

HOUSE BILL NO. 447

INTRODUCED BY L. SHELDON-GALLOWAY

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A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A DISCRETIONARY GRIEVANCE COMMITTEE TO
MEDIATE DISPUTES BETWEEN A BOARD AND MEMBERS OF A WATER AND/OR SEWER DISTRICT;
REQUIRING CERTAIN QUALIFICATIONS FOR THE MEMBERS OF A GRIEVANCE COMMITTEE; PROVIDING
THE METHOD IN WHICH COMPLAINTS CAN BE BROUGHT, NOTICED, AND HEARD; AND ALLOWING A
COUNTY COMMISSION TO PUBLICIZE THE FINDINGS OF A GRIEVANCE COMMITTEE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Creation and function of grievance committee. (1) A county commission

may call for the creation of a grievance committee to mediate disputes between a water and/or sewer district
board and the members of a district located in the county.

(2) The committee must consist of:

- (a) a county commissioner from the county where the district is located;
- (b) the district public service commissioner; and
- (c) a member of an association that provides information, technical assistance, and training to the district.

(3) The committee may also allow two members who represent other districts to serve as advisory
members to the committee.

(4) A member or members of a district may write a letter of complaint related to the actions or decisions
of the district board to the county commission who may organize a grievance committee if:

- (a) the county commission considers the grievance raised in the letter of complaint to be significant and
the commission has exhausted all other reasonable options available; and
- (b) the members of the grievance committee agree to meet and hear the complaint.

(5) If a grievance committee is organized, the county commission shall set the date and time for a
hearing within 30 days of receiving the grievance. Notice of a hearing before a grievance committee must be
posted within 14 days of the hearing and must be noticed using at least one of the following methods:

- (a) published in a newspaper of local circulation;
- (b) sent as a letter to all members of the district;



1 (c) submitted to a local radio station; or

2 (d) aired on a local television station.

3 (6) A decision of the grievance committee may only adjudicate items of dispute between the members
4 and the board of the district. A grievance committee may not impose additional regulations, restrictions, or actions
5 on either party.

6 (7) The board of the district and the aggrieved district member or members shall agree that a decision
7 by the grievance committee is final.

8 (8) A decision of the majority of the members of the grievance committee must be written and signed
9 by each board member of the district and sent to the member or members of the district who filed the initial
10 grievance. The county commission shall make public the grievance committee's decision within 1 week of the
11 hearing and shall submit a decision letter to be read and added to the official minutes of the next meeting of the
12 board.

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14 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
15 integral part of Title 7, chapter 13, part 23, and the provisions of Title 7, chapter 13, part 23, apply to [section 1].

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