_____ JOINT RESOLUTION NO. _____

INTRODUCED BY _____
(Primary Sponsor)

BY REQUEST OF THE (H) LOCAL GOVERNMENT

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY TO REVIEW AND ASSESS THE CURRENT GOVERNANCE STRUCTURE OF COUNTY WATER AND/OR SEWER DISTRICTS.

WHEREAS, a statutory framework is provided for county water and/or sewer district boards in Title 7, chapter 13, parts 22 and 23, and multiple instances have illustrated that the framework may not be working as effectively as possible; and

WHEREAS, Title 7, chapter 13, parts 22 and 23, have seen limited amendments during the past 40 years, leading to antiquated language and possibly an antiquated governance structure that may benefit from modernization to ensure that county water and/or sewer district boards are able to function properly and efficiently; and

WHEREAS, both House Bill 447 from the 2019 session and House Bill 255 from the 2021 session sought to address issues of possible mismanagement and ineffectual leadership of county water and/or sewer boards and brought awareness that further study and possible action is necessary to ensure that all citizens receive fair and equitable treatment, services, and rates from their county water and/or sewer district board; and

WHEREAS, the Legislature recognizes the importance of providing a statutory framework for local entities that addresses statewide issues and offers statewide solutions to ensure that each individual county water and/or sewer district can address and rectify issues that are unique to its area while still operating within a framework that works for all county water and/or sewer districts across the state.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee or statutory committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

(1) conduct a comprehensive review of the county water and/or sewer district statutes found in Title 7, chapter 13, parts 22 and 23;

(2) review and assess the current governance structures allowed to a county water and/or sewer district board and analyze the efficiency and effectiveness of the current structures;

(3) review and assess the processes available to appoint, elect, and remove a director from a county water and/or sewer board of directors;

(4) analyze the available responsibilities and powers of a county board of commissioners or a city governing body to oversee the actions of a county water and/or sewer district board;

(5) evaluate whether viable options currently exist to offer corrections to a district board that is operating ineffectively; and

(6) if necessary, develop legislation to amend current statutory guidance or recommend the creation of a new governance structure for county water and/or sewer districts.

BE IT FURTHER RESOLVED, that the study include representatives from interested parties, including but not limited to the Montana Association of Counties, the Montana League of Cities and Towns, Montana Rural Water Districts, the Montana State University Local Government Center, and other city, county, or water and/or sewer district representatives as considered appropriate.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2022.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 68th legislature.

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