

HOUSE BILL 1007

L5

3lr1803

By: **Montgomery County Delegation and Prince George's County Delegation**

Introduced and read first time: February 10, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Membership – Alterations**

3 **MC/PG 110–23**

4 FOR the purpose of adding the general manager of the Washington Suburban Sanitary
5 Commission as a member of the Commission; requiring that one commissioner from
6 Prince George's County and one commissioner from Montgomery County be a subject
7 matter expert in certain areas; and generally relating to the membership of the
8 Washington Suburban Sanitary Commission.

9 BY repealing and reenacting, with amendments,
10 Article – Public Utilities
11 Section 17–102
12 Annotated Code of Maryland
13 (2020 Replacement Volume and 2022 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 17–102.

18 (a) The Commission consists of:

19 (1) **THE GENERAL MANAGER OF THE COMMISSION;**

20 (2) three commissioners from Prince George's County, appointed by the
21 County Executive subject to the confirmation of the County Council; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **[(2)] (3)** three commissioners from Montgomery County, appointed by the
2 County Executive subject to the confirmation of the County Council.

3 (b) (1) Each commissioner from Prince George's County shall be a resident of
4 the sanitary district.

5 (2) (i) Each commissioner from Montgomery County shall be a
6 registered voter of Montgomery County.

7 (ii) Each commissioner from Prince George's County shall be a
8 registered voter of Prince George's County.

9 **(3) ONE COMMISSIONER FROM EACH COUNTY MUST BE A SUBJECT**
10 **MATTER EXPERT IN THE AREA OF WATER CONSERVATION, MECHANICAL**
11 **ENGINEERING, CIVIL ENGINEERING, ENVIRONMENTAL ENGINEERING, OR**
12 **CHEMICAL ENGINEERING.**

13 (c) (1) An individual may not be appointed or continue in office as a
14 commissioner if the individual holds any other position of profit or trust under the
15 Constitution or laws of the State or any political subdivision of the State.

16 (2) Not more than two commissioners from Montgomery County may be of
17 the same political party.

18 (d) (1) **THIS SUBSECTION APPLIES ONLY TO MEMBERS OF THE**
19 **COMMISSION APPOINTED UNDER SUBSECTIONS (A)(2) AND (3) OF THIS SECTION.**

20 **(2)** The term of a commissioner is 4 years and begins on June 1 of the year
21 of appointment.

22 **[(2)] (3)** The terms of commissioners are staggered as required by the
23 terms provided for commissioners on July 1, 1982.

24 **[(3)] (4)** At the end of a term, a commissioner continues to serve until a
25 successor is appointed and takes the oath of office.

26 **[(4)] (5)** A commissioner who is appointed after a term has begun serves
27 only for the rest of the term and until a successor is appointed and takes the oath of office.

28 **[(5)] (6)** A vacancy on the Commission does not impair the right of the
29 remaining commissioners to exercise all the powers of the Commission.

30 **(E) THE GENERAL MANAGER OF THE COMMISSION MAY NOT VOTE ON**
31 **MATTERS DIRECTLY RELATING TO:**

32 **(1) THE OFFICE OF THE INSPECTOR GENERAL;**

1 **(2) THE SECRETARY OF THE COMMISSION; OR**

2 **(3) THE GENERAL MANAGER.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That, as to the requirement that
4 one commissioner from each county must be a subject matter expert under § 17–102(b) of
5 the Public Utilities Article, as enacted under Section 1 of this Act, this Act:

6 (1) may not be construed to apply to the incumbent commissioners of the
7 Washington Suburban Sanitary Commission in office on the effective date of this Act; but

8 (2) shall be applied at the beginning of each commissioner’s next term of
9 office.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2023.