

HOUSE BILL 937

C5

6lr2174

By: Delegates Glenn, Anderson, Angel, Branch, Brooks, Carey, Carr, Conaway, Frick, Glass, Gutierrez, Hayes, Kaiser, Kramer, Lisanti, Luedtke, McCray, Metzgar, Oaks, Patterson, Pena–Melnik, Platt, B. Robinson, Smith, Tarlau, Valderrama, Vaughn, Waldstreicher, M. Washington, and C. Wilson

Introduced and read first time: February 10, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission – Commissioners – Selection and Term**

3 FOR the purpose of providing for the appointment by the President of the Senate and the
4 Speaker of the House of Delegates of a certain number of commissioners to the Public
5 Service Commission; specifying the term of a commissioner, based on staggered
6 terms that take effect on a certain date; and generally relating to the membership of
7 the Public Service Commission.

8 BY repealing and reenacting, with amendments,
9 Article – Public Utilities
10 Section 2–102
11 Annotated Code of Maryland
12 (2010 Replacement Volume and 2015 Supplement)

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

15 **Article – Public Utilities**

16 2–102.

17 (a) The Commission consists of five commissioners, **THREE** appointed by the
18 Governor with the advice and consent of the Senate, **ONE APPOINTED BY THE**
19 **PRESIDENT OF THE SENATE, AND ONE APPOINTED BY THE SPEAKER OF THE HOUSE**
20 **OF DELEGATES.**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (2) The Commission shall be:
- 2 (i) broadly representative of the geographic and demographic
3 diversity of the State and of the public; and
- 4 (ii) composed of individuals with diverse training and experience.
- 5 (c) Each commissioner shall devote full time to the duties of office.
- 6 (d) (1) **(I)** The term of a commissioner **APPOINTED BY THE GOVERNOR** is
7 5 years and begins on July 1.
- 8 **[(2)] (II)** The terms of commissioners **APPOINTED BY THE GOVERNOR**
9 are staggered as required by the terms in effect for commissioners on **[July 1, 2006] JUNE**
10 **1, 2016**.
- 11 **[(3)] (III)** At the end of a term, a commissioner **APPOINTED BY THE**
12 **GOVERNOR** continues to serve until a successor qualifies.
- 13 **[(4)] (IV)** A commissioner who is appointed **BY THE GOVERNOR** after a
14 term has begun serves for the rest of the term and until a successor qualifies.
- 15 **(2) (I) THE TERM OF A COMMISSIONER APPOINTED BY THE**
16 **PRESIDENT OR THE SPEAKER IS 5 YEARS, BEGINNING IN THE MONTH AFTER THE**
17 **APPOINTMENT IS MADE.**
- 18 **(II) THE TERM OF A COMMISSIONER APPOINTED BY THE**
19 **PRESIDENT OR THE SPEAKER IS STAGGERED AS REQUIRED BY THE TERMS IN**
20 **EFFECT FOR COMMISSIONERS ON JUNE 1, 2016.**
- 21 **(III) AT THE END OF A TERM, A COMMISSIONER APPOINTED BY**
22 **THE PRESIDENT OR THE SPEAKER CONTINUES TO SERVE UNTIL A SUCCESSOR**
23 **QUALIFIES.**
- 24 **(IV) A COMMISSIONER WHO IS APPOINTED BY THE PRESIDENT**
25 **OR THE SPEAKER AFTER A TERM HAS BEGUN SERVES FOR THE REST OF THE TERM**
26 **AND UNTIL A SUCCESSOR QUALIFIES.**
- 27 (e) Before taking office, each appointee to the Commission shall take the oath
28 required by Article I, § 9 of the Maryland Constitution.
- 29 (f) The Governor may remove a commissioner for incompetence or misconduct in
30 accordance with § 3–307 of the State Government Article.

1 SECTION 2. AND BE IT FURTHER ENACTED, That:

2 (a) When a qualified successor is appointed to replace the commissioners
3 appointed by the Governor whose terms are scheduled to expire on June 30, 2016, June 30,
4 2017, and June 30, 2020, the term of office of each of the successor commissioners is 5 years
5 and terminates on June 30, 2021, June 30, 2022, and June 30, 2025, respectively.

6 (b) When a qualified successor is appointed to replace the commissioners
7 appointed by the President of the Senate or the Speaker of the House whose terms are
8 scheduled to expire June 30, 2018, for the President appointment and June 30, 2019, for
9 the Speaker appointment, the term of office of each of the successor commissioners is 5
10 years and terminates on June 30, 2023, and June 30, 2024, respectively.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
12 1, 2016.