### MACo Executive Committee

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>President</td>
<td>Jim Hart</td>
<td>Madison County</td>
</tr>
<tr>
<td>1st Vice President</td>
<td>Shane Gorder</td>
<td>Richland County</td>
</tr>
<tr>
<td>2nd Vice President</td>
<td>Doug Martens</td>
<td>Rosebud County</td>
</tr>
<tr>
<td>Fiscal Officer</td>
<td>Mike McGinley</td>
<td>Beaverhead County</td>
</tr>
<tr>
<td>Urban Representative</td>
<td>Nicole “Cola” Rowley</td>
<td>Missoula County</td>
</tr>
<tr>
<td>Immediate Past President</td>
<td>Bill Barron</td>
<td>Lake County</td>
</tr>
</tbody>
</table>

### Past Presidents Serving as County Officials

<table>
<thead>
<tr>
<th>Year</th>
<th>Name</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-2017</td>
<td>Todd Devlin</td>
<td>Prairie County</td>
</tr>
<tr>
<td>2015-2016</td>
<td>Maureen Davey</td>
<td>Stillwater County</td>
</tr>
<tr>
<td>2013-2014</td>
<td>Joe Briggs</td>
<td>Cascade County</td>
</tr>
<tr>
<td>2012-2013</td>
<td>Greg Chilcott</td>
<td>Ravalli County</td>
</tr>
<tr>
<td>2010-2011</td>
<td>John Ostlund</td>
<td>Yellowstone County</td>
</tr>
<tr>
<td>2009-2010</td>
<td>Carl Seilstad</td>
<td>Fergus County</td>
</tr>
<tr>
<td>2008-2009</td>
<td>Mike McGinley</td>
<td>Beaverhead County</td>
</tr>
<tr>
<td>2002-2004</td>
<td>Carol Brooker</td>
<td>Sanders County</td>
</tr>
<tr>
<td>1985-1986</td>
<td>Bob Mullen</td>
<td>Jefferson County</td>
</tr>
</tbody>
</table>

### District Chairs

<table>
<thead>
<tr>
<th>District</th>
<th>Name</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Gary Macdonald</td>
<td>Roosevelt County</td>
</tr>
<tr>
<td>2</td>
<td>Jerry Collins</td>
<td>Garfield County</td>
</tr>
<tr>
<td>3</td>
<td>Bob Lee</td>
<td>Rosebud County</td>
</tr>
<tr>
<td>4</td>
<td>Larry Hendrickson</td>
<td>Liberty County</td>
</tr>
<tr>
<td>5</td>
<td>Ron Ostberg</td>
<td>Teton County</td>
</tr>
<tr>
<td>6</td>
<td>Sandy Youngbauer</td>
<td>Fergus County</td>
</tr>
<tr>
<td>7</td>
<td>Bill Wallace</td>
<td>Sweet Grass County</td>
</tr>
<tr>
<td>8</td>
<td>Cory Kirsch</td>
<td>Jefferson County</td>
</tr>
<tr>
<td>9</td>
<td>Steve White</td>
<td>Gallatin County</td>
</tr>
<tr>
<td>10</td>
<td>Tony Cox</td>
<td>Sanders County</td>
</tr>
<tr>
<td>11</td>
<td>Roman Zylawy</td>
<td>Mineral County</td>
</tr>
<tr>
<td>12</td>
<td>Tom Rice</td>
<td>Beaverhead County</td>
</tr>
</tbody>
</table>

### Elected Official Association Representatives

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys</td>
<td>Leo Gallagher</td>
<td>Lewis &amp; Clark County</td>
</tr>
<tr>
<td>Clerk &amp; Recorders</td>
<td>Stephanie Verhassest</td>
<td>Richland County</td>
</tr>
<tr>
<td>Clerks of District Court</td>
<td>Valerie Hornsveld</td>
<td>Broadwater County</td>
</tr>
<tr>
<td>Clerks of District Court</td>
<td>Joan Bjarko</td>
<td>Daniels County</td>
</tr>
<tr>
<td>Coroners</td>
<td>Vacant</td>
<td>N/A</td>
</tr>
<tr>
<td>Magistrates</td>
<td>Linda Cantin</td>
<td>Park County</td>
</tr>
<tr>
<td>School Superintendents</td>
<td>Susan Beley</td>
<td>Wheatland County</td>
</tr>
<tr>
<td>Sheriffs &amp; Peace Officers</td>
<td>Brian Gootkin</td>
<td>Gallatin County</td>
</tr>
<tr>
<td>Treasurers</td>
<td>Adele Krantz</td>
<td>Flathead County</td>
</tr>
</tbody>
</table>
Table of Contents - MACo Policy Booklet

MONTANA ASSOCIATION OF COUNTIES

Table of Contents

MACo Policy Statements
What Are Policy Statements? .................................................................................................................. 4
MACo Policy Statements ......................................................................................................................... 4-13
  Agriculture ........................................................................................................................................... 5
  Community, Economic Development & Labor ...................................................................................... 5-6
  Energy .................................................................................................................................................. 6-7
  Health & Human Services .................................................................................................................... 7-8
  Justice & Public Safety ........................................................................................................................ 8-9
  Land Use & Development .................................................................................................................. 9
  Public Lands ....................................................................................................................................... 10-11
  Resolutions & Legislative .................................................................................................................. 11-12
  Taxation, Budget & Finance .............................................................................................................. 12
  Transportation .................................................................................................................................... 12-13

MACo Adopted Resolutions
What Are MACo Resolutions & What is the Process? ....................................................................... 14-15
MACo Adopted Resolutions .................................................................................................................. 15-23
  Res. 2018-01, Allow Counties to Establish a Coal Trust Fund......................................................... 16
  Res. 2018-02, Allow Counties to Establish County Auditor as Part-time Office ............................. 16
  Res. 2018-03, Allow Inflation on Mill Levies..................................................................................... 16
  Res. 2018-04, Clarifying County Attorney as Legal Advisor .......................................................... 16-17
  Res. 2018-05, Cost of Care for Animals Seized in Alleged Animal Welfare Violations ............... 17
  Res. 2018-06, Creation of Gateway County Local Option Tax ....................................................... 17
  Res. 2018-07, Destruction of Public Records Requiring an Order of District Court or Probate Court ............................................................................................................................................................................ 17-18
  Res. 2018-08, Elector Qualifications in School Elections ................................................................. 18
  Res. 2018-09, Ensure Consistency for Making Assessments or Imposing Fees for Costs & Expenses of All Improvement Districts ................................................................................ 18
  Res. 2018-10, Invasive Species Penalties ......................................................................................... 18-19
  Res. 2018-11, Lifting of Agricultural Covenants in Limited Situations ........................................... 19
  Res. 2018-12, Noxious Weed Management Funding ..................................................................... 19
  Res. 2018-13, Public Records Protection ......................................................................................... 19-20
  Res. 2018-14, Removing Mobile Homes from the Tax Rolls .......................................................... 20
  Res. 2018-15, Repeal of Temporary Tribal Tax Exemption ............................................................... 20
  Res. 2018-16, Require that Parcels Exempt from Subdivision Review Provide Legal Access ........ 20
  Res. 2018-17, Revise Definition of Electioneering Communications ............................................. 21
  Res. 2018-18, Revise Definition of Wild Buffalo & Wild Bison ...................................................... 21
  Res. 2018-19, Setting Speed Limits ................................................................................................. 21-22
  Res. 2018-20, Setting Speed Limits in School Zones ...................................................................... 22
Montana Association of Counties

2018-2020 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 county elected officials 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 2018-2020.

2018-2020 MACo Policy Statements

All Policy Statements were updated and reaffirmed as of MACo’s 109th Annual Conference in Missoula during the business session on September 19, 2018.

<table>
<thead>
<tr>
<th>MACo Committee</th>
<th>Page Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>5</td>
</tr>
<tr>
<td>Community, Economic Development &amp; Labor</td>
<td>5-6</td>
</tr>
<tr>
<td>Energy</td>
<td>6-7</td>
</tr>
<tr>
<td>Health &amp; Human Services</td>
<td>7-8</td>
</tr>
<tr>
<td>Justice &amp; Public Safety</td>
<td>8-9</td>
</tr>
<tr>
<td>Land Use &amp; Development</td>
<td>9</td>
</tr>
<tr>
<td>Public Lands</td>
<td>10-11</td>
</tr>
<tr>
<td>Resolutions &amp; Legislative</td>
<td>11-12</td>
</tr>
<tr>
<td>Taxation, Budget &amp; Finance</td>
<td>12</td>
</tr>
<tr>
<td>Transportation</td>
<td>12-13</td>
</tr>
</tbody>
</table>
**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 delisting 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 reintroduction 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 competitive and available transportation for moving products to 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 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 supports the continuance of existing Montana economic development programs included in MCA 15-35-108 and identified by the Montana Economic Developers Association (MEDA) as critical to Montana’s competitiveness. MACo also encourages the development, by MEDA and with participation from MACo, of a long-term strategy for Montana that includes analysis of the existing programs and opportunities for improvement.

9. MACo is committed to the exploration, development and responsible use of Montana’s natural resources for economic development.

10. 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.

11. MACo endorses a partnership between local elected officials and the various state and federal programs, which provide workforce training and affordable workforce housing.

12. 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.

13. MACo supports the exemption of Federal Funds that flow through state agencies from any Statewide Cost Allocation Plan.

14. MACo supports continued long-term operations of existing U.S. Post Office and sorting facilities in communities across America.

15. 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 natural resources 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.

16. MACo believes that responsible mining is a cornerstone of Montana’s economy and that passage of laws which unduly and negatively impact mining operations or encourage unnecessary litigation will harm the economic interests of Montana communities.

17. MACo believes that changes in permitting processes or rulemaking necessary to address environmental concerns associated with mining activity are better done in an open, participatory, public process where meaningful public input can be considered when making decisions impacting this vital component of our economy.

**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 provide economic incentives to reduce greenhouse gas emissions through innovation technology awards and research and development, and MACo 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 efforts intended to mitigate impacts caused by lost revenue by the closure of natural resource entities.

21. MACo supports the development of new U.S. natural resource export facilities and will encourage the Montana Legislature and Attorney General to support the same.

**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 provide adequate state funding for public health services that do not reduce county revenue sources.

5. MACo supports 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 fully reimbursed for the cost of services mandated by state or federal programs.

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 providing adequate 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 provide adequate 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 counties’ school districts’ public school food service establishments according to Montana law, prior to receiving USDA support.

16. MACo supports Medicaid Expansion as long as there is sufficient federal and state funding to support the expansion.

17. MACo supports providing adequate state funding for comprehensive community-based Mental Health Services.

18. 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.

19. MACo supports the work of, and adequate state funding for, community crisis centers to provide community-based services and efforts to divert the mentally ill from jail.

20. MACo supports adequate funding to address human trafficking.

21. MACo supports continuing the dialog and pursuing the prevention of sexual abuse in families.

22. MACo supports efforts to improve the prevention of physical and emotional abuse.

23. MACo supports language to protect public health regarding the sale of raw milk and raw milk products for human consumption.

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 courthouses 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 providing to county governing bodies the authority to enact social host ordinances.

13. MACo supports a permanent and stable governance structure and funding for the administration of the public safety communications system in Montana.

14. MACo supports the statewide public safety communications 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.

15. MACo supports the statewide public safety communications system as a voluntary coalition of participating county governments, tribal nations, and state agencies.

16. MACo supports the state’s funding of additional resources for the Department of Criminal Investigations and the State Prosecution Bureau.
17. MACo supports additional state funding for deputy county attorney positions that are primarily designed to enforce state law.

18. MACo supports creating zones around emergencies to be drone free and to support financially punishing drone operators whose actions endanger emergency responses in Montana.

19. MACo will work with the Montana Court Administrator’s Office to ensure full funding of all district court costs as cited in MCA 3-5-901.

20. MACo will support working with NACo and the federal government to allow public safety telecommunicators to work the same schedules as emergency and public safety services.

**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.
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.

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 authorization 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 nonprofit 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.

42. MACo supports allowing for any such program developed to protect public health and safety of Montana waterways to be borne by those directly responsible for the potential contamination or introduction of aquatic invasive species in Montana.

### 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 voter database system and/or election equipment funded through the Secretary of State either from the Montana general fund or federal pass-through funds.

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
(Resolutions & Legislative, Continued)

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.

8. MACo supports the inclusion of county election administrators, clerk & recorders, and local government officials in reviewing and choosing new elections equipment and voter database systems.

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 to use broad authority to finance these services. This requires a revenue base that is stable and will provide adequate funding.

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 nonrenewable 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.

14. MACo supports the continuation of the six-mill levy to provide the basis of state financial support for the support, maintenance, and improvement of the Montana University System.

15. MACo supports the statutory obligation of the state of Montana through the state tax appeal board appropriation to fund the incidental expenses for the county tax appeal board as stated in 15-15-101 (b)(3).

16. MACo will work with the Montana County Treasurers Association and the Montana Department of Revenue to clearly explain the information provided to taxpayers on their tax assessment notices.

17. MACo supports allowing counties the option of dedicating a portion of their junk vehicle funds to the towing, recycling, and disposing of non-motorized vehicles and mobile homes.

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 assis-
tance 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 MACo opposes diverting LTAP resources to grant writing and research, believing such diversions will weaken the level of services provided to Local Governments.

11. MACo supports airport infrastructure funding that addresses the needs of both primary and nonprimary airports due to the economic importance of a strong system of airports.

   **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.)
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 encouraged 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.”

### 2018-2020 ADOPTED MACo RESOLUTIONS

All Resolutions were adopted as of MACo’s 109th Annual Conference in Missoula during the business session on September 19, 2018.

<table>
<thead>
<tr>
<th>Resolution Number</th>
<th>Short Title</th>
<th>Page Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-01</td>
<td>Allow Counties to Establish a Coal Trust Fund</td>
<td>16</td>
</tr>
<tr>
<td>2018-02</td>
<td>Allow Counties to Establish County Auditor as Part-time Office</td>
<td>16</td>
</tr>
<tr>
<td>2018-03</td>
<td>Allow Inflation on Mill Levies</td>
<td>16</td>
</tr>
<tr>
<td>2018-04</td>
<td>Clarifying County Attorney as Legal Advisor</td>
<td>16-17</td>
</tr>
<tr>
<td>2018-05</td>
<td>Cost of Care for Animals Seized in Alleged Animal Welfare Violations</td>
<td>17</td>
</tr>
<tr>
<td>2018-06</td>
<td>Creation of Gateway County Local Option Tax</td>
<td>17</td>
</tr>
<tr>
<td>2018-07</td>
<td>Destruction of Public Records Requiring an Order of District Court or Probate Court</td>
<td>17-18</td>
</tr>
<tr>
<td>2018-08</td>
<td>Elector Qualifications in School Elections</td>
<td>18</td>
</tr>
<tr>
<td>2018-09</td>
<td>Ensure Consistency for Making Assessments or Imposing Fees for Costs &amp; Expenses of All Improvement Districts</td>
<td>18</td>
</tr>
<tr>
<td>2018-10</td>
<td>Invasive Species Penalties</td>
<td>18-19</td>
</tr>
<tr>
<td>2018-11</td>
<td>Lifting of Agricultural Covenants in Limited Situations</td>
<td>19</td>
</tr>
<tr>
<td>2018-12</td>
<td>Noxious Weed Management Funding</td>
<td>19</td>
</tr>
<tr>
<td>2018-13</td>
<td>Public Records Protection</td>
<td>19-20</td>
</tr>
<tr>
<td>2018-14</td>
<td>Removing Mobile Homes from the Tax Rolls</td>
<td>20</td>
</tr>
<tr>
<td>2018-15</td>
<td>Repeal of Temporary Tribal Tax Exemption</td>
<td>20</td>
</tr>
<tr>
<td>2018-16</td>
<td>Require that Parcels Exempt from Subdivision Review Provide Legal Access</td>
<td>20</td>
</tr>
<tr>
<td>2018-17</td>
<td>Revise Definition of Electioneering Communications</td>
<td>21</td>
</tr>
<tr>
<td>2018-18</td>
<td>Revise Definition of Wild Buffalo &amp; Wild Bison</td>
<td>21</td>
</tr>
<tr>
<td>2018-19</td>
<td>Setting Speed Limits</td>
<td>21-22</td>
</tr>
<tr>
<td>2018-20</td>
<td>Setting Speed Limits in School Zones</td>
<td>22</td>
</tr>
</tbody>
</table>
RESOLUTION 2018-01
ALLOW COUNTIES TO ESTABLISH A COAL TRUST FUND

It is the intent of the Montana Association of Counties to clarify laws pertaining to savings of coal revenue dollars in anticipation of future reduction in mining or generating activities.

WHEREAS, there is a clear need for counties to be able to prepare funding for future coal mining and generation reductions; and

WHEREAS, current MCA statute does not allow for funds to be set aside for future revenue losses.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to allow for counties the ability to establish a fund to be used when coal revenues are declining.

2018 ACTION
Sponsor: Rosebud County & Big Horn County
Referred To: MACo Community, Economic Development & Labor Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-02
ALLOW COUNTIES TO ESTABLISH COUNTY AUDITOR AS PART-TIME OFFICE

It is the intent of the Montana Association of Counties to seek legislation to allow for counties to have the ability to establish the county auditor’s position as either a full-time or a part-time office or in combination with another position following a public hearing.

WHEREAS, MCA 7-6-2401 requires the office of county auditor to exist in counties having a population over 15,000 but allows for a full-time, a part-time, or in combination with another elected official in counties below 15,000; and

WHEREAS, only six non-consolidated county auditors remain in the state of Montana; and

WHEREAS, the qualifications of the office of county auditor require only being of voting age and two years of county residency preceding election or appointment; and

WHEREAS, it may be beneficial to use cost savings from creating a part-time county auditor to hire support staff within the auditor’s office with technical training and/or allow taxpayer savings; and

WHEREAS, allowing a part-time auditor would still maintain a separation of duties with county officials; and

WHEREAS, most governmental entities within the state function without an elected auditor and have only an independent audit.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to allow for all counties the ability to establish the county auditor’s position either as a full-time or a part-time position or in combination with another position pursuant to MCA 7-4-2301.

2018 ACTION
Sponsor: Yellowstone County
Referred To: MACo Resolutions & Legislative Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-03
ALLOW INFLATION ON MILL LEVIES

It is the intent of the Montana Association of Counties to seek legislation to provide counties with more stability in times of inflation.

WHEREAS, MCA 15-10-420 (1)(a) was amended during the 2001 legislative session to allow for a governmental entity that is authorized to impose mills to impose a levy sufficient to generate the amount of property taxes actually assessed in the prior year plus one-half of the rate of inflation for the prior 3 years; and

WHEREAS, the average of this method has yielded an average inflation adjustment of approximately 1.09% since its inception; and

WHEREAS, this inflationary limitation has yet to be in place during a time of increased inflation; and

WHEREAS, many counties’ expenditure budgets consist of wages & benefits, goods, services, and maintenance and repairs, which are all sensitive to inflationary issues; and

WHEREAS, an average inflation rate of just 4% would cause counties and related agencies to lose money yearly to inflation; and

WHEREAS, rising inflation will create funding issues throughout local government in Montana.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek legislation to provide counties with more stability in times of inflation and the ability to more effectively meet their needs with a decreased necessity to ask citizens for mill levy increases or to look to the Montana Legislature for funding assistance.

2018 ACTION
Sponsor: Yellowstone County
Referred To: MACo Tax, Budget & Finance Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-04
CLARIFYING COUNTY ATTORNEY AS LEGAL ADVISOR

It is the intent of the Montana Association of Counties to clarify that a county attorney’s first obligation is to the governing body if a conflict exists between the board of county commissioners and special districts and boards as set forth in MCA 7-4-2711.

WHEREAS, the county attorney is the legal adviser of the board of county commissioners; and

WHEREAS, the county attorney shall attend their meetings when required and shall attend and oppose all claims and accounts against the county that are unjust or illegal; and

WHEREAS, the county attorney shall defend all suits brought against the county; and
NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish clarification by the Legislature that the county attorney’s first obligation is to the governing body if a conflict exists between the board of county commissioners and special districts and boards as set forth in MCA 7-4-2711.

2018 ACTION
Sponsor: Stillwater County
Referred To: MACo Resolutions & Legislative Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-05
COST OF CARE FOR ANIMALS SEIZED IN ALLEGED ANIMAL WELFARE VIOLATIONS

It is the intent of the Montana Association of Counties to clarify laws pertaining to assignment of costs for the care of animals seized by county law enforcement in cases of alleged animal welfare violations under MCA 45-8-210 [animal fighting], or MCA 45-8-211 [animal cruelty], MCA 45-8-217 [aggravated animal cruelty], or local animal welfare ordinances.

WHEREAS, animals seized by law enforcement in cases of alleged animal welfare violations are living evidence in such cases, county animal shelters are required by law to coordinate the care for these animals until each case achieves legal resolution, including food, water, shelter, and veterinary medical care for seized animals suffering acute injury or chronic illness; and

WHEREAS, county animal shelters must continue to coordinate care for undefined periods of time based on resolution of alleged animal welfare violations; and

WHEREAS, county animal shelters may coordinate care for significant numbers of animals seized in animal welfare cases involving commercial pet breeders or pet hoarders; and

WHEREAS, the demand for appropriate facilities for housing seized animals may require county animal shelters to seek additional contracted facilities or the support of private shelters; and

WHEREAS, the cost of coordinating care for seized animals in any single substantial case of alleged animal welfare violations may exceed a county’s budget allocations for animal care; and

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

WHEREAS, bonding for the cost of animal care or animal forfeiture by defendants in animal welfare violation cases will prevent or reduce costs for animal care to county animal shelters; and

WHEREAS, the owners of animals seized in cases of alleged animal welfare violations would ordinarily be responsible for veterinary care and the day-to-day costs of care for the animals as prescribed under MCA 45-8-211 [animal cruelty].

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to assign the costs of care for animals seized in alleged animal welfare violation cases to the animals’ owners or require forfeiture of the seized animals by the owners so that the animals may be offered for adoption to individuals willing and able to commit to their care.

2018 ACTION
Sponsor: Missoula County
Referred To: MACo Justice & Public Safety Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-06
CREATION OF GATEWAY COUNTY LOCAL OPTION TAX

It is the intent of the Montana Association of Counties to provide gateway counties the opportunity to choose a local option tax, seasonally or year-round, that would apply to luxury items, because current statutes prevent counties from using this proven funding tool and prohibit its use in communities of more than 5,000 in population.

WHEREAS, counties that border National Park, gateway counties, must serve the needs of a multitude of nonresident visitors; and

WHEREAS, meeting the needs of nonresident visitors in gateway counties places an undue and unsustainable burden on local taxpayers; and

WHEREAS, counties and communities with a population of more than 5,000 lack the ability to choose a resort tax.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation that will provide gateway counties the opportunity to provide property tax relief and provide infrastructure for the growing needs of visitors by choosing a local option tax, seasonally or year-round, that would apply to luxury items.

2018 ACTION
Sponsor: Park County
Referred To: MACo Community, Economic Development & Labor Committee; AND MACo Tax, Budget & Finance Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-07
DESTRUCTION OF PUBLIC RECORDS REQUIRING AN ORDER OF DISTRICT COURT OR PROBATE COURT

It is the intent of the Montana Association of Counties to clarify laws regarding the disposal and destruction of public records, so Title 2 and Title 7 follow the same rules.

WHEREAS, “Title 2-6-1012. Management of public records—disposal and destruction” was amended in 2015 to establish a provision for disposing and destroying public records; and

WHEREAS, Title 2-6 requires public officers to establish a record management plan that satisfies the requirements of the chapter; and

WHEREAS, Title 2-6 reflects the practice conducted by counties as per the statutes and the ARMs; and

WHEREAS, Title 7-4-2222 requires that any document, plat, paper, written instrument, or book reproduced as provided in 7-4-2221 can be disposed of or destroyed only upon order of the district or probate court having jurisdictions, and the reproductions may be substituted as public records; and

WHEREAS, Title 2-6-1012 and Title 7-4-2222 are in conflict regarding disposal and destruction.
NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to expressly authorize local governments to dispose of or destroy public records, without an order from the court.

2018 Action
Sponsor: Missoula County
Referred to: MACo Justice & Public Safety Committee; AND
MACo Resolutions & Legislative Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-08
ELECTOR QUALIFICATIONS IN SCHOOL ELECTIONS
It is the intent of the Montana Association of Counties to support a study bill to evaluate elector qualifications in both school district elections and special district elections.

WHEREAS, currently land owners that do not reside in a school district where they own property are not allowed a vote; and

WHEREAS, MCA 7-33-2106 Section 4 regarding Fire Protection states that “An elector, as defined in 13-1-101, who resides in the district or any holder of title to lands within the district who presents a proof of payment of taxes on the lands at the polling place is eligible to vote in the election.”; and

WHEREAS, Montana land owners that own land outside of the school district in which they reside are not permitted any say in how they are taxed in these school districts or how their tax dollars are used; and

WHEREAS, the current voter registration database does not support expansion beyond registered voters.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will support a study bill to evaluate elector qualifications in both school district elections and special district elections.

2018 Action
Sponsor: Fergus County
Referred to: MACo Resolutions & Legislative Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-09
ENSURE CONSISTENCY FOR MAKING ASSESSMENTS OR IMPOSING FEES FOR COSTS & EXPENSES OF ALL IMPROVEMENT DISTRICTS
It is the intent of the Montana Association of Counties to develop or revise statutory language that makes administration and assessment of costs and expenses related to construction, operation and maintenance, and debt service consistent for all types of special districts utilized by county and municipal governments.

WHEREAS, multiple statutes exist enabling districts to be formed by counties that may result in construction, replacement, ongoing operations & management, and debt service; and

WHEREAS, MCA 7-13-121, which governs the creation of Metropolitan Sanitary and/or Storm Sewer Districts, is not consistent with the method of assessments available to County Water and Sewer Districts pursuant to MCA 7-13-2201 et seq. and MCA 7-13-2301 et seq. and is not consistent with the method of assessments available to Special Districts pursuant to MCA 7-11-1024; and

WHEREAS, MCA 7-13-121 only allows method of assessment per lot within the boundaries of a Metropolitan Sanitary and/or Storm Sewer District; and

WHEREAS, allowing local control of a variety of assessment methodologies allows for the most fair and equitable assessment distribution among the landowners, users, and customers of a Metropolitan Sanitary and/or Storm Sewer District.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to clarify statute by bringing uniformity to how local governments may establish assessments or fees for all costs related to improvements, installation of, ongoing maintenance, depreciation reserves, and debt service for a special district.

2018 Action
Sponsor: Dawson County
Referred to: MACo Community, Economic Development & Labor Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-10
INVASIVE SPECIES PENALTIES
It is the intent of the Montana Association of Counties to seek legislation to standardize the penalties for invasive species.

WHEREAS, the Montana Code Annotated (MCA) allows counties located within the Columbia River Basin to adopt ordinances and resolutions regarding the prevention or control of invasive species under MCA 7-22-2601; and

WHEREAS, the definition of invasive species in MCA 80-7-1003 includes “A nonnative, aquatic species that has caused, is causing, or is likely to cause harm to the economy, environment, recreational opportunities, or human health,” and

WHEREAS, the authority to adopt ordinances includes the authority to establish penalties for violation of any such ordinance; and

WHEREAS, the standard penalties for county-initiated ordinances are contained in MCA 7-5-109 and include a fine that is not to exceed $500 or 6 months’ imprisonment or both fine and imprisonment; and

WHEREAS, the effectiveness of any ordinance to prevent or control invasive species is tied to the ability to inspect, impound, and assign the costs of prevention and control measures on equipment, materials, and devices able to introduce and spread invasive species; and

WHEREAS, the MCA does not provide a clear mechanism for local funding of invertebrate pest management or aquatic invasive species prevention or control measures.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek legislation to allow for the inspection, impoundment, confiscation, clean-up, and removal of
boats, watercraft, irrigation equipment, seaplanes, and other contaminant vessels accessing the waterways in the Columbia River Basin; and

BE IT FURTHER RESOLVED that the Montana Association of Counties will seek legislation to allow for the costs of any such program developed to protect the public health and safety of the waterways in the Columbia River Basin to be borne by those directly responsible for the potential contamination or introduction of aquatic invasive species in the Basin.

2018 ACTION

Sponsor: Lake County
Referred to: MACo Public Lands Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-11
LIFTING OF AGRICULTURAL COVENANTS IN LIMITED SITUATIONS

It is the intent of the Montana Association of Counties to allow County Commissioners to lift agricultural covenants imposed under Section 76-3-207(1)(c), MCA, in limited situations.

WHEREAS, under current statutory authority, agricultural covenants imposed on property in accordance with Section 76-3-207(1)(c) can only be lifted through subdivision review pursuant to Section 76-3-207(2)(b); and

WHEREAS, in certain limited situations, County Commissioners need the authority to lift agricultural covenants without requiring subdivision review; and

WHEREAS, County Commissioners need the authority to lift agricultural covenants when the original lot lines before the use of the agricultural covenant are restored through aggregation prior to, or in conjunction with, the lifting of the agricultural covenant; and

WHEREAS, County Commissioners need the authority to lift agricultural covenants when the proposed lifting of the agricultural covenant is for a government or public entity seeking to use the tract for public purposes; and

WHEREAS, County Commissioners shall hold a public hearing on lifting of agricultural covenants in limited situations, consider the information and evidence provided at the public hearing, and issue written findings of fact based on the information and evidence to support the approval or denial of lifting of the agricultural covenant.

2018 ACTION

Sponsor: MACo Land Use, Planning & Development Committee (Originated in Richland County)
Referred to: MACo Land Use, Planning & Development Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-12
NOXIOUS WEED MANAGEMENT FUNDING

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

WHEREAS, an additional $1,000,000, or approximately $15,000 per county/reservation in 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 for counties and tribes to fight noxious weeds.

2018 ACTION

Sponsor: MACo Agriculture Committee
Referred to: MACo Agriculture Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

RESOLUTION 2018-13
PUBLIC RECORDS PROTECTION

It is the intent of the Montana Association of Counties to seek legislation to clarify the prohibition against using public lists for commercial or political activities.

WHEREAS, House Bill 123 in the 2015 legislative session reorganized Montana’s public records law; and

WHEREAS, the new law prohibits the dissemination or use of distribution lists in MCA 2-6-1017; and

WHEREAS, the intent of the legislation was to prohibit the commercial or political use of lists of people transacting business or participating in state and local governments, and to protect the privacy of individuals interacting with their government; and

WHEREAS, the penalty provision of MCA 2-6-1017 establishes a misdemeanor offense for the person distributing a list protected by the provisions of this statute, regardless of the public nature or need for disclosure of any such list; and

WHEREAS, the majority of lists created by public entities may be subject to disclosure or examination as open, public records; and

WHEREAS, the disclosure of any such lists allows a person to compile a distribution list by examining the records that are otherwise open to public inspection, thereby eliminating the privacy rights of those on the list; and

WHEREAS, the prohibitions and penalty for violation of this section of code should be on the commercial or political use of any such list, not on the release of publicly available lists.
NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek legislation to amend MCA 2-6-1017 to clarify the privacy interests of people interacting with their government and prohibit the commercial and political use of lists created from any such governmental interaction.

**2018 Action**

**Sponsor:** MACo Staff  
**Referred to:** MACo Resolutions & Legislative Committee  
**Adopted:** Annual Conference, Missoula, MT, September 19, 2018

### RESOLUTION 2018-14

**REMOVING MOBILE HOMES FROM THE TAX ROLLS**

It is the intent of the Montana Association of Counties to clarify when mobile homes that have been abandoned, destroyed, or are not livable are removed from the tax rolls by the Montana Department of Revenue.

WHEREAS, the Montana Department of Revenue is responsible for managing the current list of mobile homes to be taxed in Montana; and

WHEREAS, County Commissioners in each county are asked to abate taxes when a property has been wrongly assessed and taxed; and

WHEREAS, older mobile homes are often abandoned as a living unit, destroyed, or gutted and used only as storage; and

WHEREAS, taxpayers are asked to prove the mobile home is not livable; and

WHEREAS, Commissioners sometimes see the same request to remove the unusable mobile home from the tax rolls in subsequent years; and

WHEREAS, taxpayers are frustrated when the Department of Revenue fails on its obligations to correct the record permanently; and

WHEREAS, Commissioners recognize that mobile homes have titles that can be used to transfer ownership that must be addressed; and

WHEREAS, the Department of Revenue has a process to extinguish other titles.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to clarify the trust process and the five-year window for acceptance under the Temporary Tribal Tax Exemption expires; and

WHEREAS, there is no administrative remedy for counties to collect prior year taxes on those properties that exceed the five-year exemption window and are placed back into taxable status; and

WHEREAS, the legislative fiscal analysis done prior to passage of MCA 15-6-230, Temporary Tribal Tax Exemption, was significantly understated; and

WHEREAS, the number of properties expected to apply for exemption was significantly understated; and

WHEREAS, the property tax loss to some counties and the state is significant; and

WHEREAS, the Montana Department of Revenue has failed to implement the statute as written.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek legislation to repeal MCA 15-6-230, Temporary Tribal Tax Exemption.

**2018 Action**

**Sponsor:** Lake County  
**Referred to:** MACo Tax, Budget & Finance Committee  
**Adopted:** Annual Conference, Missoula, MT, September 19, 2018

### RESOLUTION 2018-16

**REQUIRE THAT PARCELS EXEMPT FROM SUBDIVISION REVIEW PROVIDE LEGAL ACCESS**

It is the intent of the Montana Association of Counties to seek legislation to require habitable parcels being created through a process other than subdivision review must provide legal access.

WHEREAS, MCA 76-3-201 and MCA 76-3-207 allow divisions or aggregation of land exempt from subdivision review; and

WHEREAS, new parcels are able to be created through this process without legal access; and

WHEREAS, legal access is essential in order to provide emergency services to occupants and users of habitable parcels; and

WHEREAS, public health and safety may be negatively impacted when the process to create a new parcel does not require legal access.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation that requires parcels created through the exemptions from subdivision review in MCA 76-3-201 and MCA 76-3-207 must provide legal access.
**RESOLUTION 2018-17**

**REVISE DEFINITION OF ELECTIONEERING COMMUNICATIONS**

It is the intent of the Montana Association of Counties to seek legislation allowing counties to engage in outreach and education on matters presented to the voters in county-run elections without being required to register as political committees.

WHEREAS, The Montana Code Annotated (MCA) prohibits a public officer or employee from using public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee in MCA 2-2-121 (3); and

WHEREAS, The Commissioner of Political Practices has required local governments providing outreach and education on mill levy and bond elections to register as political committees based on the definition of “electioneering communications” found in MCA 13-1-101 (16); and

WHEREAS, local government entities have a responsibility to educate voters on the consequences of mill levy and bond elections as part of regular and normal communications, outreach, and dissemination of information related to such elections; and

WHEREAS, the registration requirements specify that a local government engaged in outreach and education must report any and all applicable expenses associated with conducting regular and normal communications, including a calculation of staff time and public resources dedicated to outreach and education efforts to the Commissioner of Political Practices as political committee expenses; and

WHEREAS, local governments need the ability to communicate the impacts of passage or failure of bond and mill levy elections without advocating for or against any such elections and without creating political committees reporting to the Commissioner of Political Practices.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek legislation to amend the definition of Electioneering Communications to exclude registration requirements for regular and normal communications by a local government to the public regarding a ballot issue put before the voters by the local government’s governing body, including but not limited to education, outreach, public meetings or hearings, and dissemination of information related thereto.

**2018 ACTION**

Sponsor: MACo Staff
Referred to: MACo Resolutions & Legislative Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

---

**RESOLUTION 2018-18**

**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 judgment 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; and

WHEREAS, some county subdivisions are built to urban/suburban standards and may warrant speeds less than 35 MPH; and

WHEREAS, any deviation in speed reduction shall be supported by an engineering investigation to determine a safe speed; and

WHEREAS, it is not our intention to amend/modify subsection 2 of the existing statute.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to establish legislation to amend MCA 61-8-310 to allow counties to set speeds at less than 33

**2018 ACTION**

Sponsor: Garfield County
Referred to: MACo Agriculture Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018

---

**RESOLUTION 2018-19**

**REVISE DEFINITION OF WILD BUFFALO & WILD BISON**

It is the intent of the Montana Association of Counties to clarify wild bison or wild buffalo as bison or buffalo that have never been subject to livestock tax.

WHEREAS, “wild” should mean roaming free from birth to death; and

WHEREAS, MCA 81-1-101(1)(6), “wild buffalo” or “wild bison” means a bison that has not been reduced to captivity and is not owned by a person;

WHEREAS, MCA 87-2-101(14), “wild buffalo” or “wild bison” means buffalo or bison that have not been reduced to captivity;

WHEREAS, MCA 87-6-101(37), “wild buffalo” means buffalo or bison that have not been reduced to captivity; and

WHEREAS, those definitions do not provide enough clarity given that buffalo and bison may be livestock or wild animals;

NOW, THEREFORE BE IT RESOLVED that MACo will seek legislation to clarify that to be considered wild bison or wild buffalo means to never have been subject to livestock tax.

**2018 ACTION**

Sponsor: Ravalli County
Referred to: MACo Land Use, Planning & Development Committee
Adopted: Annual Conference, Missoula, MT, September 19, 2018
**(Res. 2018-19, Setting Speed Limits, Continued)**

MPH on paved roads in suburban subdivisions when warranted by an engineering investigation.

**2018 Action**

Sponsor: Missoula County  
Referred to: MACo Transportation Committee  
Adopted: Annual Conference, Missoula, MT, September 19, 2018

**Resolution 2018-20**

**Setting Speed Limits in School Zones**

It is the intent of the Montana Association of Counties to seek legislation to allow local governments more freedom and discretion to set or alter reasonable speed limits in the area of a school zone.

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 judgment 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 that removes the current mandate for an engineering or traffic investigation in the areas near a school and provide the county commissioners discretion to establish school zone speed limits not less than 15 miles an hour.

**2018 Action**

Sponsor: MACo Transportation Committee  
(Originated in Gallatin County)  
Referred to: MACo Transportation Committee  
Adopted: Annual Conference, Missoula, MT, September 19, 2018

---

**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 14 for full process.**
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.