

DATE 4-12-05

Greetings Senate Taxation Committee.

I have read the current HB 584 sponsored by Chris Harris and the poorly written, very confusing Fiscal Notes prepared by Dan Dodds at the Dept of Revenue. The fundamental issues are being misconstrued to you legislatures and your voting public by your colleagues themselves and media sources, except for the article written by Charles Johnson (attached). As it was originally written, HB 584 allows for a simple 15% payroll tax deduction on Montana Employees (actors and crew) limited to the first \$50,000 of their earnings on each production; and an additional 10% payroll tax deduction for every dollar spent to a Montana business for goods and services. And nobody gets a check from the State of Montana unless their total payroll tax liability is less than their discount. Out-of-Staters working on the film can only have their share of payroll tax liability reduced according to the amount of money spent to Montana Businesses (10%)! And if there was a refund check, it wouldn't come until the next year when the production company filed it's tax returns and all that production money was circulating thru ought Montana! So Walt Williams and Scott MacMillion's Articles and Dan Dodd's Fiscal Notes are wrong with their numbers and implications.

Unfortunately there is also a one million dollar cap on all savings per production which limits the benefit of the original HB584 to commercials and low budget features, because big budget features or TV series will go to a state like Louisiana or a country like Canada and save a full 25% on their 20-200Million! Isn't 75% of 200 million film dollars better than 100% of nothing? We need a 25% benefit to put Montana on even economical ground with the rest of the world, or the film business will go elsewhere! Even Ireland is enjoying the benefits of a 25% tax credit! The only way this bill would cost the State of Montana anything is if the bill did nothing to attract more business, which is not the case for every state and country that has offered this kind of tax incentive without the caps.

I grew up in Helena, graduated from Helena High and had always wanted to work in the film business. In 1996 another fellow Montanan, Steve Reeves, who played Hercules in the movies in the 60's, urged me to come to LA and become an actor. While living and working in LA, I learned of other film work, behind the camera, helping to make TV commercials which became the best way to stay in the business while building my acting resume. Two years later, I had come to the conclusion that while LA was the best place to work in the film business, it was the worst place to live. Soon after, my wife and I found out that we were expecting our first child so we packed it up and moved back to Montana.

Surprisingly, my biggest 'breaks' would come after returning to Montana! In 1998, I was cast by Betty Ann Conard, a Manhattan, MT resident, as the lead in a Kellogg's commercial for Germany that would take me all the way to Chile to shoot (not because of the dollars saved by shooting in South America, but because they needed a ripe wheat field in December). The following summer I worked as a 2nd Assistant Director (2nd AD) on my first big national Ford commercial. This became a family job when they cast my wife and six-month old daughter as 'principle talent'. My daughter Malia, now six years old, has a mutual fund for college from her earnings as an actor. Another job on which I was the Prop Master, she was 2 years old and starred in National Geographic's 'Search for the Afghan Girl', which was filmed on the Story Ranch in Paradise Valley. When Malia was almost four years old, we all worked together on the ATT Wireless shoot out of Choteau on a bus and with a heard of Buffalo; on which I was the 2nd AD and they were Extras.

Other Film work is listed on my resume which is attached, includes a couple of jobs that I got to work with my oldest son Jake Bertelsen, who lives in Whitefish. Right after his high school graduation, he was able to work and earn \$200-\$250/day with all expenses paid. Some of you on this committee remember like I do the incredible feeling of 'family' while toiling together on the family farm, or running the family business. I'm hear to tell you it is the same in the film business; especially when at the end of the job, your favorite commercial director walks over to your son, shakes his hand, looks him right in the eye, and tells him he did a great job!

I have owned fitness centers and been a personal trainer in Montana since 1982, and even had the pleasure of training Brian and Nancy Schweitzer at my last gym in Whitefish. I still work as a personal trainer in Bozeman, when not working in the film business and have had to build my personal training business because of the lack of film work. My wife works as an 8th grade school teacher; we are barely getting by and just now making progress on our credit card debt. Film work has always provided us with plenty cash to pay our bills on time and enjoy living in Montana, while infusing local businesses and their families with thousands of dollars worth of direct and trickle down benefits.

The film business could do more for Montanans than just provide an economic salvation; it can also provide salvation of 'family' in Montana. Voting for this bill is excellent business practice for Montana, excellent environmental practice, and it's good for Montana's new 'family farm' of the 21st century!

Sincerely I am,

Troy Bertelsen 406-579-0000cell



**Jake Bertelsen 2001, flanked by Dad  
and Dad's Friend, May Day.**



**Cedar, Troy, Malia, Lei-Anna Bertelsen 2003**



**Troy and Malia 1999 on Ford Shoot  
Taylors Fork, Gallatin Canyon, MT**