

# HOUSE BILL 873

L5

3lr1107

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

Introduced and read first time: February 9, 2023

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2023

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Prince George's County –**  
3 **Commissioner Qualifications and General Manager Voting Powers**

4 **MC/PG 108–23**

5 FOR the purpose of requiring certain qualifications for a certain number of commissioners  
6 of the Washington Suburban Sanitary Commission from Prince George's County;  
7 ~~providing that the general manager of the Washington Suburban Sanitary~~  
8 ~~Commission has certain voting powers;~~ and generally relating to the Washington  
9 Suburban Sanitary Commission.

10 BY repealing and reenacting, with amendments,  
11 Article – Public Utilities  
12 Section 17–102  
13 Annotated Code of Maryland  
14 (2020 Replacement Volume and 2022 Supplement)

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

17 **Article – Public Utilities**

18 17–102.

19 (a) The Commission consists of:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

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

11 **(3) AT LEAST ONE COMMISSIONER FROM ~~EACH COUNTY~~ PRINCE**  
12 **GEORGE'S COUNTY SHALL HAVE AT LEAST ONE OF THE FOLLOWING**  
13 **QUALIFICATIONS:**

14 **(I) 1. A MASTER'S DEGREE, A DOCTORAL DEGREE, DEGREE**  
15 **FROM AN INSTITUTION OF HIGHER EDUCATION OR AN EQUIVALENT LEVEL OF**  
16 **EDUCATION DETERMINED IN ACCORDANCE WITH THE 2011 INTERNATIONAL**  
17 **STANDARD CLASSIFICATION OF EDUCATION; AND**

18 **2. AT LEAST 5 YEARS' EXPERIENCE IN THE**  
19 **MANAGEMENT OF A GOVERNMENTAL ENTITY OR BOARD OF DIRECTORS THAT IS**  
20 **COMPARABLE TO THE COMMISSION IN SCOPE AND COMPLEXITY;**

21 **(II) EDUCATION IN THE ENVIRONMENTAL SCIENCES; ~~OR~~**

22 **(III) PROFESSIONAL EXPERIENCE IN UTILITY MANAGEMENT; OR**

23 **(IV) EXPERIENCE IN ENVIRONMENTAL OR CIVIL ENGINEERING.**

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

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

29 (d) (1) The term of a commissioner is 4 years and begins on June 1 of the year  
30 of appointment.

1 (2) The terms of commissioners are staggered as required by the terms  
2 provided for commissioners on July 1, 1982.

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

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

7 (5) A vacancy on the Commission does not impair the right of the  
8 remaining commissioners to exercise all the powers of the Commission.

9 ~~(E) THE GENERAL MANAGER OF THE COMMISSION HAS THE SAME VOTING~~  
10 ~~POWERS AS THE COMMISSIONERS ON ALL MATTERS BEFORE THE COMMISSION~~  
11 ~~EXCEPT REGARDING DECISIONS RELATING TO:~~

12 ~~(1) THE INSPECTOR GENERAL OR THE SECRETARY; OR~~

13 ~~(2) THE SALARY OF THE GENERAL MANAGER, THE INSPECTOR~~  
14 ~~GENERAL, OR THE SECRETARY.~~

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2023.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.