

HOUSE BILL 157

C5

7lr0323

By: **Delegates Knotts, Angel, Hill, Jackson, and Krimm**

Introduced and read first time: January 19, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission – Membership**

3 FOR the purpose of altering the manner of appointing commissioners to the Public Service
4 Commission; requiring that each commissioner reside in and represent one of certain
5 defined areas of the State; altering the manner of appointing the Chairman of the
6 Commission; providing that the term of the Chairman is coterminous with the
7 individual's term as a commissioner; providing for the application of this Act; and
8 generally relating to the Public Service Commission.

9 BY repealing and reenacting, with amendments,
10 Article – Public Utilities
11 Section 2–102 and 2–103
12 Annotated Code of Maryland
13 (2010 Replacement Volume and 2016 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Public Utilities**

17 2–102.

18 (a) The Commission consists of five commissioners, appointed by the Governor
19 with the advice and consent of the Senate.

20 (b) (1) Each commissioner shall be a registered voter of the State.

21 **(2) EACH COMMISSIONER SHALL RESIDE IN AND REPRESENT ONE OF**
22 **THE FOLLOWING AREAS:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(I) ALLEGANY COUNTY, CARROLL COUNTY, FREDERICK COUNTY, GARRETT COUNTY, AND WASHINGTON COUNTY;

(II) ANNE ARUNDEL COUNTY, BALTIMORE COUNTY, HARFORD COUNTY, HOWARD COUNTY, AND BALTIMORE CITY;

(III) MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY;

(IV) CALVERT COUNTY, CHARLES COUNTY, AND ST. MARY'S COUNTY; AND

(V) CAROLINE COUNTY, CECIL COUNTY, DORCHESTER COUNTY, KENT COUNTY, QUEEN ANNE'S COUNTY, SOMERSET COUNTY, TALBOT COUNTY, WICOMICO COUNTY, AND WORCESTER COUNTY.

[(2)] (3) The Commission shall be:

(i) broadly representative of the [geographic and] demographic diversity of the State and of the public; and

(ii) composed of individuals with diverse training and experience.

(c) Each commissioner shall devote full time to the duties of office.

(d) (1) The term of a commissioner is 5 years and begins on July 1.

(2) The terms of commissioners are staggered as required by the terms in effect for commissioners on July 1, 2006.

(3) At the end of a term, a commissioner continues to serve until a successor qualifies.

(4) A commissioner who is appointed after a term has begun serves for the rest of the term and until a successor qualifies.

(e) Before taking office, each appointee to the Commission shall take the oath required by Article I, § 9 of the Maryland Constitution.

(f) The Governor may remove a commissioner for incompetence or misconduct in accordance with § 3–307 of the State Government Article.

2–103.

(a) With the advice and consent of the Senate, the Governor shall appoint a Chairman FROM AMONG THE COMMISSIONERS.

1 (b) [(1)] The term of the Chairman is [5 years and begins on July 1]
2 **COTERMINOUS WITH THE INDIVIDUAL'S TERM AS A COMMISSIONER.**

3 [(2) At the end of a term, the Chairman continues to serve until a successor
4 qualifies.

5 (3) A Chairman who is appointed after a term has begun serves for the rest
6 of the term and until a successor qualifies.]

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
8 apply only prospectively and may not be applied or interpreted to have any effect on or
9 application to the term of the Chairman or any other member of the Public Service
10 Commission serving before the effective date of this Act.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
12 1, 2017.