
01:19:01 Dwight Easton, Farmers Insurance Company
01:19:28 Rep. Smith returned.
01:19:44 Rep. Randall

Informational Testimony:

01:19:56 John Bendy, former Insurance Adjuster

Questions from Committee Members and Responses:

01:25:01	Rep. Greef
01:27:10	John Bendy
01:29:35	Rep. Greef
01:29:46	John Bendy
01:29:58	Rep. Greefs
01:30:11	Bruce Halcro
01:32:06	Rep. Smith
01:33:26	Bruce Halcro
01:33:33	Rep. Smith
01:34:10	Rep. Lavin
01:35:06	Jacqueline Lenmark
01:35:56	Rep. Lavin
01:36:13	Jacqueline Lenmark
01:37:02	Rep. Rosendale
01:37:23	Greg VanHorssen
01:37:31	Rep. Rosendale
01:37:39	Greg VanHorssen
01:38:25	Rep. Rosendale
01:38:52	Mike Mitchell
01:39:07	Rep. Rosendale
01:39:25	Mike Mitchell
01:39:29	Rep. Randall
01:39:35	Rep. O'Neil
01:39:59	Sen. Sonju
01:40:02	Rep. O'Neil
01:40:37	Sen. Sonju
01:40:43	Rep. O'Neil
01:41:51	Sen. Sonju
01:42:01	Rep. O'Neil
01:42:11	Sen. Sonju
01:43:00	Rep. O'Neil
01:43:06	Sen. Sonju
01:43:16	Rep. O'Neil
01:43:23	Sen. Sonju
01:43:32	Rep. O'Neil
01:43:46	Sen. Sonju
01:44:03	Rep. O'Neil
01:44:49	Sen. Sonju
01:45:46	Rep. Randall
01:46:17	Bruce Halcro
01:46:21	Rep. Randall

Closing by Sponsor:

01:48:14 Rep. Vance

EXECUTIVE ACTION ON HB 290

01:50:36 **Motion:** Rep. Randall moved that **HB 290 DO PASS.**
EXHIBIT(trh28a08)

01:51:03 Rep. Randall

01:51:28 **Substitute Motion/Vote:** Rep. O'Neil made a substitute motion that **HB 290 BE TABLED.** Motion carried 10-3 by roll call vote with Rep. Sands, Rep. Squires and Rep. Swanson voting no. Rep. Arntzen and Rep. Sands voted by proxy.

ADJOURNMENT

01:52:30

Chairman Vance

Stephanie Fletcher, Secretary

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Additional Documents:

EXHIBIT([trh28aad.pdf](#))