

**MONTANA  
ASSOCIATION OF  
COUNTIES**

2715 Skyway Drive  
Helena, MT 59602-1213  
(406) 444-4360  
Fax (406) 442-5238  
e-mail: maco@maco.cog.mt.us

DATE: September 11, 2006  
TO: Environmental Quality Council  
FROM: Harold Blattie, Executive Director   
Montana Association of Counties  
RE: Draft Bills from HJ 10 – Study of Fire-related Statutes

Dear Council Members,

I am sorry that I cannot be with you today to testify in person, but a prior commitment takes me away from Helena. The title of HJ 10 was broad in nature, so the scope of the review conducted by the working group that was formed to report to your sub-committee was also broad. The working group included representatives from many stakeholders, both state and local. The working group stepped back and looked at the “big picture” of how changes affecting one jurisdiction might impact another jurisdiction, rather than only looking at a narrow scope, as is often the case with individual bills. The members of the working group took their responsibilities seriously and I believe the results merit your favorable consideration.

I do not believe that anyone involved in the process believes the bills are in their final form and are perfect in nature because as others review the bill drafts, issues or concerns may arise that had not previously been considered. In other cases, suggested legislative policy decisions are contained in the bills and the legislature may, or may not, want to adopt these suggestions. That will sort itself out in the legislative process. An example of a suggested policy decision relates to “who” can petition to create a Rural Fire District. Current law requires a percentage of the freeholders in an area to submit a petition to the Board of County Commissioners. Upon the advice of Legislative Counsel, Greg Petesch, that the term “freeholder” should no longer be used, the working group discussed at length what term should be used, and made a decision to suggest “registered voter”. This may or may not be agreeable to the Legislature, who may wish to use a different term such as “landowner” or “resident landowner”. This is an example of a policy decision that appropriately lies with the Legislature.

I would like to recommend that you advance all of the bill drafts before you with your support and let the legislative process work out details that may need to be addressed.

In closing, I would like to thank Legislative Services and EQC for allowing Leanne Kurtz to assist our working group. Leanne’s task of pulling together ideas representing a wide scope of interests of stakeholders and putting those ideas into what you see before you today was no small feat. I hope you will join me in recognizing her significant contribution to the fulfillment of the objectives of HJ 10.

**MACo**

ENVIRONMENTAL QUALITY COUNCIL  
September 12, 2006  
Exhibit 21