



## HIGHLIGHTS

Page 3  
2005-2006 C.O.L.A.

Pages 4  
COMMISSIONER  
CERTIFICATIONS

Page 5  
A.G. OPINION

Page 6  
MIDWINTER PHOTOS

Page 7  
COUNTY NEWS

Page 8  
WORKPLACE CHANGES

Page 9  
RECYCLING, PART 3

Page 10  
TEXAS TAXES

Page 11  
PONDERA COUNTY & NACo  
COUNTY GOVERNMENT  
WEEK

Page 12  
COUNTY COMMISSION  
CHAIRS

## ADVERTISERS

Page 3  
ROBERT PECCIA  
AND ASSOCIATES

Page 3  
ROSCOE STEEL  
AND CULVERT

Page 4  
NITTANY GRANTWORKS

## LEGISLATIVE SESSION MID-WAY comments from Executive Director Gordon Morris

The legislature completed the first half of the session before 9 a.m. on the forty-fourth day. I admit surprise and suggest it is a victory for the leadership, which finds itself in a major role reversal. Congratulations to both sides of the aisle.

At this point 760 house bills and 505 senate bills have been introduced. There will still be a few more, but we will not see anywhere near the number of +2300 bill draft requests. I estimate that, of the 1265 introduced bills, over 250 will die at various stages of the process. This leaves approximately 1000 left to monitor, while opposing or supporting a good number of them.

I want to thank everyone for your assistance during the first half and note that we are going to continue the need for your assistance over the next 45 days. Your participation at the mid-winter was appreciated and was a positive factor in assessing the first half as a success.

I would like to highlight some of the issues that we will be tending and that will require your help. I ask that if there are other issues, in your opinion, please let us know.

We were successful in getting an appropriation increase in the State Attorney General's budget, raising the **state's salary contribution for County Attorneys** to a true

fifty percent. This will require an effort on our part to maintain that level as HB 2 continues its way through the session. Any contact with the Appropriation Committee members would be an immense help!

The **Public Defender bill** (SB 146) is still a work in progress. The bill proposes that county costs for public defender services in Justice Courts be taken over by the state beginning in FY 07. Each county's entitlement allocation will be reduced by the amount you provided in the MACo survey that was conducted last summer. It is important to realize that you will no longer have a local cost and the savings will be an offset by the reduction in your entitlement. There is a lot of work to do on the bill, but I am relatively optimistic that the final product will be one to applaud. There are many people to thank for the legislation, such as the Interim Law and Justice Committee and, in particular, Senator Dan McGee. Please let any of them know how much we appreciate their efforts.

Representative Carol Lambert carried HB 243 for MACo, which is currently in House Appropriations. This bill would require the **Department of Corrections to pay prisoner costs** while in the county jail from the time of conviction or a

plea of guilty versus current law, which sets the threshold at the time of sentencing. In addition the bill would require Corrections to reimburse jail costs associated with probation violators. This is a much-needed piece of legislation and your contacts with the Committee members are urgently needed.

The **local option sales tax** (SB 184) has made it through the Senate and has been transmitted to the House. The bill, carried by Senator Jeff Mangan, looks very much like the bill from the last session that was introduced by then-Senator Bill Glaser. It requires an election and stipulates a ten-year effective period. Then the electorate must address the question again in an election. Both MACo and the League of Cities and Towns are supporting the bill and your help will be needed if we are going to get the bill through the House.

To further complicate the local option sales tax, we see several efforts to implement a **statewide sales tax**. MACo will be actively supporting Representative Jim Peterson's HB 741. This bill has modest changes from the version he carried in 2003 and actually is an improvement, from my perspective. MACo's Taxation Committee participated in several coalition-building efforts around the sales tax and basically supported the elements that can be found in HB 741. It has not been scheduled in House Taxation Committee yet, but will be heard soon. Many people believe that a local option tax would constitute a barrier to a statewide sales tax. For this reason those legislators that will support a statewide tax will be opposed to the local option. However, national statistics demonstrate that a statewide tax and a local option tax could complement one another. Any one who travels has confronted taxes being assessed on top of one another. We will need your assistance in regard to both issues in the coming weeks.

One bill that we should be tending during the second half is HB 569 by Representative Walter McNutt. This bill proposes to revise the **taxation of gathering lines** (pipelines) from central assessment at 12%, to local assessment at 3%. This potentially would have a significant tax reduction in those counties where gathering lines are located.

Representative John Parker introduced

## MARK YOUR CALENDAR

March 2-4	School Superintendents Conference
March 4-8	NACo Legislative Conference, DC
March 28	Transmittal of Appropriation Bills
March 29-April 1	MACRS Conference; Billings

### UPCOMING EVENTS:

April 1	Transmittal of Revenue Bills
<b>April 7</b>	<b>JPA Trustee meeting</b>
<b>April 8</b>	<b>JPIA Trustee meeting--renewals</b>
<b>April 10-17</b>	<b>National County Government Week</b>
April 23	Last scheduled day of 59th Legislature

HB 105 to require a county to provide **partial payment of salary for injured deputy sheriffs**. I testified that if the bill were discretionary we would not oppose it. The Committee amended it to say "may" as opposed to "must" and added a section legislating "early return to work." The sponsor amended the bill on the floor to reinsert "MUST." I am recommending that we oppose this and that local discretion be the basis for any contractual arrangement for the partial payment and early return to work. I ask that everyone look at the bill and provide me with your comments.

There was a significant increase in the number of **land use bills** (over 30). Many were the product of work done during the interim, are consensus-driven and will impact counties positively. Others, as you might expect, are from individual legislators to address a perceived problem at home. We have followed these bills closely and have been successful in our actions. Most notably was the defeat of SB 173, which would have imposed **building setbacks along rivers and streams** statewide. One bill that is still alive and which does raise concern is SB 195, the "**Quality Growth Act**." While it would only affect nine counties, the requirements being imposed would be significant. Finally, SB 185 provides statutory authority for **impact fees** and comes as a result of negotiations.

In closing, there were very few bills that we opposed that did wend their way through the first chamber. I feel that we have had a successful first half and with your help and the help of the Association officers, we can be successful in the second half. No one will be happier than I when they 'sine die' in April.

Thank you all and keep up the good work contacting your legislators.



## COMMISSIONER CERTIFICATION CANDIDATES

Halfway through the four series leading to County Commissioner certification, 47 candidates have completed the first two sessions. The enrollment is split between recently elected commissioners (27) and continuing officials (20). The trainees represent 33 of the 56 counties.

Three counties have the entire board of commissioners taking the series:

**Park County**

Jim Durgan  
Dick Murphy  
Larry Lahren

**Pondera County**

Cynthia Johnson  
Joseph Christiaens  
Sandra Broesder

**Roosevelt County**

Gary Macdonald  
Jim Shanks  
Vickie Delger

Eight counties have two members of the board proceeding through the courses:

**Anaconda-Deer Lodge**

Peter Kurtz  
Linda Sather

**Carter**

Bill Loehding  
Steve Rosencranz

**Chouteau**

Ken Evans  
Harvey Worrall

**Fergus**

John Jensen  
Carl Seilstad

**Lake**

Paddy Trusler  
Chuck Whitson

**Lewis and Clark**

Mike Murray  
Ed Tinsley

**Stillwater**

Maureen Davey  
Dennis Hoyem

**Teton**

Sam Carlson  
Joe Dellwo

Twenty-two counties have one commissioner attending the training:

**Beaverhead**

Mike McGinley

**Broadwater**

Elaine Mann

**Butte-Silver Bow**

Wally Frasz

**Custer**

Jack Nesbit

**Daniels**

Norman Ruud

**Fallon**

Dennis Afrank

**Flathead**

Joe Brenneman

**Gallatin**

Joe Skinner

**Glacier**

Michael DesRosier

**Golden Valley**

Leslie Burroughs

**Granite**

Suzanne Browning

**Hill**

Mike Anderson

**Jefferson**

Ken Weber

**Musselshell**

Mike Kilby

**Petroleum**

Chris King

**Phillips**

Lesley Robinson

**Powell**

Rem Mannix

**Richland**

Mark Rehbein

**Rosebud**

Dan Watson

**Sheridan**

Bill Nyby

**Sweet Grass**

Phil Hathaway

**Toole**

Ben Ober

SIGN IN VETERINARIAN'S OFFICE  
Parking is for customers only.  
All others will be neutered.

**PLEASE SUPPORT MACo SUPPORTERS**



*Grant Writing Services & Project Development  
for Government Entities & Nonprofit Agencies*

**LORI BENNER**

**PO Box 1821 ♦ Livingston MT 59047**

**406-222-6111**

**lori@nittanygrantworks.com**

# ATTORNEY GENERAL OPINION

## Volume 51 No. 1

**A public officer or public employee may engage in political speech so long as his or her speech does not involve the use of public time, facilities, equipment, supplies, personnel, or funds.**

**Requested by:** Mathew J. Johnson  
Jefferson County Attorney

MCA § 2-2-121 sets forth the rules of conduct for public officers and employees. Subsection (3) includes a prohibition against the use of public time and resources for political speech, as well as a provision protecting a public officer or employee's freedom to express personal political beliefs. It provides:

*“(3)(a) A public officer or public employee may not use public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue unless the use is:*

*(i) authorized by law; or*

*(ii) properly incidental to another activity required or authorized by law, such as the function of an elected public officer, the officer's staff, or the legislative staff in the normal course of duties.*

*(b) As used in subsection (3), “properly incidental to another activity required or authorized by law” does not include any activities related to solicitation of support for or opposition to the nomination or election of a person to public office or political committees organized to support or oppose a candidate or candidates for public office. With respect to ballot issues, properly incidental activities are restricted to the activities of a public officer, the public officer's staff, or legislative staff related to determin-*

*ing the impact of passage or failure of a ballot issue on state or local government operations.*

*(c) This subsection (3) is not intended to restrict the right of a public officer or public employee to express personal political beliefs.”* (Emphasis added.)

It is not personal political speech that is prohibited by subsection (3)(a); rather, it is the use of public time or resources in the presentation or furtherance of political speech. While a public officer or employee is not required to shed his public persona in order to exercise his right to free speech, he may not use public resources when expressing personal political beliefs.

Elected officers, like county commissioners and sheriffs, have unique positions which require them to work a schedule outside of the typical 8 to 5 schedule of most public employees. What of the county commissioner who receives phone calls at home in the evenings, or the sheriff who is on call 24 hours a day?

In Keyishian v. Board of Regents of Univ. of State of N.Y., 385 U.S. 589, 605-606 (1967), the Supreme Court stated, “a government employee does not relinquish all First Amendment rights otherwise enjoyed by citizens just by reason of his or her employment.” Likewise, a county commissioner or sheriff (or any other public employees or officers) does not relinquish First Amendment rights by the mere fact that she may be a public official. Pursuant to MCA § 2-2-121(3)(a), so long as a public officer or employee is not using “public time, facilities, equipment, supplies, personnel, or funds” she may engage in political speech.

Although “public time” is not defined, a reasonable construction would be those hours for which an

employee receives payment from a public employer. Elected officials, of course, do not have specific hours of employment nor do they receive vacation leave or other time off duty. They receive annual salaries rather than hourly wages. Thus, they could be considered to be on “public time” at all times. However, as long as public facilities, equipment, supplies, or funds are not involved, elected officials are not restricted in the exercise of political speech by the provisions of Montana law.

Does subsection (3) prohibit a public employee or officer from signing a letter to the editor with his official title or prevent a law enforcement officer from wearing a uniform to campaign for a political issue or candidate? Subsection (3)(c) allows a public official to sign a letter to the editor, expressing personal political beliefs, with his official title, so long as public resources were not used to create the letter. Moreover, a sheriff would not be prohibited from wearing a uniform while campaigning for a political issue or candidate. In my opinion, neither activity would be prohibited by subsection (3).

Again, subsection (3)(a) only prevents use of “public time, facilities, equipment, supplies, personnel, or funds” in the furtherance of personal political speech. A title or a uniform is simply an accouterment of a public employee's or officer's position. A sheriff is not required to shed all associations, including his uniform, with his official position in order to exercise his protected right to express personal political beliefs.

The presumption is that free speech rights are protected and only the very specific restrictions in MCA § 2-2-121 can be invoked to limit a public officer's or public employee's right to political speech.

# MACo MIDWINTER CONFERENCE

## D.E.S. TRAINING AND GENERAL SESSIONS



Golden Valley Co.  
Leslie Burroughs  
David Paugh  
Joy Schanz



Custer County  
Marie Wehri  
Milo Huber  
Duane Mathison  
John Nesbit



Beaverhead County  
Garth Haugland  
Betty Tinsley  
Michael McGinley



Musselshell County  
Bob Goffena

Anaconda-  
Deer Lodge  
Peter Kurtz  
Linda Sather



Chouteau County  
Ken Evans

Powder River Co.  
Betty Aye

## LUNCH WITH LEGISLATORS



Rep. Carol Juneau  
Glacier County  
Mike DesRosier



Sen. Sam Kitzenberg



Rep. Wayne Stahl  
Blaine County  
Sandra Boardman



Musselshell County  
Bob Goffena  
Larry Lekse

Sen. Kelly Gebhardt



Rosebud County  
Dan Watson

Lewis and Clark Co.  
Mike Murray

Sen. Dave Lewis

# COUNTY NEWS

## PUBLIC OFFICIALS

**ANACONDA-DEER LODGE** Chief Executive Mark Woirhaye, newly elected in November, resigned citing major budget problems. Former Chief Executive Gene Vukovich, who served in the early 1990s, was chosen for the position in a contract arrangement. The Commission also contracted with a CPA to sort through the budget and make recommendations.

**GALLATIN COUNTY** appointed Kim Buchanan as County Treasurer to replace Anna Rosenberry. Rosenberry resigned in February to begin a new position as Finance Director for the City of Bozeman.

**WIBAUX COUNTY** Clerk of Court Michael Schneider was called to active duty in the Montana National Guard. Penny Obrigewitch has been appointed to the position until Schneider returns.

## COUNTY BUSINESS

**LINCOLN COUNTY** has been providing internet service through the quasi-public company, KootNet. Recently the four directors voted to abolish the governing board and recommended that the County "assume direct management control of the day-to-day operations."

**CHOUTEAU COUNTY** has been asked to rent a space for a copier in the courthouse. Encore Oil offered to pay \$250 a month for the space because it needs a huge volume of copies from the County, more than county officials have time to provide.

**LIBERTY COUNTY**, encouraged by the savings from a wind turbine at the county shop, is exploring further wind generation. The

County has set up seven towers to measure wind patterns in various parts of the county. The county will make the information available to anyone interested in developing wind energy.

## ROAD CONFERENCE

Bill Kennedy and John Ostlund--**YELLOWSTONE COUNTY**, Mark Rehbein--**RICHLAND COUNTY**, Jamie Doggett--**MEAGHER COUNTY**, Ted Coffman--**MADISON COUNTY**, Kathy Bessette--**HILL COUNTY**, and Jim O'Hara--**CHOUTEAU COUNTY**, will be presenters at the upcoming Montana Association of County Road Super-visors Conference in Billings.

## GROWTH & PLANNING

**CHOUTEAU COUNTY** adopted its Growth Policy after no members of the public attended the hearing. The Planning Board developed the policy over a two-year span and now is working on subdivision and development regulations.

**FLATHEAD COUNTY** is revising a Natural Resource Policy so that it can take an active role in forest planning and other actions regarding state or federal lands. The plan is a strong statement on multiple use and was prepared by a 7-member committee during year-long deliberations. Sections of the plan address energy and mineral resources, mining, forests, wilderness, roadless areas, water, wetlands and flood plains.

**LAKE COUNTY**'s Density Map is the county's first attempt at implementing the 2003 Growth Policy. It is intended to guide growth and residential development toward population centers, where services are already available or close by

and limit the size of subdivision to 20 acres or more in rural areas not served by existing services. The County extended the public comment period until May.

**PARK COUNTY** repealed the Growth Policy that was partly adopted in December. Lack of reasonable notice of public hearings and lack of adequate protection of private property rights caused strong controversy.

**PHILLIPS COUNTY**, is expecting a draft Growth Policy this spring, the result of its contract with the County Economic Growth Council.

**POWELL COUNTY** updated the regulations for its Growth Policy to address conservation easements, conditional use permits, and establishing a new district.

## GUBERNATORIAL APPOINTMENTS

**LIBERTY COUNTY** Commissioner Don Marble has been appointed to a four-year term on the Montana Board of Environmental Review.

**ROSEBUD COUNTY** Commissioner Joan Stahl has been appointed to serve as the public member on the Board of Oil and Gas Conservation.

**BIG HORN COUNTY** Commissioner Chad Fenner has been appointed to the Montana Coal Board, which oversees grants to mitigate impacts of coal development.

**YELLOWSTONE COUNTY** Commissioner and MACo President Bill Kennedy has been appointed to Chair the Montana Highway Commission.



## WORKPLACE CHANGES FOR OLDER WORKERS

Emelia McEwen, MACo Risk Management Assistant

Over the next ten years, members of the American Workforce over the age of 55 will increase four times faster than the growth rate expected for the entire workforce. In addition to baby boomers, many workers are opting for second or third careers after retirement, a reflection of overall increase in life expectancy.

The World Health Organization examined areas related to aging that may diminish a worker's skill level over time, such as physical limitations associated with reduced bone density. If job demands exceed worker capacity, the end result can be stress, injury, decreased productivity and disability.

### PART-TIME, NOT FULL-TIME

The National Institute on Aging projects that 75% of people now approaching retirement would like to reduce their work from full-time to part-time rather than stop working entirely. The people surveyed wanted to continue to provide substantial assistance, personal and financial, to their adult children and their parents. An AARP poll indicates less than 1/3 of Americans plan to stop working when they reach the traditional retirement age of 65.

### WORKER COMP. UNAFFECTED

According to the Workers' Compensation Research Institute, workers' compensation cost is likely to be unaffected by the increasingly older workforce. Older workers typically have fewer claims and report only slightly higher claims costs. The lower claim frequency offsets higher costs per claim.

### NEED FOR EXPERIENCE

In some professions, the possible lack of younger job market entrants and the need for experienced workers may also require

that employers retain the services of older workers beyond traditional retirement age.

### SAFETY PROGRAMS

Health and safety elements are the same for all workers. Additional job benefits can include voluntary programs such as weight-control, smoking cessation and/or group fitness breaks.

Injuries in older workers can be potentially more severe with longer recovery periods. They may not be able to tolerate hours of strenuous physical activity, but their experience will be an asset in critical thinking tasks. Shifting these workers into areas where they can use their strengths is a common sense solution.

Strength, vision and hearing are physical attributes which can be addressed for older workers.

Strength Tasks: Some studies project that as much as 30% loss of muscle strength can occur after age 55. Physical fitness and strength is very much an individual endowment, and healthy habits and regular exercise are important to all ages. On-site fitness centers or incentives lead to healthier employees, no matter the age. For workers of any age, lifting continues to be the highest injury area, with back strains the most common ailment. Providing equipment to assist in lifting and transferring materials is a good preventative tool.

Visual Aids: Window shades and glare screened for computers are recommended. 12-point fonts are best. Computer monitors and other reading materials need to be placed at lower levels so they can easily be viewed through the lower part of bifocal lenses without causing neck hyperextension. A monitor at a lower level may need to be tilted up so that a 90-degree angle

## MONTANA CASE RULING

The widow of a sheriff's deputy who fell to his death from a hotel in Great Falls, after a night of heavy partying during a convention, is entitled to workers compensation death benefits, the Montana Supreme Court ruled.

Although the Phillips County deputy met his tragic demise during a convention, the state Workers Compensation Board had earlier ruled that his death was not compensable because the binge drinking that led to his death wasn't work-related.

The higher court disagreed.

Because it was reasonable to assume that the meeting would involve some drinking and the deputy hadn't been told in advance by his employer to limit his alcohol consumption, he was covered under workers compensation, according to the Montana Supreme Court.

is maintained between line of sight and the display.

Other suggestions include increasing the size and visibility of warning signs and marking the ends of steps and landings.

Hearing Improvements: A 1.3 decibel loss per year is expected between the ages of 60 and 90. Carpeting provides a sound absorber that can eliminate some background noise and echoes. In noisy work environments (workshops, construction, etc.), visual cues as well as auditory measures can be used for alarms.

Providing hearing protection in noisy workplaces can help to prevent occupational hearing loss.

## RECYCLING IN MONTANA PART 3 OF 3

NOTE: The data was compiled by an intern, Matt Elsaesser, who recently graduated from Carroll College and wrote his thesis on recycling. The report was written by Jeff Blend, Economist, PhD, DEQ.

Recycling materials results in not only economic benefits but also in ecological benefits for Montana. Using the National Recycling Coalition (NRC) Calculator, the Net Greenhouse Gas Emissions from Recycling in Montana compared to disposal is 178,722 Metric Tons Carbon Equivalent (MTCE/year) lower. This is equal to taking approximately 136,523 cars off the road per year. The net energy from recycling compared to disposal is estimated at 7,082,247 million BTU, which is equivalent to what is used by just over 70,000 households per year. An estimated reduction of 159,656 tons of air emissions results from Montana recycling, including a 149,599 ton reduction in carbon dioxide. About 592 tons of waterborne wastes are avoided as well. About 2,870 total tons of natural resources are saved annually.

These results were produced by a survey conducted by the Air, Energy and Pollution Prevention Bureau of the Montana Department of Environmental Quality in the Spring of 2004. The results do not include a small number of contacts that did not respond to the survey, nor the activity of sole proprietors who are not listed or advertised as a public business or recycling operation. Emerging companies and recycling components of large institutions are for the most part not included in this survey. Recycling activity for this project included the collection, transport, processing, remanufacturing and sale of post consumer products. It includes composting as recycling activity, but does not include wrecking yards. The list of participants to meet these criteria was constructed using the State Database, Recycle Montana Recycling Guide, a D.E.Q. mailing list, telephone directories and staff knowledge. The survey was conducted primarily by phone, with letters sent for some respondents by their request.

As demonstrated above, the economical, environmental and social benefits of reducing pollution from recycling are diverse and significant for Montana. Although we cannot quantify some of these benefits monetarily in this study,

we can certainly list them. Reducing air pollution from recycling leads to:

- § Health benefits (reduced human morbidity and mortality)
- § Recreation benefits (especially to Class 1 areas like Glacier National Park)
- § Increased visibility
- § Lower levels of materials damage such as office buildings
- § Agricultural benefits
- § Ecosystem benefits (local and worldwide) including lower levels of greenhouse gas emitted and healthier forests.

There are also water quality benefits and the benefits of consuming less virgin resources, which all translate eventually into monetary benefits. For example, if fewer trees need to be logged as a result of recycling, then this helps forest health and helps decrease soil erosion as well as leaving more trees for future generations and other species.

Recycling in Montana is more than just a fad; it is a real industry. Even without any form of mandatory recycling or other specific in-state mandate to foster recycling, this industry creates and sustains many full-time, reasonably well-paying jobs. With our continued growth in consumption and need for recycling, these numbers are likely to grow over time. The networks that enable recycling in Montana are mostly private. Recycling activity in Montana is a model point for the interplay between private sector activity and social concern—between economic incentive and environmental responsibility. Recycling in Montana has a vibrant economic base that reaches throughout the state and has a tremendous opportunity for future growth.

**MACo JPIA**  
**Property & Casualty Insurance**  
**for Public Entities**

**Greg Jackson**

**Marketing Director**  
**Phone (406) 444-4370**  
**Fax (406) 442-5238**

## STATE MUST FIX THE REAL TAX PROBLEM (a familiar description from another state)

Now that a district judge has ruled that the state's current school finance system is unconstitutional and must be fixed within a year, it is time for state leaders to get up and do the job - by relieving property taxpayers of the increasingly onerous burden of funding public education with local dollars. The governor and lawmakers should make school funding an emergency priority in January when the session of the Texas Legislature convenes.

Throughout Texas, taxpayers are expressing dismay and frustration as they receive their property tax bills. Little wonder! Appraisals have risen in many places, especially fast-growing counties around our major cities. Many taxpayers believe higher appraisals should translate into lower tax rates, but that is not always the case - due to the unfunded mandates thrust upon school districts and other local governments by state and federal authorities, including the state's decreasing percentage of paying to educate our future leaders and workforce. Also, rising costs in such areas as fuel, criminal justice and health care for both indigents and employees is hurting county governments, just like higher costs are hurting businesses and families.

Please consider this fact before you, the taxpayers, criticize your local county officials for not being able to substantially lower your taxes: the school property taxes you pay make up more than half your bill, no matter where you live in Texas. In many counties, school taxes are way more than half, to 62%. Meanwhile, county taxes

are only about 14% and city taxes are about 15% of your bill on the average. In many places, special districts, such as hospitals, community colleges and utility districts, are a little over 10% of your bill.

In 1950, the state paid almost 60% of school costs while local property taxpayers paid about 40%. Today, the State of Texas only kicks in 38% of school costs while the local taxpayers pay 62%. In other words, the state has flip-flopped on its commitment to education and left you in a bind by dumping more of the costs on you, the local property taxpayers. If the state fulfilled its financial commitment to public education, your property taxes could be cut by up to a half.

The abdication of state responsibility to education has caused counties and cities to carefully consider how much their local taxpayers are being hit by school tax hikes, before taking actions that raise folks' overall tax bills. Our taxpayers are our friends, neighbors and fellow church members. We know local control is the best way to go, but the state is eroding local control with its mandates and service cuts - leaving local governments no options except to make up the difference through property taxes or take away necessary services.

As county officials, we hope taxpayers will join with us in insisting that the state solve the school property tax problem before the judge's deadline. We need real property tax relief, and the way to get it is by correcting the imbalance in school finance.

By Sam Seale, Executive Director  
Texas Association of Counties

**U.S. Communities**  
Government Purchasers

**SAVING YOU MONEY**  
Over 7,000 public entities purchase quality products with the most favorable government pricing.

**YOU CAN TOO!**

All contracts are competitively solicited, non-exclusive and require no charge to participate.

- Office and School Supplies
- Office Furniture
- Technology Products
- Carpet and Flooring
- Procurement Card
- Electrical and Communication
- Data Supplies
- School/Classroom Furniture
- Janitorial Supplies
- Tools and Materials Handling

Contact:  
www.info@uscommunities.org  
www.uscommunities.org

### TAX TRUTHS

"There is an ironclad practice that all states follow," says John Shannon, of the Advisory Commission on Intergovernmental Relations. "If they are in a little trouble financially, they increase user fees and licenses, things like that. If they are in moderate trouble, they will turn to lotteries or sin taxes (on liquor and cigarettes, for example). But if they are really, really in trouble, they will increase sales or income taxes."

Governing Magazine, "The New Federalism", October 1987

**PONDERA COUNTY  
 and RURAL HEALTH**

It is with great pleasure that we inform you that Pondera County has been one of the three counties selected to receive the Rural Health Works Technical Assistance Package. The other two counties are Mason County, Washington and Grand County, Colorado.

**Congratulations!**

The selection process was very competitive and the Pondera County proposal was among the top for the very best fit for the Rural Health Works technical assistance.

Rural Health Works provides the tools for rural counties to revitalize their local health care systems and to keep their health care dollars and services at home.

Currently, rural communities across the country encounter serious problems with their health care systems. Rural hospitals are closing. Health care services are being cut. Physicians will not come to rural areas, and if they do, they usually won't stay. Medicare and Medicaid payments are too low and have recently been cut.

The "Rural Health Works" community engagement process will enable counties to help build and maintain community interest in using and expanding local health services. Through this process, expert consultants will create an economic impact report presenting economic activity both in terms of dollars and jobs produced for the local economy by the health care sector.

NACo will be contacting Pondera County soon for a conference call with the Rural Health Works consultants who will be coming to Montana to help.

Sincerely,

Lesley Buchan  
 Project Manager  
 National Association of Counties  
 440 First Street NW  
 Washington DC 20001  
 (202) 942-4261  
 lbuchan@naco.org

**COUNTY GOVERNMENT WEEK  
 APPROACHING**

**Get Ready to Celebrate!  
 2005 National County Government Week -  
 April 10 - 16**

National County Government Week (NCGW) is an annual celebration of county government. First held in 1990, the goal of county government week is to raise public awareness and understanding about the roles and responsibilities of the nation's counties.

There are activities at the national, state and local levels during county government week. More than 1,000 counties annually participate in NCGW by holding a variety of programs and events. These include tours of county facilities, presentations in schools, meetings with business and community leaders, recognition programs for volunteers, briefings on environmental projects, and adoption of proclamations.

The theme for this year's National County Government Week celebration is "**Honoring County Heroes.**" The idea is that all county employees are heroes for the work they do serving America.

**IN MEMORIAM**

**PAUL BEAUSOLEIL**, Anaconda-Deer Lodge Commissioner, died February 3 from a heart attack at age 81. Beausoleil, an Anaconda native, served in local government for over 30 years as mayor and then on the consolidated commission. He is survived by his wife, Mary Theresa, three sisters and four children and families.

## 2005 COUNTY COMMISSION CHAIRS

<b>ANACONDA-DEER LODGE</b> Wayne Ternes <b>BEAVERHEAD</b> Garth Haugland <b>BIG HORN</b> John Pretty on Top <b>BLAINE</b> Art Kleinjan <b>BROADWATER</b> James Hohn <b>BUTTE-SILVER BOW</b> Charlie O'Leary <b>CARBON</b> Albert Brown <b>CARTER</b> James Courtney <b>CASCADE</b> Peggy Beltrone <b>CHOUTEAU</b> James O'Hara <b>CUSTER</b> Duane Mathison <b>DANIELS</b> Lalon Trang <b>DAWSON</b> Bill LaBree <b>FALLON</b> Don Rieger	<b>FERGUS</b> Carl Seilstad <b>FLATHEAD</b> Gary Hall <b>GALLATIN</b> Bill Murdock <b>GARFIELD</b> Julie Jordan <b>GLACIER</b> Ray Salois <b>GOLDEN VALLEY</b> Joy Schanz <b>GRANITE</b> Clifford Nelson <b>HILL</b> Kathy Bessette <b>JEFFERSON</b> Tom Lythgoe <b>JUDITH BASIN</b> Ed Arnott <b>LAKE</b> Mike Hutchin <b>LEWIS and CLARK</b> Ed Tinsley <b>LIBERTY</b> Russ Tempel <b>LINCOLN</b> Marianne Roose	<b>MADISON</b> Frank Nelson <b>McCONE</b> Connie Eissinger <b>MEAGHER</b> Bernie Lucas <b>MINERAL</b> James Warnken <b>MISSOULA</b> Jean Curtiss <b>MUSSELSHELL</b> Robert Goffena <b>PARK</b> Larry Lahren <b>PETROLEUM</b> Lee Iverson <b>PHILLIPS</b> Troy Blunt <b>PONDERA</b> Cynthia Johnson <b>POWDER RIVER</b> Ray Traub <b>POWELL</b> Dwight O'Hara <b>PRAIRIE</b> Anne Marie Davis <b>RAVALLI</b> Greg Chilcott	<b>RICHLAND</b> Don Stepler <b>ROOSEVELT</b> Gary Macdonald <b>ROSEBUD</b> Gary Fjelstad <b>SANDERS</b> Carol Brooker <b>SHERIDAN</b> Gerald Kohler <b>STILLWATER</b> Maureen Davey <b>SWEET GRASS</b> Lloyd Berg <b>TETON</b> Arnold Gettel <b>TOOLE</b> Allan Underdal <b>TREASURE</b> Mack Cole <b>VALLEY</b> Ron Gilbertson <b>WHEATLAND</b> Richard Moe <b>WIBAUX</b> Sandy Nelson <b>YELLOWSTONE</b> John Ostlund
--	---	--	--

MACo News  
 Phone (406) 444-4380  
 Fax (406) 442-5238  
 Email: macopb@maco.cog.mt.us  
**ARTICLES ARE WELCOME**

**EXECUTIVE COMMITTEE**

President : Bill Kennedy  
 Yellowstone County

1st Vice President : Doug Kaercher  
 Hill County

2nd Vice President: John Prinkki  
 Carbon County

Fiscal Officer: Bill Nyby  
 Sheridan County

Urban Representative: Jean Curtiss  
 Missoula County

Past President: Carol Brooker  
 Sanders County

- DISTRICT CHAIRS**
1. Richard Dunbar, Phillips County
  2. Mark Rehbein, Richland County
  3. Joan Stahl, Rosebud County
  4. Art Kleinjan, Blaine County
  5. Arnold Gettel, Teton County
  6. Carl Seilstad, Fergus County
  7. Maureen Davey, Stillwater County
  8. Ed Tinsley, Lewis and Clark County
  9. Bernie Lucas, Meagher County
  10. Paddy Trusler, Lake County
  11. Bill Carey, Missoula County
  12. David Schulz, Madison County
- ASSOCIATE BOARD MEMBERS**
- Leo Gallagher, Lewis & Clark County Attorney  
 Peggy Kaatz Stemler, Madison County Clerk/Recorder  
 Marilyn Hollister, Rosebud County District Court Clerk  
 Joseph Christiaens, Pondera County Coroner  
 Gary Olsen, Broadwater County Justice of the Peace  
 Karla Christensen, Garfield County Superintendent of Schools  
**Gregory Hintz, Missoula County Sheriff's Office**  
 Ron Roberts, Daniels County Treasurer

- AFFILIATE MEMBERS**
- alternative service concepts (asc), Helena  
 Browning Ferris Industries of Montana  
 Employee Benefits Mgmt. Services (EBMS)  
 Entranco, Inc., Helena  
 Life Care Services, Missoula  
 Montana Association of  
 County Road Supervisors (MACRS)  
 Montana Contractors Association, Helena  
 Montana Dakota Utilities  
 Montana Job Training Partnership, Helena  
 Morrison-Maierle, Inc., Helena  
 MSU Extension Service, Bozeman  
 Norman Grosfield, Attorney, Helena  
 Northland Asphalt, Fargo ND  
 NorthWestern Energy, Helena  
 Roscoe Steel & Culvert, Billings  
 Stahly Engineering, Helena  
 Tractor & Equipment Company, Billings