

MAC Resolution #1 -- 2012

RESOLUTION IN SUPPORT OF LEGISLATIVE ACTION TO DESIGN A COMPLETE AND DETAILED PLAN FOR UPGRADING STATEWIDE 911 WIRELESS EMERGENCY SERVICES

WHEREAS, a recent study revealed that Missouri is the *only* state in the nation that does not have a statewide wireless service recovery fee, and

WHEREAS, the long-time goal of county governments and other interested stakeholders is to achieve a communication system in Missouri that allows any citizen or visitor to contact the appropriate emergency service utilizing the three-digit number 911 from *any* communication device, and

WHEREAS, the citizens of Missouri falsely believe they are protected with 911 service when utilizing cellular services, and many Missouri residents travel extensively throughout the year to areas in the state where they are not protected by 911 service, and

WHEREAS, wireless subscribers continue to exceed landline subscribers at an increasing rate, and

WHEREAS, there are currently 16 Missouri counties that have no 911 service, and

WHEREAS, the life cycle of 911 equipment is seven years, and the majority of Missouri's PSAP equipment is more than six years old and most cannot be updated to accommodate new communication technologies, and

WHEREAS, without a state wireless service recovery fee, Missouri will never attain statewide Enhanced 911 service and some existing PSAPs will cease to exist,

THEREFORE, BE IT RESOLVED, that the Missouri Association of Counties does hereby go on record in support of legislative action to design a complete, detailed, and integrated plan for upgrading statewide 911 wireless emergency services.

MAC Resolution #2 -- 2012

RESOLUTION IN SUPPORT OF FULLY FUNDING STATE MANDATES ON COUNTY GOVERNMENT

WHEREAS, county governments serve as the “first-line providers of service” to Missouri residents, and

WHEREAS, the state of Missouri mandates that many of these public services be provided by the county in accordance with state law, and

WHEREAS, these services mandated by the state include, but are not limited to, the incarceration of state prisoners, the requirement to maintain accurate property valuations through biennial assessment maintenance efforts, the cost of administering state elections and complying with reform measures, and the requirement to furnish office space and cover certain utility expenses for state public defenders, and

WHEREAS, all counties incur costs in carrying out such state-mandated services, and the combination of these unfunded and/or underfunded state programs and services that are now required of counties is reaching a critical level,

THEREFORE, BE IT RESOLVED, that the Missouri Association of Counties does hereby respectfully request that the Missouri General Assembly consider the financial burden that state mandates have on county government and the corresponding impact they have on a county’s ability to provide other necessary and essential services to Missouri citizens, and

BE IT FURTHER RESOLVED, that the Missouri Association of Counties does hereby respectfully request that the Missouri General Assembly and Governor Nixon include in the state’s fiscal year 2013 budget (1) an increase in the appropriation for prisoner per diem reimbursement authorized under 221.105, *RSMo*, (2) an appropriation to fully fund state assessment maintenance reimbursements, (3) an appropriation to fully fund any new obligations placed on the election officials of this state, (4) both an appropriation to fully fund the reimbursement for the detention and care of neglected and/or delinquent juveniles and the salaries of juvenile court personnel in single county circuits, (5) an appropriation that would relieve counties of the cost of providing office space and certain utility expenses for the various state public defenders’ offices, and (6) also requests that the General Assembly continue to refrain from implementing the requirements of SB 711 enacted in 2008 relating to property taxes until full state funding for the same is authorized.

BE IT FURTHER RESOLVED, recognizing the difficult budgetary constraints that the state of Missouri is experiencing and the dim prospects for additional state appropriations for these programs and, as a partner with the state in the delivery of these services, the Missouri Association of Counties requests that Gov. Nixon and the Missouri General Assembly hold county governments harmless from any further state budget cuts in these areas.

MAC Resolution #3 -- 2012

RESOLUTION IN OPPOSITION TO THE PRE-EMPTION OF LOCAL AUTHORITY

WHEREAS, the passage of Amendment 1 in April 1995 deleted the “uniformity” provision in the *Missouri Constitution* which required that a law applicable to a county in a class apply to all counties in that class, and

WHEREAS, the repeal of that provision further requires non-charter county officials to seek state legislative approval for individual laws to help solve local problems due to the inability to effectively deal with them at the county level, and

WHEREAS, the Missouri General Assembly should not be forced to “micro-manage” county government from Jefferson City due to the lack of local authority to deal with local issues, and

WHEREAS, Missouri county officials have expressed their opposition to the erosion of local authority which would allow counties greater flexibility in dealing with truly local issues and problems, and

WHEREAS, an example of the pre-emption of local authority by the Missouri Legislature recently occurred in Sec. 72.080 relating to the incorporation of a village, a law which was subsequently and fortunately repealed, and

WHEREAS, Missouri's county officials also believe it is critical to protect the citizens they represent when large-scale developments infringe upon their constituents' way of life, including compliance with local planning and zoning and other ordinances,

THEREFORE, BE IT RESOLVED, that the Missouri Association of Counties does hereby go on record in opposition to legislation that would pre-empt a county's authority to deal with local issues and problems.

MAC Resolution #4 -- 2012

RESOLUTION IN OPPOSITION TO LEGISLATION THAT ERODES THE LOCAL TAX BASE AND CALLING UPON THE GENERAL ASSEMBLY TO ADDRESS MISSOURI'S ANTIQUATED TAX STRUCTURE

WHEREAS, the cost of county services continues to increase annually, prompting many to diversify their revenue streams through the use of sales taxes to supplement the property tax base, and

WHEREAS, a serious erosion of the local tax base is occurring with the unprecedented growth of uncollected sales and use taxes on Internet purchases, and

WHEREAS, states and local governments are losing billions of dollars in tax revenue because many remote sellers are not collecting sales and use taxes on Internet, telephone and catalog sales, with those losses estimated at 54.8 billion in 2011, and

WHEREAS, a recent study estimated that Missouri lost approximately \$187 million in 2011 due to untaxed Internet sales, and

WHEREAS, in Missouri taxes are structured around laws drafted and passed in the 1930s which were designed to tax the main focus of industry in the state at that time, and

WHEREAS, county governments have an obligation to their constituents to look to the future to ensure that adequate funding sources will be available to meet the required service needs of local governments,

THEREFORE, BE IT RESOLVED, that the Missouri Association of Counties does hereby call on the Missouri General Assembly to limit legislation that would have a negative budgetary affect on local governments without guaranteed replacement revenue, and

BE IT FURTHER RESOLVED, that the Missouri Association of Counties requests that the General Assembly address Missouri's antiquated tax code, especially as it relates to sales tax, so that both state and local governments are well-positioned in the future to meet the increasing service needs of our citizens.

MAC Resolution #5 -- 2012

RESOLUTION IN SUPPORT OF A TRANSPORTATION FUNDING PACKAGE THAT WILL ADDRESS MISSOURI'S DIRE INFRASTRUCTURE NEEDS

WHEREAS, Amendment 3 funding ended in 2009, reducing significantly the amount of funding available for maintenance and repair of our current system and leaving virtually no new money for Missouri's transportation needs beyond our current system, and

WHEREAS, federal funding for transportation is expected to diminish over the next several years, and

WHEREAS, Missouri currently has the 7th highest number of obsolete off-system bridges in the nation, and

WHEREAS, Missouri has the most major bridges of any state in the country – 212 total, with 53 crossing the Mississippi or Missouri Rivers, and

WHEREAS, in addition to Missouri's 10,405 state-owned bridges, there are 13,874 bridges on the off-system and counties are responsible for 91 percent of these, of which 33 percent are over 50 years old, and

WHEREAS, the state's strong agricultural industry relies more than ever on our roads and bridges to transport grain, livestock, and other goods, and

WHEREAS, Missouri is within a 10-hour drive of half of the country's population, and the state's vast riverways make it ideal for shipping both domestically and internationally, and

WHEREAS, if Missouri's road and bridge systems can be improved and river ports and rail be better utilized, the state could become a central distribution point, which would bring many new jobs to the state, and

WHEREAS, Missouri's state gas tax is 17 cents per gallon and only five other states have a lower motor fuel tax, and

WHEREAS, if new revenues are considered, they should be required to be allocated to transportation projects and not be diverted for other needs,

THEREFORE BE IT RESOLVED, that the Missouri Association of Counties does hereby go on record in seeking the General Assembly's support for a transportation funding package that will address Missouri's dire infrastructure needs.

MAC Resolution # 6 -- 2012

RESOLUTION IN SUPPORT OF FUNDING FOR THE ASSESSMENT MAINTENANCE FUND FROM ADDITIONAL WITHHOLDINGS

WHEREAS, the state of Missouri mandates many of the public services to be provided by counties in accordance with state law, and these services mandated by the state include the requirement to maintain accurate property valuations through biennial assessment maintenance efforts, and

WHEREAS, the per parcel funding provided by the state of Missouri has made up a substantial portion of the county assessment maintenance budget in all Missouri counties, and

WHEREAS, the per parcel funding level of the assessment process from the state has been frozen since 1990 at \$6.00 per parcel, circumventing the original intent of the law and causing the assessment system to falter, and

WHEREAS, the combination of parcel counts having been frozen at 2006 levels, a reduction in the reimbursement rate from \$4.00 per parcel to \$3.41 per parcel in 2011, and the possibility of additional cuts in 2012 has put a tremendous budgetary strain on county governments, and

WHEREAS, the Legislature has recognized the deficiencies in the county assessment funding formula in the past and has made attempts to correct this by allowing additional withholdings from tax collections to offset the lack of statutory funding from the state, and

WHEREAS, these additional withholdings will allow the county assessment program to continue to function at a basic level while recognizing that the lack of a well-funded assessment program will ultimately result in significantly reduced revenues for all local entities, most particularly local school districts,

THEREFORE, BE IT RESOLVED, that the Missouri Association of Counties does hereby go on record in support of legislation to allow additional withholdings from local property tax collections to offset the lack of adequate funding from the state of Missouri, and

BE IT FURTHER RESOLVED, that the Missouri Association of Counties does hereby go on record in support of protecting and preserving all current funding levels, regardless of source, and to cooperate in finding new funding sources, or increasing existing sources, for the betterment of the assessment process.

MAC Resolution #7 -- 2012

RESOLUTION IN SUPPORT OF LEGISLATION TO ALLOW COUNTY OFFICES TO CONTINUE CONDUCTING OFFICIAL BUSINESS IN THE EVENT OF A VACANCY OF THE ELECTED OFFICIAL

WHEREAS, a vacancy in any county office caused by death, resignation, removal, refusal to act, or otherwise, which requires the governor to appoint an eligible person to discharge duties of said office, and

WHEREAS, certain individual persons are considered deputized by a county official and are authorized to certify the officeholder's signature, and that authority would cease if the official became deceased, and

WHEREAS, Missouri residents rely on the timely delivery of services, and it would cause undue hardship on a county if an office's duties could not be performed, and

WHEREAS, other county offices would also be adversely affected if such a vacancy occurred in their office, and

THEREFORE, BE IT RESOLVED, that the Missouri Association of Counties supports legislation that would allow the chief deputy in any office within the county to perform all official acts of the office until such time as a successor is duly elected or appointed and qualified, unless sooner removed, notwithstanding any other provision of state law. If no such deputy was previously designated, the county commission of the affected county may designate an acting deputy.