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EXHIBIT 14
DATE 3/26/13
616
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March 25, 2013

Chairman Berry, Members of the House Business and Labor Committee

I request that you do not support HB 616. My reasons are numerous, I will focus on a few.

First I believe it would be irresponsible and anti-business to "change the rules" for existing breweries who, as myself, have made long term financial commitments to lending institutions based on business plans supported by current MCA statutes. In my case, that commitment is for 20 yrs. Allowing two years to comply with the changes proposed in HB 616 would be far from adequate time and I believe could cause several breweries in Montana to fail. If you feel it necessary to support HB 616, I request that you make it applicable to new breweries beginning operations after January 1, 2014 to allow for breweries that may be in planning.

Second, What is the compelling reason for this legislation? No one, including the sponsor and the representative for the MTA has given a substantive reason. Most commonly I've heard breweries are operating like bars. That is impossible due to current statutes. Breweries must stop serving by 8PM, serve a maximum of 48 oz per customer per day of product that was brewed and fermented on the premises. Bars may serve a plethora of products in unlimited quantity until 2 AM. I submit these are drastically different business models, as they were intended to be. Breweries are adhering to current law. Those statutes received seriously more input and exchange from stakeholders than HB 616.

I had the privilege of being one of the fathers of HB 442 in the 1999 Legislative Session which created the "small brewery exception". That was handled completely different than the bill before you. Meetings and negotiations began months prior to the start of the session. There were meetings, meetings and meetings. The end result was a bill supported by brewers, the MTA and the wholesalers that breezed through the legislature. This bill in my opinion has been an example of "how not to propose and pass legislation." Changes of this magnitude should receive thorough vetting. If anyone has questions pertaining to the history of before and after HB 442, please contact me.

Please vote no on HB 616.

Respectfully

Dennis Himmelberger

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