



MONTANA ASSOCIATION OF COUNTIES

Policy Booklet

Adopted Policy Statements & Resolutions

2016 - 2018

MONTANA ASSOCIATION OF COUNTIES
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Coroners.....	Vacant.....	N/A
Magistrates.....	Linda Cantin.....	Park County
School Superintendents.....	Susan Beley.....	Wheatland County
Sheriffs & Peace Officers.....	Brian Gootkin.....	Gallatin County
Treasurers.....	Sandy Christensen.....	Richland County



MONTANA ASSOCIATION OF COUNTIES

Table of Contents

MACo POLICY STATEMENTS

What Are Policy Statements?	4
MACo Policy Statements	5-11
Agriculture.....	5
Community, Economic Development & Labor	5-6
Energy	6-7
Health & Human Services.....	7-8
Justice & Public Safety.....	8
Land Use & Development	8-9
Public Lands	9-10
Resolutions & Legislative	10-11
Taxation, Budget & Finance.....	11
Transportation.....	11

MACo ADOPTED RESOLUTIONS

What Are Resolutions & What is the Process?	12-13
MACo Adopted Resolutions.....	14-21
Res. 2016-01, Allow Counties to Set Bounties on Predators.....	14
Res. 2016-02, Authorization for Phasing in Montana Subdivision & Platting Act.....	14
Res. 2016-03, Combining Special Purpose District Elections	14
Res. 2016-04, County Printing	14-15
Res. 2016-05, Detention Costs in County Jails	15
Res. 2016-06, Funding for State Secondary Roads.....	15
Res. 2016-07, Generally Revise Laws Applicable to County Government.....	15-16
Res. 2016-08, Immunization Record Disclosure	16
Res. 2016-09, Junk Vehicle Capital Reserve.....	16-17
Res. 2016-10, Mail Ballot Voting	17
Res. 2016-11, Minor Subdivision Review.....	17
Res. 2016-12, Noxious Weed Trust Fund	17-18
Res. 2016-13, Retirees as Independent Contractors.....	18
Res. 2016-14, Review Standard for Montana Subdivision & Platting Act	18
Res. 2016-15, Road Tracts on Plats & Certificates of Survey as County Roads.....	18-19
Res. 2016-16, Setting Speed Limits	19
Res. 2016-17, Sheriffs' Retirement System Funding.....	19
Res. 2016-18, Support for Biocontrol of Noxious Weeds	19-20
Res. 2016-19, Taxation on Trust Lands.....	20
Res. 2016-20, Uncontested City Elections.....	20
Res. 2016-21, Uniform Process for Disposal of Surplus County Real Property	20-21
Res. 2016-22, Wilderness Characteristics Inventory	21



MONTANA ASSOCIATION OF COUNTIES

2016-2018 Policy Statements

WHAT ARE MACO POLICY STATEMENTS?

The Montana Association of Counties is one of the oldest organizations in Montana. Organized in 1909, MACo today works to anticipate rapidly changing and complex challenges facing Montana’s 56 county governments. MACo’s mission is to enhance the public service mission of counties by promoting integrity and providing proactive leadership while acknowledging and respecting Montana’s diversity.

MACo staff provides commissioners with research, training, and technical support and services, monitors legislation and works with state agencies in helping shape public policy.

The *Montana Association of Counties Policy Booklet* is a compilation of various issues and/or beliefs, which members have identified as major concerns and goals of county government. A “Policy Statement” provides guidance to staff, legislators, and the public on MACo’s

position regarding possible legislation and/or issues that may arise during a legislative session and/or the Interim. The following pages contain a number of various statements organized by MACo’s ten policy committees (listed in the table below).

Our legislative process is structured around the participation and involvement of all member counties. These policies have received the members’ endorsement at conventions and present the overall consensus of the MACo membership. The resolutions, which were passed at the most recent convention, are included in this document as well.

On behalf of the MACo Board of Directors and the Resolutions & Legislative Committee, we present the duly adopted *Montana Association of Counties Policy Booklet*, effective September 2016-2018.

2016-2018 MACO POLICY STATEMENTS

All Policy Statements were updated and reaffirmed as of MACo’s 107th Annual Conference in Billings during the business session on September 21, 2016.

MACo COMMITTEE	PAGE NUMBER
Agriculture	5
Community, Economic Development & Labor	5-6
Energy	6-7
Health & Human Services	7-8
Justice & Public Safety	8
Land Use & Development	8-9
Public Lands	9-10
Resolutions & Legislative	10-11
Taxation, Budget & Finance	11
Transportation	11



AGRICULTURE

The importance of agriculture to Montana citizens and the state's economy can't be emphasized enough. Agriculture is Montana's economic underpinning as the largest basic sector of Montana's economy. MACo is committed to supporting legislation and policy that will positively influence the economic preservation of family-owned and operated farms and ranches.

1. MACo supports federal and state legislation directed at increasing overall economic stability for producers of raw materials (food and fiber) who are entitled to a fair share of America's prosperity.
2. MACo supports country of origin labeling for fruits, vegetables, meats, and other foodstuffs entering the United States.
3. MACo encourages innovative ways to add value for the producers of agricultural products as a means of economic development.
4. MACo supports uniting all levels of government to combat the spread of noxious weeds, which is rapidly increasing and having a statewide impact on agricultural crop production and is diminishing forage capacity for livestock and wildlife as well.
5. MACo supports research regarding the proper use and application of biocontrol, pesticides, herbicides and fertilizers as well as research into alternative crop production and innovative uses of technology.
6. MACo encourages efforts to ensure that the quality of Montana grain and livestock is preserved when marketing that product abroad.
7. MACo encourages overall expansion of production and taxing agricultural land based on the value of production.
8. MACo supports promoting land use policies and programs which reinforce private property rights of agricultural landowners and preserve property values. Agricultural management should be the primary land use in areas where operational factors such as productivity, adjacent land uses, and landowners' objectives are viewed to be conducive to the viability of agricultural production.
9. MACo supports Montana Fish, Wildlife and Parks Commission to set harvest quotas and regulate the harvest of wildlife in a manner that represents biologically sound management of big game population.
10. MACo supports the de-listing of the Gray Wolf as an Endangered Species.
11. MACo believes that the United States Fish and Wildlife Service be required to provide the State of Montana with sufficient funds to properly manage the wolf population in Montana.
12. MACo supports the completion of a Supplemental Environmental Impact Statement to reflect the unanticipated consequences of the re-introduction of Gray Wolves.
13. MACo opposes any action creating artificial boundaries, holding/quarantine facilities, or a "split state" status, which could and likely would threaten the health of the Montana Cattle industry.
14. MACo supports the United States Department of Interior managing the bison population within the boundaries of Yellowstone National Park.
15. MACo opposes the creation of a buffer zone around Yellowstone National Park for the migration of animals.
16. MACo supports that local governments in the counties adjacent to Yellowstone National Park be formally recognized as participating members on the IBMP Committee.
17. MACo supports the maintenance of all the Farm Service Agency offices in Montana.

18. MACo supports expanded scientific data collected from county weather monitoring stations in addition to National Weather Service data for determining disaster declaration and the implementation of Farm Service Agency programs.
19. MACo supports increased funding for advanced degrees and programs in veterinary science throughout Montana's institutions of higher learning.
20. MACo supports protecting communities, local businesses, and government from unnecessary restrictions due to listing of the Greater Sage Grouse under the Endangered Species Act (ESA), as MACo believes that the listing of the Greater Sage Grouse has absolutely no merit.
21. MACo believes that the petitioning of species for listing or removing, and revising critical habitat can be done only by the state recognized wildlife management agency in which the native species in question exists or strong documentation that it historically existed in such state. Quantifiable recovery levels for delisting must be identified at the time of listing.
22. MACo supports the creation of local Drought Advisory Committees in every county.
23. MACo supports adequate funding for essential cooperative extension service positions.
24. MACo supports a permanent fund for the control of aquatic invasive species that does not divert terrestrial noxious weed funding.
25. MACo supports legislation that ensures adequate funding for county weed districts and reservations to enhance their terrestrial noxious weed management programs.
26. MACo supports the biocontrol of noxious weeds as well as a timely and reasonable review system for the biological weed control agents to help reduce the negative impacts of invasive weeds in Montana and North America.

COMMUNITY, ECONOMIC DEVELOPMENT & LABOR

MACo is committed to assisting counties in the worldwide transition to a global economy by adapting to the changes in technology, infrastructure, workforce development, marketing, and business development.

1. MACo supports and assists in both establishing and strengthening partnerships between our governments at all levels, our schools and universities, both public and private, and the private sector to achieve the common goal of a healthy economy and future development opportunities.
2. MACo believes that telecommunications, transportation, rural water and wastewater systems, as well as workforce transformation and development needs must be addressed to allow counties and their citizens to compete and share in our nation's prosperity.
3. MACo believes that telecommunications infrastructure, particularly broadband data communications can neutralize both major barriers to rural economic growth (distance and lack of economies of scale—smaller market sizes) and level the competitive playing field.
4. MACo is committed to assisting counties in their efforts to provide inexpensive and available transportation for moving products from the farm to the market, located in or out of state.
5. MACo is committed to the expansion of a variety of tools, which are currently provided by state law to municipal governments, to include use by the county governments of Montana. These tools assist in the development of infrastructure that is essential to economic development

(COMMUNITY, ECON. DEV. & LABOR, CONTINUED)

- opportunities. Of particular importance to MACo is the simplification and expansion of Tax Increment Financing opportunities for counties.
6. MACo believes that Montana's tax structure must not be allowed to serve as an obstacle to economic growth by placing unfair burdens on any one sector of taxpayers.
 7. MACo believes that economic development must begin at the local level and involve the entire community. Local governments need to continue to support existing businesses' efforts to compete in the new economy and encourage new business development. This can be done by:
 - a. Supporting existing or new economic development corporations, either on a local or regional basis; and
 - b. Supporting efforts to stimulate the growth of venture capital and venture capital undertakings, specifically as they relate to value-added businesses and increasing the use of tax increment financing, industrial development bonds and CDBG-ED programs at the county level.
 8. MACo is committed to the exploration, development and responsible use of Montana's natural resources for economic development.
 9. MACo believes that our schools and universities are important to economic growth and development and will continue to assist counties in their efforts to be a part of the public discussion to determine funding levels for education. The goal must be to arrive at a funding level that maintains a strong educational program that supports not only K-12 but also learning for life opportunities without requiring service cuts in other essential government services. We place particular value on training programs designed for the available job market and on efforts to remove the remaining obstacles to the transfer of post-secondary credits between the full range of Montana's post-secondary educational facilities.
 10. MACo endorses a partnership between local elected officials and the various state and federal programs, which provide workforce training and affordable workforce housing.
 11. MACo is committed to assisting counties with their land-use planning activities that include community growth plans, which address maintaining and preserving a healthy downtown and main street, the historic character of the community, open space, outdoor recreational activities such as hunting and fishing, and growth development plans.
 12. MACo supports the restoration of the exemption of "Earmarked" Federal Funds that flow through state agencies from any Statewide Cost Allocation Plan.
 13. MACo supports continued long-term operations of existing U.S. Post Office and sorting facilities in communities across America.
 14. MACo supports legislation that will provide counties and municipalities with adequate, up-front, impact funding to alleviate the demands on county and municipal services intensified by oil activity so already stressed taxpayers will not suffer loss of services. MACo believes that the source of funding for this effort should not affect the current severance payments made to producing counties.

ENERGY

1. MACo seeks a comprehensive and integrated approach to an energy policy that balances increased domestic oil and gas and coal production on public and privately-owned lands.
2. MACo seeks a comprehensive and integrated approach to an energy policy that accelerates development, research and incentives for alternative and renewable energy efficiency programs, and clean coal technologies.
3. MACo seeks a comprehensive and integrated approach to an energy policy that gives local governments a central role in formulating environment, energy, and land use policies.
4. MACo seeks a comprehensive and integrated approach to an energy policy that continues energy conservation programs that reduce consumption and encourage efficient energy use.
5. MACo supports state and federal funding and other incentives to promote research, explore the interrelationships among energy, capital, labor, and materials, and the technological problems of energy systems. Federal research efforts should be broad-based, unbiased, and equitable among the various energy technologies, with the results of the research being disseminated by all levels of government and the private sector through a variety of public education technologies.
6. MACo believes that state and federal governments should work with local governments.
7. MACo supports nuclear power as a component of a comprehensive energy program. MACo encourages the continued research, improvement and development of nuclear power and related technologies that add to its safety and efficiency.
8. MACo supports the siting and permitting regulations of new wind projects to remain at the county level of government.
9. MACo supports legislative and/or budgetary relief that speeds the permitting and siting process for new transmission lines through the Department of Environmental Quality, in cooperation and coordination with impacted counties.
10. MACo believes all energy programs should be periodically reviewed and analyzed for efficiency and effectiveness in achieving their goals. Programs that are found to be ineffective or inefficient should be reengineered in collaboration with county, state, and other local governments.
11. MACo supports an increase in fueling infrastructure stations to support the promotion of AFVs.
12. MACo supports the Department of Energy's efforts to decrease reliance on foreign oil by focusing on alternative fuels such as ethanol, methanol, compressed natural gas, electricity, and biodiesel, among other agents. The ethanol used in E-85 is a renewable fuel that provides benefits to American farmers and rural areas of the country.
13. MACo supports increased fuel economy for trucks and cars to reduce fuel costs and air pollution that are economically feasible.
14. MACo supports counties retaining full authority over their own rights-of-way and recovery costs for their use.



15. MACo supports recognition of electrical, geographic and institutional differences such as the western and eastern electrical grids having different features and challenges.
16. MACo supports DOE and state utility commissions continuing their important role in ensuring that all consumers can count on the long-term integrity, safety, and reliability of their electricity service.
17. MACo is in support of the use of Montana highways being used for the transport of goods and services including large loads deemed safe and proper by the Montana Department of Transportation (MDT) in their permitting process.
18. MACo supports dialog between county officials before taking legal action that causes adverse economic impacts on other counties.
19. MACo supports an energy policy that provides economic incentives to reduce greenhouse gas emissions through innovation technology awards and research and development and opposes any legislative or regulatory proposals, such as a cap and trade system or carbon tax that would pass direct and indirect costs and/or taxes onto counties, consumers, and businesses.
20. MACo supports the issuance of the Presidential Permit for the Keystone XL Pipeline Project.
21. MACo supports efforts intended to mitigate impacts caused by lost revenue by the closure of natural resource entities.

HEALTH & HUMAN SERVICES

MACo supports the progressive broad definition of health, education and human services with emphasis on interdependency of programs. Governments are the primary providers of basic human services, and public health to protect and enhance the lives of citizens.

1. MACo supports the concept of flexibility of administration and local control of health, education and human services programs, in order to provide the most efficient service to Montana citizens. MACo believes that county agencies, public health and environmental departments must be involved in the planning and development of health and related services, as the counties are providers of public health and medical care.
2. MACo supports the Montana Public Health Improvement process in its effort to strengthen the prevention programs and to focus resources on health threats determined to be priorities in communities and the state.
3. MACo supports efforts that will raise public awareness about the importance of local public health departments' preparation for National Public Health Accreditation, thereby supporting a strengthened public health system for the state.
4. MACo supports local public health departments in their efforts to improve and protect the health of every community by advancing strategies that strengthen the foundation, quality, and performance of local public health departments, and to increase state funding for public health services that do not reduce county revenue sources.
5. MACo supports the full implementation of the Montana Indoor Clean Air Act.
6. Many human service programs are originated at the state

- or federal level, and counties are directed to implement them. Therefore, counties should be reimbursed for the cost of services mandated by state or federal programs. These programs include, but are not limited to domestic violence, aging, homelessness, migrants, environmental protection, AIDS and childcare services.
7. MACo supports the need for the Legislature to define serious mental illness in conjunction with the detention of the mentally ill. Further, there is an urgent need for the Legislature to provide financial assistance relative to the detention of the seriously mentally ill.
8. MACo opposes any privatization of DPHHS eligibility determination programs, unless it can be demonstrated that privatization can be efficient and cost effective.
9. MACo believes the ability of families to care for their own must be ensured and safeguarded by society. If the parents fail, it is society's responsibility to provide for alternative arrangements, which are permanent and which meet the child's physical, mental, and emotional needs. Childcare services are critical to the protection and developmental needs of children. Licensing, monitoring of providers, information and referral, and assistance in selecting appropriate care should be available to all without regard to income or resources.
10. MACo supports increasing funding to chemical dependency treatment programs throughout the state.
11. MACo supports efforts to increase public health inspection fees to reduce the property tax subsidy of the inspections and reimburse the actual cost of performing inspections.
12. MACo supports efforts to fund the Older Montanans Trust Fund and to increase state funding for local aging services that do not reduce county revenue sources.
13. MACo supports the Board of Medical Examiners providing Montana First Responder Volunteers with convenient testing venues in order to complete testing and certification requirements in a reasonable time frame with minimal travel at their own expense.
14. MACo supports the presumptive eligibility programs through the Montana Department of Public Health & Human Services.
15. MACo believes that all Montana Public Schools participating in the USDA School Food Program must be in compliance with Montana Rules for Food Service Establishments within all County's School District's Public School Food Service Establishments according to Montana Law, prior to receiving USDA support.
16. MACo supports legislation that would increase the maximum veterans' interment allowances.
17. MACo supports Medicaid Expansion as long as there is sufficient federal and state funding to support the expansion.
18. MACo supports increased funding for Mental Health Service Plans, to support community-based services. Funding increases should be tied to some form of an index.
19. MACo supports improved and increased crisis services for children and adolescents and improvement of the transition of services for children aging into the adult system.
20. MACo supports the work of, and funding for, community-crisis centers to provide community based services and efforts to divert the mentally ill from jail.

(HEALTH & HUMAN SERVICES, CONTINUED)

21. MACo supports funding programs to address human trafficking.
22. MACo supports legislation to allow for the quality assurance review of emergency medical dispatch programs through local EMS councils and providing confidentiality of these medical-run reviews.
23. MACo supports starting the dialog and pursuing the prevention of sexual abuse in families.
24. MACo supports efforts to improve the prevention of physical and emotional abuse.
25. MACo supports language to protect public health regarding the sale of raw milk and raw milk products for human consumption.

JUSTICE & PUBLIC SAFETY

MACo recognizes the current problems encountered by counties in the area of criminal justice and public safety. MACo encourages positive actions to promote and protect the public interest.

1. MACo supports that state, federal and city / town governments reimburse counties for certain services, such as prisoner care.
2. MACo believes that reimbursement rates should reflect actual costs for services.
3. MACo believes mental evaluations should be conducted in local mental health treatment facilities, when available.
4. MACo supports state and federal funding for jails.
5. MACo supports limiting judicial expenditures in excess of adopted county budgets and opposes judicial orders of additional expenditures above the adopted county budget.
6. MACo supports a partnership between state and local governments for the funding of defined minimum standards of court security in district, county, justice, and municipal courts.
7. MACo supports a partnership between the state and local governments for the funding of the costs to remodel court-houses to accommodate additional District Court Judges and related staff, furniture, fixtures and equipment.
8. MACo believes that the state should continue to support the concept of regional juvenile detention facilities.
9. MACo supports legislation to allocate state funding to regional boards for operation and maintenance of regional juvenile detention facilities.
10. MACo believes that counties should be reimbursed for detention costs from the date of conviction or guilty plea to the date of sentencing, and the state should be responsible for the detention costs.
11. MACo supports full funding of grants to counties under the Montana Youth Court Act and funding to recognize the frontier status of Eastern Montana Counties—the distances law enforcement must travel for purposes of providing adequate youth detention services.
12. MACo supports the extension of the “84-16” sunset in the existing 9-1-1 statute, 10-4-313, MCA for the enhanced wireless account.
13. MACo supports providing to county governing bodies the authority to enact social host ordinances.
14. MACo supports a permanent and stable governance structure and funding for the administration of the public safety communications system in Montana.
15. MACo supports the statewide public safety communica-

tions system being based on current federal and state communications standards in which local, tribal, state, and Federal public safety and emergency management representatives can operate autonomously and transition seamlessly, to communicate effectively in an all-hazard emergency mission role.

16. MACo supports the statewide public safety communications system as a voluntary coalition of participating county governments, tribal nations and state agencies.
17. MACo supports the state’s funding of additional resources for the Department of Criminal Investigations and the State Prosecution Bureau, to offset the use of resources in oil-impacted areas of Montana.
18. MACo supports additional state funding for deputy county attorney positions that are primarily designed to enforce state law.
19. MACo supports creating zones around emergencies to be drone free and to support financially punishing drone operators whose actions endanger emergency responses in Montana.

LAND USE & DEVELOPMENT

1. MACo believes that the protection of the environment and the wise development and utilization of our natural resources are essential concerns of all citizens and all levels of government.
2. MACo urges greater commissioner representation on all boards, commissions, and advisory bodies related to the field of natural resources.
3. MACo affirms the need for responsible county planning and community development in all counties in the state by encouraging government officials to control land use to preserve agricultural and other open space lands.
4. MACo affirms the need for responsible county planning and community development in all counties in the state by assisting in the coordination of local planning and development activities with state and federal agencies and by acting as an information source to counties on current state and federal legislative developments.
5. MACo affirms the need for responsible county planning and community development in all counties in the state by recognizing that counties are the most appropriate governmental unit to oversee new development in the county and assess the economic impact. Cooperation by counties will afford the advantages of well-planned use of land, preserved open space, less urban sprawl, and a more efficient delivery of public services.
6. MACo supports the concept of effective land use planning permissively initiated at the local level by local government officials.
7. MACo supports restructuring Montana tax laws to assure that local governments are adequately reimbursed for increased costs for services by new development.
8. MACo supports growth policies that adequately plan for economic development and cost-effective infrastructure.
9. MACo supports state funding for growth policies.
10. MACo supports developing local government review authority for transfers of private sector land to the public sector.
11. MACo encourages counties to develop regulations to guide and control land subdivision. County officials should be given more authority in reviewing proposed subdivisions and adopting subdivision controls to promote the wise use and development of land.



12. MACo supports limiting the use of exemptions to the Subdivision and Platting Act and to further authorizing local development of criteria for allowable exemptions.
 13. While MACo continues to support the concept of local governments as the foundation of effective planning, there is a role for state government in the process.
 14. MACo recommends that the state, as a facilitator, should provide for the inventory and analysis of data and make the information available to local governments.
 15. MACo recommends that the state, as a coordinator, should develop greater ability to provide specialized technical service where county government cannot support such specialization.
 16. MACo recommends that the state, as a coordinator, should coordinate and encourage planning programs at all levels of government.
 17. MACo recommends that the state, as a coordinator, should provide a funding means to assist county government in developing planning programs based on state revenue as well as federal funds.
 18. MACo believes that the State Department of Commerce should be the agency to coordinate planning among state, federal, regional, and local levels.
 19. MACo believes that the development of a state policy toward planning issues must include the active participation of county government in that development. The policy should not dictate to county government the specific regulations for planning but should provide a uniform, flexible framework to guide planning efforts.
 20. MACo urges federal government agencies to actively involve local governments in the initiation and refinement of federal planning and policy decisions.
 21. MACo believes that there is a necessity for balance between land use regulation and the protection of private property.
 22. MACo believes that the continued presence of Military missions within Montana is essential to our National defense as well as the economic health of our citizens and communities. Further, we recognize that these missions can present unique challenges in land use planning which can be best addressed by allowing limited local land use regulation through the creation of Military Affected Areas as allowed by Montana State Law. The limits placed on this type of regulation need to represent a balance between private property rights and the needs of the military.
 23. MACo supports water policy that continues to allow the *de minimis* use of exempt well water for agriculture, homes, and small businesses without the burden of the water right permitting process; and opposes changes to water policy that would unnecessarily increase the cost associated with accessing water; changes to water policy that limit the county's ability to properly plan, zone for growth, or review and condition subdivision applications; changes to water policy that would negatively affect the county's ability to meet Wildland Urban Interface requirements; and changes to water policy that may create added weed infestation in Montana.
2. MACo believes that environment issues must be balanced with socioeconomic issues to achieve a policy, which allows not only a high degree of environmental protection, but also preserves and enhances local community sustainability. County officials and their constituents are keenly aware of the historical, economic and aesthetic values of their local environment and they are certain of the need to prepare for a sustainable future to assure the viability of their communities. Therefore, it is imperative that the federal and state governments work cooperatively with county and other local governments on such policies.
 3. MACo supports natural resource planning and environmental management featuring site-specific management decisions made by local decision makers, local citizenry and parties directly and personally affected by environmental land and resource management decisions on our public lands.
 4. MACo believes that community stability and sustainability in natural resource-dependent communities is important and it is a high priority of MACo. This stability entails a broad range of concerns for the economic, social, and environmental well-being of community residents whose future is linked to decisions that are made about the nation's natural resources.
 5. MACo believes that while protecting ecosystems, soils, waterways, plants and animals is important, so too is the protection of humans, economies and communities from destructive environmental practices.
 6. MACo believes human communities and economies deserve primary consideration when setting federal and state land policies.
 7. MACo opposes any federal legislation, including cap and trade legislation, if it imposes any new tax or fee, energy cost, or other financial burden on state and local governments, employers, and households.
 8. MACo strongly encourages the congressional delegation and the State Land Board to fully analyze the economic impacts on local governments with the cooperation and coordination of the affected counties before supporting any land transfers.
 9. MACo believes that federal and state real property holdings should be maintained at a minimum or no-net gain level.
 10. MACo supports the efforts of counties to ensure local government participation and Congressional action in the decision-making process surrounding the creation of proposed special-use designations. We support efforts to maintain and improve existing public land roads and access points, with adequate federal or state funding appropriated for that purpose.
 11. MACo opposes any state or federal agency allowing non-government organizations (NGO's) to participate in any planning or proposed plan changes without equal representation from organizations with opposing views.
 12. MACo urges Congress to coordinate and cooperate with the county officials, of those affected counties, in decisions relating to the future designations of wilderness.
 13. MACo supports the release of all Wilderness Study Areas (WSA's), which have been recommended or evaluated as not suitable for wilderness by the respective agencies and managed in accordance to the principles of the Multiple-Use Sustained Yield Act of 1960.
 14. MACo opposes the use of the Antiquities Act to create National Monuments, and MACo supports amending the Antiquities Act to clarify its actual intent, which is to establish small, discrete monuments or memorials, and MACo supports prohibiting the further extension or establishment of national monuments except by the express authori-

PUBLIC LANDS

1. MACo believes the most basic principle that must be followed in all actions by state and federal agencies is early consultation, cooperation, and coordination with local county officials, as well as municipal and tribal officials, who have been elected to represent the concerns of those directly affected by public land management decisions.

(PUBLIC LANDS, CONTINUED)

- zation of Congress and coordination with the support of state and local governments.
15. MACo believes in state primacy in water resources administration, management and allocation.
 16. MACo opposes changing the definition in the Clean Water Restoration Act from “navigable waters” to “Waters of the U.S.”
 17. MACo believes that ditches, streets, and gutters should not be waters of the U.S. and also believes in retaining the definition of navigable waters in the Clean Water Act. [NOTE: This policy statement was implemented prior to the 2015 Clean Water Rule; On February 28, 2017, the President signed the “Executive Order on Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the “Waters of the United States” Rule;” federal agencies are now embarking on another effort.]
 18. MACo believes that existing public land laws now provide for comprehensive and continuous oversight of the administration of mining, oil, gas, and coal industries, which are important for the economic well-being of public lands counties.
 19. MACo supports the philosophy of multiple-use management, which allows diversity of activities on public lands and results in the establishment of local economies based on these principles and practices.
 20. MACo supports the continued multiple use of all Montana’s rivers for hydropower generation, flood control, transportation, irrigation, recreation, fish and wildlife habitat and municipal and industrial uses.
 21. MACo supports the enhancement of a viable rangeland livestock industry as an essential component of Montana’s economy and is vital to affected communities.
 22. MACo supports management practices that enhance forest health and sustained harvest and provide for multiple-use.
 23. MACo believes public lands should be managed in both an ecologically and financially sustainable manner providing a source of revenue to the Federal, State, and Local governments.
 24. MACo also believes that lands should be managed with consideration of the potential costs of remediation after a severe fire event.
 25. MACo supports the reorganization of Forest Service Management to reduce the layers upon layers of the organizational structure from four to three and supports clearly defining the Forest Service mission to get more “boots on the ground” projects.
 26. MACo supports the active management of noxious weeds on all county, state, federal, and tribal lands in Montana and recommends cooperative agreements and funding sources to implement said management.
 27. MACo opposes legislative efforts to allow for the permanent retirement of grazing permits through the buyout of grazing by non-ranching third parties.
 28. MACo supports livestock grazing on the Charles M. Russell Wildlife Refuge (CMR) at levels that sustain economically sound livestock operations and maintain the ecological health of the resource.
 29. MACo supports the designation of bison introduced into areas of the state not currently populated by bison as domestic livestock to be managed by the Montana Department of Livestock.
 30. MACo supports requiring regulation of bison by the Montana Department of Livestock to cross county lines.
 31. MACo supports protecting communities, local businesses, and government from unnecessary restrictions due to listing of the Greater Sage Grouse under the Endangered Species Act (ESA), as MACo believes that the listing of the Greater Sage Grouse has absolutely no merit.
 32. MACo supports decisions to list species as threatened or endangered that are made through best available science with increased transparency, timely decisions with local participation through stakeholder collaboration and coordination with local governments.
 33. MACo believes that the ESA should recognize and allow consideration of predation of threatened or endangered species through predator impacts and natural events as well as consider the social and economic impacts to local economies before making any management decisions.
 34. MACo believes that the petitioning of species for listing or removing and revising critical habitat can be done only by the state-recognized wildlife management agency in which the native species in question exists or strong documentation that it historically existed in such state. Quantifiable recovery levels for delisting must be identified at the time of listing.
 35. MACo supports amending the Equal Access to Justice Act (EAJA) requiring accountability and transparency of the expenditure of federal funds and limiting access to EAJA funds only to individuals, small businesses, and non-profit organizations that are directly and personally damaged through a federal action.
 36. MACo calls for full funding of federal payments for Secure Rural Schools (SRS), Payment-in-Lieu-of-Taxes (PILT), Taylor Grazing, and Refuge Revenue Sharing programs to counties.
 37. MACo supports the full funding of the PILT program and Refuge Revenue Sharing at its yearly authorized level and believes that all federal holdings should be included in the program.
 38. MACo believes that shared natural resource payments to counties from activities such as timber sales, mineral leasing, grazing, and others are absolutely vital to county and school budgets.
 39. MACo strongly opposes any effort to reallocate federal land payments to schools or the State of Montana as has been proposed in previous state legislation.
 40. MACo supports “round table” discussions between Montana’s Congressional Delegation, Montana Counties, and the National Association of Counties to review the current PILT formula and to propose changes to the PILT formula that would benefit Montana counties in a more equitable fashion.
 41. MACo supports reducing the administrative fee allowance to 0.1% (1/10th of one percent) or \$1,000,000, whichever is greater, for administrative costs for the Pittman-Robertson and Dingell-Johnson funds. If additional administrative fees are required by the United States Fish and Wildlife Service (USFWS), congressional approval would be required.

RESOLUTIONS & LEGISLATIVE

MACo’s basic objective is to strengthen county government in order to effectively manage the services they provide. County government is a subdivision of the state government with legislative, judicial and administrative powers. Counties have the specific responsibility to protect the health, safety and welfare of county citizens through programs and services funded and provided at the local level. Such essential services must be controlled at the local level to fit the needs unique to each county.

1. MACo believes that cooperation and coordination among various agencies and branches of government is essential.
2. MACo supports efforts to coordinate services and develop methods to jointly administer programs. Counties must



participate in the decision-making process whenever state mandates are proposed.

3. MACo supports legislation to fund the ongoing maintenance of the Montana Votes database from the Montana general fund through the Montana Secretary of State's budget.
4. MACo supports efforts to adopt a statewide system of vote-by-mail elections and allowing counties to conduct federal elections by mail ballot.
5. MACo believes that county government authority under state law should be liberally construed, with county government having the authority to perform activities not specifically prohibited under state law for the purpose of protecting the health, welfare and safety of county residents.
6. MACo encourages legislation that would provide for the creative use of contracting for services as a way to provide selected programs at the local level.
7. MACo opposes any legislative consideration to mandate county reorganization and/or consolidation in light of existing statutory authority for local citizens to undertake, by petition, county reorganization and/or consolidation.

TAXATION, BUDGET & FINANCE

The Montana Association of Counties believes that local government is best able to provide programs and services that are responsive to unique local needs. Local governments should have broad authority to finance these services. This requires a revenue base that is stable and will provide adequate funding. Any method the State of Montana uses to generate revenue directly affects local governments. In the interest of maintaining the partnership between all levels of government, we expect the State of Montana and the federal government to honor existing commitments to local governments.

1. MACo supports local and statewide alternative revenue sources that will decrease the need to burden local property owners and will help stabilize the tax base.
2. MACo supports the authority of local governments to have budget flexibility to meet the rising costs and demands for traditional, as well as additional, services.
3. MACo believes that local governments should be adequately compensated for all non-renewable resources extracted to meet current and future impacts of affected counties.
4. MACo supports greater flexibility in the fee setting authority of county government which adequately reflects the real costs of providing services.
5. MACo supports reimbursement to counties for lost property taxes as a result of the acquisition of real property, or property held in trust, by either the state or federal government.
6. MACo supports working in cooperation with the Montana Secretary of State's Office to pursue additional state and federal funding sources to supplement local government election administration costs.
7. MACo supports amending the Impact Fee Act to remove barriers (the 10-year useful life requirement; the requirement that one member of the impact fee advisory committee be a certified public accountant; the 5% cap on the administrative fee that may be retained by the unit of local government; a rational point of nexus where the impact fee can be collected) to adoption and implementation of impact fees.
8. MACo supports state reimbursement to counties for lost property taxes as a result of the state's acquisition of real property.
9. MACo supports protecting counties from reduced funding and cost shifting from state to county government, and

MACo supports protection of important programs and funding mechanisms, such as the Entitlement Shares, TSEP, renewable resource grants, Big Sky Trust Fund, and others, which allow counties to perform statutorily mandated duties and responsibilities.

10. MACo supports efforts to implement pension reform policies to provide equitable long-term funding and member benefit stability for the Montana Public Employees Retirement Systems affecting county employees, to achieve and maintain solvency and actuarial soundness and equity among beneficiaries and contributors to the systems.
11. MACo believes that all volunteer firefighters and EMT's should be covered under the Montana Workers Compensation Act.
12. MACo supports the full and long-term funding of the Montana State University Local Government Center within the University system budget.
13. MACo supports the extension of the sunset of the statutory appropriation for the distribution of metal mines license tax funds allocated to impacted counties.

TRANSPORTATION

1. MACo promotes, offers suggestions and new ideas, investigates methods, and researches costs of providing improved and economical transportation for the public.
2. MACo coordinates transportation planning for all units of local government.
3. MACo consciously uses and plans county roads as tools to encourage proper land use to include a primary focus on farm-to-market activities. The location of roads is a major factor in the pattern of controlled land development. Carefully planned road locations and reconstruction may promote proper land use as well as economic efficiencies in the use of limited transportation funds.
4. MACo urges legislation or policy aimed at placing disposition of road funds at the county level.
5. MACo works with individual counties to develop road and bridge standards applicable to the county situation.
6. MACo works with the Montana Department of Transportation (MDT) on the maintenance responsibilities.
7. MACo supports legislation to secure state and federal assistance in the construction and maintenance of roads and bridges used for recreational purposes or for access to public lands while granting counties greater discretion in determining road status and funding priorities.
8. MACo maintains uniform procedures for posting private land. Such posting procedures are warranted due to their applicability to gas tax revenue determination.
9. MACo supports any state effort on behalf of infrastructure funding.
10. MACo supports the traditional role of the Local Technical Assistance Program at MSU to provide technical assistance, safety and operator training, and risk management to local government employees across the state and opposes diverting LTAP resources to grant writing and research, believing such diversions will weaken the level of services provided to Local Governments.

Guidelines for Selection & Development of Pavement Treatments on the Secondary Road System

System Responsibility—MDT assumes responsibility for all paved roads on the approved Secondary System. Responsibilities include: day-to-day maintenance of paved surface and its appurtenances; pavement preservation; rehabilitation and reconstruction; plowing and sanding (county and state partnership); and counties will maintain gravel surfaces.

(These guidelines for secondary roads were implemented under SB 333, 1999 Session of Montana Legislature.)



MONTANA ASSOCIATION OF COUNTIES

2014-2016 Resolutions

WHAT ARE MACO RESOLUTIONS, AND WHAT IS THE PROCESS?

GENERAL EXPLANATION

A MACo Resolution is a written motion that is beneficial to county government and is adopted by a deliberative assembly made up of MACo members. A resolution proposes to amend the law to solve a problem; it essentially becomes legislation.

MACo members are the elected officials of counties, which have paid their annual dues in accordance with a schedule of dues or assessments adopted by the MACo Board of Directors and ratified by the membership. Each member county has one vote at membership meetings of the Association.

A MACo Resolution is adopted at the MACo Annual Conference or special meetings; legislation is then drafted by staff and the MACo Resolutions & Legislative Committee for the adopted resolutions. This committee also assists staff in securing of sponsorship for the legislation.

MACo will present and promote legislation which county officials believe to be beneficial to citizens, counties, and the state. MACo will oppose legislation which county officials believe to be detrimental thereto.

PROCESS, STEP 1: MIDWINTER CONFERENCE (FEBRUARY PRECEDING A LEGISLATIVE YEAR)

MACo Committees meet to review their policy statements for additions and/or amendments at the Midwinter Conference preceding a legislative year. During this time, they may also consider and prepare committee resolutions reflecting committee actions and positions being recommended for the entire association. MACo members are encouraged to attend MACo Committee Meetings and participate in the process. These resolutions will be reviewed by the membership as a whole for possible adoption at the following Annual Conference, which also precedes the legislative year.

PROCESS, STEP 2: DISTRICT MEETINGS (MAY & AUGUST PRECEDING A LEGISLATIVE YEAR)

Resolutions can and should originate at the county level for presentation at either the spring or summer district meetings preceding a legislative year. Each resolution should be accompanied by statements of the problem being addressed and the proposed solution. This should include statutory references and language revisions where possible as an additional document to the resolution. They may be submitted by a member, one or more counties, a single district, or multiple districts.

PROCESS, STEP 3: RESOLUTIONS & LEGISLATIVE COMMITTEE MEETING

The Resolutions and Legislative Committee, working with the MACo staff, shall attempt to consolidate similar resolutions with the consent of the originating sponsors. The committee will also identify a primary sponsor/spokesperson and refer the resolutions to their most appropriate MACo Committee for vetting and recommendations to the membership. It is to be noted that the Resolutions Committee may propose resolutions based upon inquiries from members and/or affiliates.

PROCESS, STEP 4: NOTICE

A summary of the various resolutions shall be printed in the MACo Newsletter and distributed to all member counties prior to the annual conference.

PROCESS, STEP 5: ANNUAL CONFERENCE (SEPTEMBER PRECEDING A LEGISLATIVE YEAR)

Late, urgent, or extraordinary resolution addresses an issue that threatens the health, welfare, and/or safety of the public or the counties' resources/ability to provide necessary services, and was not known prior to the Annual Conference. These resolutions may be considered at the Annual Conference if approved by the Board of Directors at their meeting prior to the Annual Conference for presentation on the floor at the general session of the Annual Conference. Such resolutions must be presented in writing, in easily read and understandable form, and in adequate numbers for general circulation. These resolutions may be mailed to MACo for submission to the Board of Directors prior to the Annual Conference. Any resolutions submitted to the Board will be considered and comments and recommendations will be made for presentation to the general assembly. In addition, the Board may, at any meeting with a quorum present, adopt resolutions pertaining to the policy or position of the Association.

MACo Committees will meet during the Annual Conference to review assigned resolutions. They will develop recommendations to amend, drop, incorporate into policy statements, and/or refer to the membership for consideration. They will also make final adjustments to their policy statements for consideration by the membership. All MACo members are encouraged to attend MACo Committee Meetings and participate in the process. Other affiliated elected official associations are also encouraged to participate in the resolutions process.

During the Annual Membership Meeting, the Resolutions Committee Chair will introduce all resolutions in their priority groupings and acted on as a whole. Any delegate may call for a resolution to be segregated from the group for consideration in regard to amendments and/or to change the committee's recommendation. Each resolution that is segregated will be debated separately.

PROCESS, STEP 6: COUNCIL OF COUNTY OFFICIALS MEETING

To ensure communications on legislative issues, MACo sponsors a meeting of the Council of County Officials specifically to share and discuss legislative issues, following the Annual Conference.

PROCESS, STEP 7: SPONSORSHIP RESPONSIBILITIES & LEGISLATIVE SESSION

After the Annual Conference, resolutions begin to become bill drafts, with the help of the resolution sponsors. Resolution sponsorship begins at the district meetings, with the introduction of a resolution, and extends through the legislative session.



The legislative responsibilities of a sponsor include working with the assigned MACo committee and the staff to prepare testimony for the sponsoring legislator, supporting “public” testimony from local officials during the hearing phases of the bill, and to generally help monitor the legislation’s progress.

All testimony should be directed at why the bill is necessary and how it will affect local governments. Indications of or suggestions that what is being sought is special legislation should be avoided to the extent possible. Success can best be assumed when local officials are present and testify; everyone is encour-

aged to participate. MACo will make every effort to afford everyone with ample notice of hearing schedules and scheduled floor debates; however, it should be noted that in some instances it may be impossible to predict the timing of hearings and floor debate, especially toward the end of each session.

The goal will be to demonstrate broad general support for MACo legislation. To do this it is necessary to have a participatory process and everyone is encouraged to “be prepared to be present.”

2016-2018 ADOPTED MACO RESOLUTIONS

All Resolutions were adopted as of MACo’s 107th Annual Conference in Billings during the business session on September 21, 2016.

RESOLUTION NUMBER	SHORT TITLE	PAGE NUMBER
2016-01	Allow Counties to Set Bounties on Predators	14
2016-02	Authorization for Phasing in Montana Subdivision & Platting Act	14
2016-03	Combining Special Purpose District Elections	14
2016-04	County Printing	14-15
2016-05	Detention Costs in County Jails	15
2016-06	Funding for State Secondary Roads	15
2016-07	Generally Revise Laws Applicable to County Government	15-16
2016-08	Immunization Record Disclosure	16
2016-09	Junk Vehicle Capital Reserve	16-17
2016-10	Mail Ballot Voting	17
2016-11	Minor Subdivision Review	17
2016-12	Noxious Weed Trust Fund	17-18
2016-13	Retirees as Independent Contractors	18
2016-14	Review Standard for Montana Subdivision & Platting Act	18
2016-15	Road Tracts on Plats & Certificates of Survey as County Roads	18-19
2016-16	Setting Speed Limits	19
2016-17	Sheriffs’ Retirement System Funding	19
2016-18	Support for Biocontrol of Noxious Weeds	19-20
2016-19	Taxation on Trust Lands	20
2016-20	Uncontested City Elections	20
2016-21	Uniform Process for Disposal of Surplus County Real Property	20-21
2016-22	Wilderness Characteristics Inventory	21



RESOLUTION 2016-01

ALLOW COUNTIES TO SET BOUNTIES ON PREDATORS

It is the intent of the Montana Association of Counties to seek legislation to revise laws regarding setting bounties on predators.

WHEREAS, predators are an issue for livestock producers; and

WHEREAS, county commissioners, at the recommendation of local predator boards, should have the authority to set bounties within the county.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will pursue allowing counties to set bounties on predators.

2016 ACTION

Sponsor: Petroleum County
Referred To: MACo Agriculture Committee
Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-02

AUTHORIZATION FOR PHASING IN MONTANA SUBDIVISION & PLATTING ACT

It is the intent of the Montana Association of Counties to seek and/or support legislation authorizing phasing in the Montana Subdivision and Platting Act.

WHEREAS, in *Bitterrooters for Planning, Inc. v. Board of Ravalli County Comm'rs, et al.*, DV-2013-372/53, Judge Haynes voided the Ravalli County Board of County Commissioner's conditional preliminary plat approval for Legacy Ranch and voided phasing in subdivisions that exceed the three year statutory limitation for preliminary plat approvals; and

WHEREAS, the Montana Subdivision and Platting Act does not authorize the use of phasing in subdivisions; and

WHEREAS, it is beneficial to look at a development as a whole; and

WHEREAS, infrastructure is expensive and required before a plat can be filed; and

WHEREAS, developing a subdivision in phases allows a developer to master plan the property and plan for the needed infrastructure to serve all phases of development; and

WHEREAS, without the authority for counties to approve phased subdivisions, developers are forced to propose several smaller subdivisions so they can afford to install the required infrastructure before filing the final plat; and

WHEREAS, large developments with approved phasing plans allow the planning board, county commissioners, and the public to review the proposal in its entirety.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek and/or support legislation amending the Montana Subdivision and Platting Act to grant counties the authority to approve phased subdivisions.

NOW, THEREFORE BE IT FURTHER RESOLVED that county subdivision regulations may provide for additional public participation of phased subdivisions as determined by the Board of County Commissioners.

2016 ACTION

Sponsor: MACo Land Use, Planning & Development Committee
Referred To: MACo Membership (Late/Emergency Resolution)
Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-03

COMBINING SPECIAL PURPOSE DISTRICT ELECTIONS

It is the intent of the Montana Association of Counties to clarify laws pertaining to the combination of elections for the purpose of creating, electing board officers and determining terms of office for special purpose districts.

WHEREAS, county government is required to create special districts as defined in 7-11-1003 M.C.A., and

WHEREAS, the creation of the district can require a referendum to establish the special purpose district, and

WHEREAS, the Attorney General's office declined to issue an Opinion because the question was answered by controlling statutes in effect at that time, therefore issued a Letter of Advice in response; and,

WHEREAS, an election of officers for the special purpose district is critical to the operation of the special purpose district, and

WHEREAS, Title 7, Chapter 11 does not allow for the election of officers and a process for determining their respective terms of office at the same time the special district is created, necessitating another election, and

WHEREAS, not electing special purpose district officers will delay conducting business of the district and require county government to pay for a separate special district election, and

WHEREAS, Title 7, Chapter 13 does have statutory language allowing for the election of officers and a process for determining their respective terms of office at the same time the water and sewer district is created.

NOW, THEREFORE BE IT RESOLVED that MACo will seek to have legislation introduced that will add language similar to that in 7-13-2225 regarding special district officer elections and 7-13-2234 regarding terms of office to the section of law regarding special purpose districts (Title 7, Chapter 11 M.C.A.).

2016 ACTION

Sponsor: Jefferson County
Referred To: MACo Resolutions & Legislative Committee
Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-04

COUNTY PRINTING

It is the intent of the Montana Association of Counties to clarify the process for county legal advertising and county printing.

WHEREAS, newspapers were the only resource for county printing services, as they had printing presses; and

WHEREAS, with new technology, fewer counties are utilizing newspapers for county printing services; and

WHEREAS, statute limits county printing contracts to newspapers; and

**(RES. 2016-04, COUNTY PRINTING, CONTINUED)**

WHEREAS, statute currently combines county legal advertising and county printing.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to separate and clarify the statutes regarding county legal printing and county legal advertising.

2016 ACTION

Sponsor: MACo Staff

Referred To: MACo Resolutions & Legislative Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-05**DETENTION COSTS IN COUNTY JAILS**

It is the intent of the Montana Association of Counties to clarify laws pertaining to assignment of costs for incarceration of felons held in county detention centers.

WHEREAS, county detention centers are required by law to hold and detain any person lawfully arrested; and

WHEREAS, county detention centers must continue to hold and detain inmates for undefined periods of time based on release conditions imposed by the outside parties; and

WHEREAS, county detention centers hold significant numbers of previously convicted felony level offenders under the supervision of the Department of Corrections while those offenders are processed through revocation proceedings; and

WHEREAS, county detention centers hold previously convicted felony level offenders who, while under the supervision of the Department of Corrections, commit new crimes and are processed through the court system; and

WHEREAS, county detention centers hold significant numbers of convicted felony level offenders who are awaiting sentencing primarily because the Department of Corrections is completing screening and assessment prior to sentencing; and

WHEREAS, convicted felons facing revocation of their underlying sentences and/or new criminal charges are treated as pretrial detainees and the Department of Corrections is not responsible for the costs of pretrial incarceration; and

WHEREAS, the cost of incarceration of convicted felons awaiting sentencing is not being assigned to the Department of Corrections; and

WHEREAS, the costs for operating county detention centers are disproportionately borne by the local property tax payers; and

WHEREAS, a significant number of inmates held in county detention centers are in custody solely because of process issues or failure to comply with the supervision conducted by the Department of Corrections.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to assign the costs of incarceration of convicted felony offenders to the Department of Corrections.

2016 ACTION

Sponsor: Lewis & Clark County

Referred To: MACo Justice & Public Safety Committee; and MACo Resolutions & Legislative Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-06**FUNDING FOR STATE SECONDARY ROADS**

It is the intent of the Montana Association of Counties to seek legislation to amend MCA 60-3-206 to allow secondary funds to be used for surface preservation.

WHEREAS, all counties should have the same opportunities to request funding for state secondary roads whether their roads are paved or gravel for surface preservation; and

WHEREAS, currently MCA 60-3-206(1) reads, "The remainder of the funds must be used by the department for secondary highway system pavement preservation," and should read, "The remainder of the funds must be used by the department for secondary highway system pavement surface preservation;" and

WHEREAS, currently MCA 60-3-206(3)(c) reads, "Pavement preservation' means a project undertaken to extend the useful life of a paved road," and should read, "Pavement Surface preservation' means a project undertaken to extend the useful life of a paved road."

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek legislation to amend MCA 60-3-206 to allow secondary funds to be used for surface preservation.

2016 ACTION

Sponsor: Garfield County

Referred To: MACo Transportation Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-07**GENERALLY REVISE LAWS APPLICABLE TO COUNTY GOVERNMENT**

It is the intent of the Montana Association of Counties to seek legislation to clarify, update, and correct statutes applicable to county government.

WHEREAS, over the course of time laws applicable to county governments sometimes become outdated or antiquated; some sections come into conflict with other sections and others are not adequately clear to provide consistent interpretation and understanding; and

WHEREAS, during the normal course of county business there are a number of changes to the MCA that are identified as needed for clarity and updating; and

1. WHEREAS, the 2013 Legislative Session increased the bidding threshold in section 7-5-2301 for contracts for the purchase of any vehicle, road machinery or other machinery, apparatus, appliances, equipment, or materials or supplies or for construction, repair, or maintenance to \$80,000 from \$50,000. Section 7-5-2309 provides a bidding preference for county residents for contracts over \$50,000. Section 7-5-2309 should be harmonized with 7-5-2301 at \$80,000; and
2. WHEREAS, prior to the passage of HB 84 in 2015, when a fire district trustee election was cancelled due to a lack of candidates, the position was filled by appointment of the board of county commissioners. That language was stricken from 7-33-2106 and replaced by general language in 13-1-502 that places the responsibility to fill such an appointment with "the governing body", however in this context the governing body would be the district trustees. MACo



(RES. 2016-07, GEN. REV. COUNTY LAWS, CONTINUED)

believes the responsibility for filling a position when any special district trustee or board member election has been cancelled should be with the Board of County Commissioners; and

- 3. WHEREAS, Section 7-4-2106 provides for filling a vacancy in the office of county commissioner and 7-4-2206 provides for filling a vacancy in any other elected county office, however those statutes are not worded the same, which causes confusion. MACo believes those statutes should be harmonized to reflect the same times and processes for filling vacancies in county elected offices.

NOW, THEREFORE BE IT RESOLVED, that the Montana Association of Counties shall seek legislation to clarify, update, and correct statutes applicable to county government.

2016 ACTION

Sponsor: MACo Staff
Referred to: MACo Resolutions & Legislative Committee
Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-08

IMMUNIZATION RECORD DISCLOSURE

It is the intent of the Montana Association of Counties to seek legislation allowing limited disclosure of an immunization record without the patient's authorization for the purposes of the State Immunization Information System (IIS), unless the patient has elected not to participate.

WHEREAS, Montana is one of only three states that requires someone receiving a vaccine to "opt-in" to the state IIS; and

WHEREAS, 97% of individuals choose to "opt-in" to the IIS; and

WHEREAS, with an "opt-out" system, clinicians and public health agencies will be able to document the information on the remaining 3%; and

WHEREAS, allowing health care providers to see what vaccines a person may have received from other health providers will help keep vaccinations on schedule; and

WHEREAS, allowing health care providers to see what vaccines a person may have received from other health providers will help prevent individuals from receiving unnecessary vaccinations; and

WHEREAS, the IIS will provide a convenient place to obtain individual or children's records when needed for travel, daycare or school attendance; and

WHEREAS, the IIS can provide important information when elderly individuals cannot remember when or where they received their vaccinations; and

WHEREAS, the IIS can provide important medical contraindications such as allergies that need to be discussed prior to receipt of certain vaccines; and

WHEREAS, the IIS allows public health agencies to monitor vaccination efforts and assist with our efforts to prevent further illnesses during an outbreak.

NOW, THEREFORE BE IT RESOLVED the Montana Association of Counties shall seek legislation allowing limited disclosure of an immunization record without the patient's authorization for the purposes of the State Immunization Information System (IIS), unless the patient has elected not to participate.

2016 ACTION

Sponsor: MACo Health & Human Services Committee
Referred to: MACo Health & Human Services Committee
Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-09

JUNK VEHICLE CAPITAL RESERVE

It is the intent of the Montana Association of Counties to seek legislation to specifically authorize counties to establish and maintain a county Junk Vehicle Capital Reserve fund, and that up to 10% of its annual payment from the junk vehicle program and any unspent budget authority may be transferred into a county junk vehicle capital reserve fund to be used for the replacement, improvement, and acquisition of property, facilities, or equipment consistent with the purposes of the junk vehicle program only, in accordance with a capital improvement plan adopted by a county.

WHEREAS, for many years counties were encouraged by DEQ to establish a junk vehicle capital reserve to save money for large purchases that cannot be funded in a single year; and

WHEREAS, recently the DEQ Junk Vehicle program has decided that funds in county capital reserve funds cannot be retained in a capital reserve fund after June 30, 2016 unless a county submits a Capital Improvement Plan acceptable to DEQ for the use of this money, in which case the time frame will be extended one year; and

WHEREAS, DEQ has directed all funds remaining in a County Junk Vehicle Capital Reserve be returned to the state; and

WHEREAS, Section 75-10-534 establishes an annual payment to counties not exceeding \$1.40 for each motor vehicle under 8,001 pounds gross vehicle weight that is licensed in that county. However, for those counties that have fewer than 5,000 motor vehicles under 8,001 pounds gross vehicle weight, the department may pay up to \$7,500 if the county can justify this payment; and

WHEREAS, 75-10-534 does not provide for a reversion of any funds paid to counties, however DEQ has adopted Administrative Rules requiring unspent funds in any fiscal year to be returned to the state; and

WHEREAS, Section 7-6-616 authorizes counties to establish Capital Reserve Funds for the replacement, improvement, and acquisition of property, facilities, or equipment that costs in excess of \$5,000 and that has a life expectancy of 5 years or more. Section 7-6-616 further states that a capital improvement fund may receive money from any source, including funds that have been allocated in any year but have not been expended or encumbered by the end of the fiscal year; and

WHEREAS, MACo believes that statute prevails over administrative rule, therefore the administrative rule adopted by DEQ is beyond the scope of its authority by requiring a reversion of unspent funds.



NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties shall seek legislation to clearly authorize a county to establish a county junk vehicle capital improvement fund and that up to 10% of its annual payment from the junk vehicle program and any unspent budget authority may be transferred into a county junk vehicle capital reserve fund to be used for the replacement, improvement, and acquisition of property, facilities, or equipment consistent with the purposes of the junk vehicle program only, in accordance with a capital improvement plan adopted by a county.

2016 ACTION

Sponsor: Beaverhead County
Referred to: MACo Tax, Budget & Finance Committee
Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-10

MAIL BALLOT VOTING

It is the intent of the Montana Association of Counties to propose mail ballot voting legislation in the 2017 legislative session.

WHEREAS, MACo has supported the concept of mail ballot elections for all elections for nearly thirty years; and
 WHEREAS, Montana’s County Clerks and Records and Election Administrators have been running mail ballot elections for local elections for nearly thirty years; and
 WHEREAS, by virtue of this long experience, MACo has confidence in the ability of our counties to securely conduct mail balloting for state and federal elections as well; and
 WHEREAS, the wide open spaces of our great state necessitate great distances between polling locations, making the maintenance and sustainability of polling locations increasingly difficult and expensive; and
 WHEREAS, the large number of election judges required for running poll elections is becoming increasingly difficult to attain.
 NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties bring forth legislation in the 2017 legislative session to establish all mail balloting for all future elections.

2016 ACTION

Sponsor: Roosevelt County
Referred to: MACo Resolutions & Legislative Committee
Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-11

MINOR SUBDIVISION REVIEW

It is the intent of the Montana Association of Counties to seek legislation to eliminate the unconstitutional provision preventing a governing body from holding a public hearing on a first minor subdivision.
 WHEREAS, Article II, Section 8 of the Constitution of Montana requires government agencies to afford citizens a reasonable opportunity to participate prior to final government decisions; and
 WHEREAS, as established in 47 Mont. Op. Atty. Gen. No. 13, public notice is required of any convening of a quorum of county commissioners at which any matter of significant public inter-

est is to be discussed, deliberated, or determined. Additionally the public must be given the opportunity to participate in any decision of the commission, other than ministerial acts, if there is any question whether the decision is of “significant interest to the public;” and

WHEREAS, in a meeting where a matter of significant public interest is at issue, the governing body must comply with Section 2-3-111(1) Mont. Code Ann. and “must include a method of affording interested persons reasonable opportunity to submit data, views, or arguments, orally or in written form, prior to making a final decision that is of significant interest to the public;” and

WHEREAS, in their review of a first minor subdivision, as defined under Section 76-3-609(2) Mont. Code Ann., a county commission must, in addition to other requirements, evaluate the impact of the proposed subdivision on agriculture, agricultural water user facilities, local services, the natural environment, wildlife, wildlife habitat, and public health and safety. Evaluation of these criteria is not a ministerial act, and unmitigated impacts to these criteria have the ability to extend beyond the boundaries of the proposed subdivision, and as such, are of “significant interest to the public;” and

WHEREAS, House Bill 486, passed during the 2009 Legislative Session, changed the review process for first minor subdivisions by eliminating the ability of a governing body to hold a public hearing on such applications, even for applications that include variance requests. These changes were codified under sections 76-3-506(3) and 76-3-609(2)(e) Mont. Code Ann.; and

WHEREAS, these statutory requirements do not afford the public the same right of participation in minor subdivisions as major subdivisions.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to allow the public hearing requirement for first minor subdivisions as is presently required for major subdivisions.

2016 ACTION

Sponsor: Gallatin County
Referred to: MACo Land Use, Planning & Development Committee
Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-12

NOXIOUS WEED TRUST FUND

It is the intent of the Montana Association of Counties to ensure adequate funding for county weed districts and reservations to enhance their terrestrial noxious weed management programs.

WHEREAS, the percentage of vehicle fee revenue as provided for in MCA 80-7-816 has not increased since 1989; and

WHEREAS, the amount of funding provided to each county weed district and reservation for the purposes of enhancing the noxious weed program is currently \$7,500 per noxious weed management district; and

WHEREAS, costs associated with weed control and the implementation of county weed management plans are continually increasing; and

WHEREAS, the need for and cost of noxious weed control has increased; and



(RES. 2016-12, NOX. WEED TRUST FUND, CONTINUED)

WHEREAS, an additional \$1,000,000, or approximately \$15,000 per county/reservation is needed to focus on fighting terrestrial noxious weeds; and

WHEREAS, increasing revenue that is designated to fight noxious weeds will increase on the ground resources for noxious weed management.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to increase funding to the Noxious Weed Trust Fund to increase grants to counties and tribes to fight noxious weeds.

2016 ACTION

Sponsor: MACo Staff

Referred to: MACo Agriculture Committee; and MACo Public Lands Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-13

RETIREES AS INDEPENDENT CONTRACTORS

It is the intent of the Montana Association of Counties to seek legislation eliminating the requirement that employers pay contributions to the Public Employees Retirement System for retirees working as independent contractors.

WHEREAS, HB 105 of the 2013 legislative session instituted a requirement for employers to pay contributions on retirees in the Public Employees Retirement System working as Independent Contractors; and

WHEREAS, the term “independent contractor” is not defined under pension law; and

WHEREAS, there is no distinction within the retirement law on contribution payments to separate payments on time and/or materials for retirees working as independent contractors; and

WHEREAS, the lack of definition and clarity causes overpayment of employer contributions; and

WHEREAS, employers may have to challenge applicability to obtain clarification and/or refunds; and

WHEREAS, ambiguous applicability causes unnecessary additional employer time and expense;

WHEREAS, there are no additional benefits applied to the retiree for these contributions; and

WHEREAS, MCA §19-3-1106(7)(a), requires employer contributions on work performed by a retiree through a professional employer arrangement, an employee leasing arrangement, or a temporary service contractor.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek legislation to eliminate the requirement that employers pay contributions to the Public Employees Retirement System for retirees working as independent contractors.

2016 ACTION

Sponsor: MACo Staff

Referred to: MACo Tax, Budget & Finance Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-14

REVIEW STANDARD FOR MONTANA SUBDIVISION & PLATTING ACT

It is the intent of the Montana Association of Counties to define the review standard for subdivision approvals.

WHEREAS, in *Bitterrooters for Planning, Inc. v. Board of Ravalli County Comm'rs, et al.*, DV-2013-372/53, Judge Haynes voided the Ravalli County Board of County Commissioner's conditional preliminary plat approval for Legacy Ranch and applied the “Hard Look Standard” as part of his decision; and

WHEREAS, the Montana Subdivision and Platting Act does not require the “Hard Look Standard;” and

WHEREAS, the Montana Subdivision and Platting Act contains review criteria for subdivision approvals; and

WHEREAS, local governments need defined criteria and standards to complete their due diligence in reviewing criteria required by the Montana Subdivision and Platting Act.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to amend the Montana Subdivision and Platting Act to define the review standard for subdivision approvals.

2016 ACTION

Sponsor: Ravalli County

Referred to: MACo Land Use, Planning & Development Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-15

ROAD TRACTS ON PLATS & CERTIFICATES OF SURVEY AS COUNTY ROADS

It is the intent of the Montana Association of Counties to seek legislation to allow counties to declare a road depicted and shown on a Certificate of Survey or Plat as a County Road.

WHEREAS, many plats and certificates of surveys prior to the enactment of the Montana Subdivision and Platting Act in 1973 depicted 60 foot wide “parcels” (road tracts) with parallel lines that appear to be creating road rights-of-way; and

WHEREAS, other plats and certificates of survey depicted 60 foot wide easements, but did not designate whether the easement was public or private and did not grant the easement in favor of any specific party or entity; and

WHEREAS, without designation of these road tracts or easements to the public, many property owners and developers of the properties along the parcels or easements are denied access to their properties and orderly development of the property is stymied; and

WHEREAS, these depicted but undedicated or undesignated tracts have become “orphan tracts” where ownership is unclear or cannot be determined; and

WHEREAS, currently, the only way to turn these road tracts and easements into public use rights is to either file a declaratory judgment action or to follow the petition process in statute to declare these depicted road tracts as a county road, both expensive and time consuming procedures; and

WHEREAS, many counties are hesitant to create a petitioned county road that is not built to standard, does not have a fund-



ing mechanism for maintenance, and may be subject to condemnation damages; and many developers are hesitant to immediately build a road to standard but do desire to explore maintenance in the future; and

WHEREAS, some of these road tracts and easements are currently used by residents along these “roads” and when they attempt to sell their property have problems getting titles insured because access to the parcels is not legally established and cannot be legally established except through time-consuming and expensive litigation; and

WHEREAS, MCA § 7-14-2101 provides that boards of county commissioners have the authority to lay out, maintain, control, and manage county roads and bridges within the county.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to clarify the law by expressly authorizing a board of county commissioners to create county roads on undesignated but depicted county road tracts shown on plats and certificates of survey.

2016 ACTION

Sponsor: Yellowstone County

Referred to: MACo Transportation Committee; and
MACo Land Use, Planning & Development Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-16

SETTING SPEED LIMITS

It is the intent of the Montana Association of Counties to seek legislation to allow local governments more freedom to set reasonable context-sensitive speed limits while responding proactively to address constituent concerns.

WHEREAS, Montana Code Annotated (MCA) 7-14-2113 establishes authority for county governments to set speed limits; and

WHEREAS, MCA 61-8-310 places limits on county governments in establishing speed limits; and

WHEREAS, the Manual on Uniform Traffic Control Devices (MUTCD) is adopted into law by reference in all fifty states and promotes the use of engineering investigations and judgement in establishing speed limits; and

WHEREAS, county governments desire to promote safe travel for all modes of transportation through the implementation of context-sensitive speed limits in response to community or citizen concerns; and

WHEREAS, it is necessary to amend MCA 61-8-310 to accomplish this.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to amend MCA 61-8-310 by removing the minimum statutory speed limits, removing the urban and rural district designations which are no longer applicable, retaining the requirement that any speed limit be established only after conducting an appropriate engineering investigation using traditional and/or emerging methodologies, and updating the rest of the referenced statute accordingly.

2016 ACTION

Sponsor: Missoula County

Referred to: MACo Transportation Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-17

SHERIFFS' RETIREMENT SYSTEM FUNDING

It is the intent of the Montana Association of Counties to support the policy of additional county employer contributions to the Sheriffs' Retirement System, contingent upon certain conditions.

WHEREAS, Article VII, Section 15 of the Montana Constitution requires public retirement systems to be funded on an actuarial sound basis; and

WHEREAS, the Sheriffs' Retirement System was underfunded by 3.8% as of the June 30, 2015 actuarial valuation; and

WHEREAS, it is anticipated the shortfall will increase with the June 30, 2016 actuarial valuation; and

WHEREAS, the Sheriffs' Retirement System is funded solely by county employer and employee contributions and investment income; and

WHEREAS, an increase in employer and employee contributions is necessary to bring the Sheriffs' Retirement System into actuarial soundness to meet the constitutional obligation; and

WHEREAS, counties do not have the fiscal resources to fund additional county employer contributions without an offsetting revenue stream.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will support the policy of additional county employer contributions to the Sheriffs' Retirement System, contingent upon:

1. The approval by the Montana Legislature to implement a permissive mill levy; and
2. A “trigger” be approved that county employer contributions will decrease when actuarial soundness is achieved as per MCA §19-3-316(4)(b) for the Public Employees Retirement System; and
3. None of the additional county employer contributions from the authorized levy shall be diverted to the Montana Public Employees Retirement Administrative costs; and
4. No county employer contributions of terminating non-vested employees will be diverted to the Montana Public Employees Retirement Administrative costs; and
5. No benefit enhancements are made to the Sheriffs' Retirement System; and
6. The Sheriffs' Retirement System is not in any way all or in part converted to a Defined Contribution Plan.

2016 ACTION

Sponsor: MACo Staff

Referred to: MACo Justice & Public Safety Committee; and
MACo Tax, Budget & Finance Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-18

SUPPORT FOR BIOCONTROL OF NOXIOUS WEEDS

It is the intent of the Montana Association of Counties to encourage a timelier and reasonable review system for biological weed control agents so that managers are encouraged to continue support of this valuable integrated weed management tool.

WHEREAS, biological control has proven itself to be a valuable tool for land managers throughout North America and it is an essential component to an ecological and integrated approach to the management of our most widespread invasive weeds; and



(RES. 2016-18, BIOCONTROL NOX. WEEDS, CONTINUED)

WHEREAS, delays in processing release permits for agents that have passed the rigorous research testing and have gained the approval of the USDA-APHIS Technical Advisory Group, has led some of these partners to reduce or remove their funding of biological control research altogether; and

WHEREAS, the current loss or reduction of funding will only compound the delays, and lead to even fewer biological weed control agents being researched for release.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties supports expediting the approval of new bio-agents to help reduce the negative impacts of invasive weeds in North America.

2016 ACTION

Sponsor: Hill County

Referred to: MACo Agriculture Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-19

TAXATION ON TRUST LANDS

It is the intent of the Montana Association of Counties to support reservation counties in asking the State of Montana to supplement the property taxes lost due to tribal and/or tribal-in-trust lands with Montana payment in lieu of taxes, thereby making them whole.

WHEREAS, counties provide services to all residents living within their borders; and

WHEREAS, the State of Montana has established, through the legislative process, that counties will receive funding for services from property taxes levied on owners of property within their borders; and

WHEREAS, tribally-owned and tribally-owned trust lands within the exterior boundaries of reservations in said counties are exempt from property taxes; and

WHEREAS, since Statehood, the State has added new counties and revised county boundaries resulting in approximately 16 counties which have tribal reservations within their borders; and

WHEREAS, owners-in-fee (individuals who have been deeded lands out of trust or tribal ownership to individuals) of lands within the exterior boundaries of reservations are subject to property tax levies, but they are petitioning Tribes to revert the real property to Tribal or Tribal in Trust ownership, decreasing revenue from property tax levies; and

WHEREAS, reliance on property tax revenue severely handicaps the ability of said counties to generate sufficient funding to provide essential services; and

WHEREAS, federal payments in lieu of taxes (PILT) does not extend to reservation lands within county or state boundaries; and

WHEREAS, the State of Montana continues to leave reservations within counties; and

WHEREAS, the State of Montana continues to expect counties to utilize only this revenue source.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties supports reservation counties and asks

the State of Montana to supplement the property taxes lost due to tribal and/or tribal-in-trust lands with Montana payment in lieu of taxes, thereby making them whole.

2016 ACTION

Sponsor: Lake County

Referred to: MACo Tax, Budget & Finance Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-20

UNCONTESTED CITY ELECTIONS

It is the intent of the Montana Association of Counties to support efforts of the Montana League of Cities and Towns to cancel uncontested local government (cities and counties) elections.

WHEREAS, there is disagreement among state and local officials as to whether or not cities have the legal authority to cancel uncontested city general elections; and

WHEREAS, Montana citizens, taxpayers and voters often question the necessity and expense of holding elections for which there are no contested races; and

WHEREAS, these citizens often complain of being mailed such ballots; and

WHEREAS, the Montana League of Cities and Towns will be seeking legislation to clearly allow municipalities to cancel uncontested elections; and

WHEREAS, the county clerks and recorders and election administrators are responsible for administering city elections; and

WHEREAS, the Montana Association of Counties believes Montana's cities should be able to cancel such elections.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties supports efforts of the Montana League of Cities and Towns to cancel uncontested local government (cities and counties) elections.

2016 ACTION

Sponsor: Richland County

Referred to: MACo Resolutions & Legislative Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-21

UNIFORM PROCESS FOR DISPOSAL OF SURPLUS COUNTY REAL PROPERTY

It is the intent of the Montana Association of Counties to seek legislation to provide a uniform process for the disposal of county real property.

WHEREAS, Montana Law currently provides several processes for the disposal of county-owned real property; and

WHEREAS, these processes are different depending on how the real property was acquired, including acquisition by tax deed, grant, purchase, dedication of parkland, etc.; and

WHEREAS, these processes for disposal are different, often depending on who will receive the real property such as by exchange to another governmental entity, whether or not the



property has timber, private sale, sale at public auction, construction of public housing, etc.; and

WHEREAS, counties may retain certain property rights such as rights of recession, oil and gas rights but only for property obtained by certain means; and

WHEREAS, these differing processes are difficult to understand, which may lead to errors and misinterpretations of statute.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to provide a general uniform process for the disposal of surplus county real property and appurtenances, regardless of how acquired or to what entity acquires the property, to the greatest extent feasible and practical.

2016 ACTION

Sponsor: Gallatin County

Referred to: MACo Resolutions & Legislative Committee

Adopted: Annual Conference, Billings, MT, September 21, 2016

RESOLUTION 2016-22

WILDERNESS CHARACTERISTICS INVENTORY

It is the intent of the Montana Association of Counties to educate the public and local governments about the possible action(s) of continued "wilderness characteristics" inventory being done by the federal land management agencies.

WHEREAS, federal land management agencies have been directed by administration to do continued "wilderness characteristics" inventory; and

WHEREAS, the federal land management directives have changed the definition of "wilderness characteristics" from that of the Wilderness Act of 1976 to one far less restrictive; and

WHEREAS, section 603 (a) of the Federal Lands Policy Management Act of 1976 (FLPMA) restricted said inventory as defined by the Wilderness Act of 1964 to 15 years after enactment (Oct. 21, 1976 to Oct. 21, 1991); and

WHEREAS, Prairie County, Montana has formally protested and appealed the Department of Interior's and BLM's directive of said inventory and exhausted the administrative remedies; and

WHEREAS, federal land management agencies have been told to finish inventory by 2016 which is prior to the end of the current administration's last term; and

WHEREAS, the Antiquities Act of 1906 has been used aggressively without local support by Presidents, and MACo has a high degree of concern that the Act in question will be used to declare a national monument being defined by new "wilderness characteristics" lands cataloged after Oct. 21, 1991.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties opposes continued "wilderness characteristics" inventory by the federal land management agencies without an Act of Congress; and

LET IT BE FURTHER RESOLVED that MACo opposes past and future application of the Antiquities Act of 1906 by Presidents of either party without local government support.

2016 ACTION

Sponsor: MACo Districts 1, 2 & 3

Referred to: MACo Transportation Committee

Adopted: Annual Conference, Great Falls, MT, September 26, 2012

Do You Have a Resolution?

FOUR OPPORTUNITIES FOR SUBMISSION

There are four opportunities to submit resolutions:

1. Midwinter Conference (February Prior to a Legislative Year/Even-numbered Years)

MACo Committees meet to review their policy statements for additions and/or amendments at the Midwinter Conference preceding a legislative year. **During this time, they may also consider and prepare committee resolutions** reflecting committee actions and positions being recommended for the entire association. These resolutions will be reviewed by the membership as a whole for possible adoption at the following Annual Conference, which also precedes the legislative year.

2. Spring District Meeting (May Prior to a Legislative Year/Even-numbered Years)

Resolutions can and should originate at the county level for presentation at either the spring or summer district meetings preceding a legislative year. Each resolution should be accompanied by statements of the problem being addressed and the proposed solution. This should include statutory references and language revisions where possible as an additional document to the resolution. They may be submitted by a member, one or more counties, a single district, or multiple districts.

3. Summer District Meeting (August Prior to a Legislative Year/Even-numbered Years)

Same as number 2 above.

4. Board of Directors Meeting (September Annual Conference Prior to a Legislative Year/Even-numbered Year): Late, Urgent, or Extraordinary Resolutions Only

Late, urgent, or extraordinary resolution addresses an issue that threatens the health, welfare, and/or safety of the public or the counties' resources/ability to provide necessary services, and was not known prior to the Annual Conference. These resolutions may be considered at the Annual Conference if approved by the Board of Directors at their meeting prior to the Annual Conference for presentation on the floor at the general session of the Annual Conference. Such resolutions must be presented in writing, in easily read and understandable form, and in adequate numbers for general circulation. These resolutions may be mailed to MACo for submission to the Board of Directors prior to the Annual Conference. Any resolutions submitted to the Board will be considered and comments and recommendations will be made for presentation to the general assembly.

IMPORTANT: See page 12 for full process.



MONTANA ASSOCIATION OF COUNTIES

Vision Statement

MACo ENHANCES THE PUBLIC SERVICE MISSION OF COUNTIES BY PROMOTING INTEGRITY AND PROVIDING PROACTIVE LEADERSHIP WHILE ACKNOWLEDGING AND RESPECTING MONTANA'S DIVERSITY.

MACo's GOALS

1. To educate and develop relationships with legislators, state officials and local elected officials regarding county structure, budgeting, and operation; and
2. To provide education on self-determination techniques such as charter government and functional consolidation, and facilitating agreements; and
3. To educate the public using press releases distributed to local media to market county government; and
4. To promote effective tax reform including consideration of general sales tax.

SUGGESTED ACTION STEPS FOR MACo GOALS

GOAL #1

To educate and develop relationships with legislators, state officials and local elected officials regarding county structure, budgeting and operations . . .

SUGGESTED ACTIONS

- During district meetings, prepare a packet or presentation for commissioners and for legislators.
⇒ MACo provides a reception for legislators at which a brief packet of information is provided.
- Provide a hotline to MACo during legislative session that legislators can use to ask questions about pending bills.
- Invite some legislators to attend new county officials orientation.
- More commissioners should be present every day during the legislative sessions.
- Commissioners attending the Legislature wear a button stating "Ask me about county government."
- Modify MACo Policy Statements and provide to legislators.
- Provide a follow-up to the session including a report card on how each legislator voted.
- Expand the box lunch.
- Lobbying starts at home, before the session.
- Conference calls with legislators.

GOAL #2

To provide education on self-determination techniques such as charter government and functional consolidation, and facilitating agreements . . .

SUGGESTED ACTIONS

- Provide a major workshop on the voter review process, the implications of charter government, functional consolidation, and regionalizing services.
- Conduct a survey of existing interlocal agreements and models of alternative arrangements; incorporate an article in the MACo newsletter about the resources available.
- Develop a certification and continuing education credit program for commissioners. (An education committee was appointed.)

GOAL #3

To better educate the public using press releases distributed to local media to market county government . . .

SUGGESTED ACTIONS

- Ask NACo for training on how to effectively utilize the media.
- Develop the message with focus on what counties are accomplishing, so people can see what counties are actively doing.
- Pursue opinion/editorial features in newspapers, both issue-oriented and opinion-oriented.
- Provide a workshop to coach participants on what is important to write.
- Send out news releases about meetings and what was done/discussed.
- Send news releases to individual counties to release to their local press.
- Create a media committee to advise MACo staff to develop the media concept. (A media committee was appointed.)

GOAL #4

To promote effective tax reform including consideration of general sales tax . . .

SUGGESTED ACTIONS

- MACo prepares and disseminates an opinion/editorial piece about counties' support of broad-based tax restructuring.
- Educate the public about tax bills: pie charts and other demonstrations to indicate property tax distributions.
- Work with the Legislature on a comprehensive sales tax bill.



MONTANA ASSOCIATION OF COUNTIES

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