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**By: Delegate McHale**

Introduced and read first time: February 23, 1996

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission - Membership**

3 FOR the purpose of altering the membership and residency requirements of the Public  
4 Service Commission; providing for the continuation of the terms of certain  
5 commissioners under certain circumstances; making stylistic changes;and generally  
6 relating to the Public Service Commission.

7 BY repealing and reenacting, with amendments,  
8 Article 78 - Public Service Commission Law  
9 Section 5 and 6  
10 Annotated Code of Maryland  
11 (1995 Replacement Volume)

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

14 **Article 78 - Public Service Commission Law**

15 5.

16 (A) The Commission consists of [five] THE FOLLOWING commissioners[,]:

17 (1) ONE COMMISSIONER REPRESENTING AND RESIDING IN EACH  
18 CONGRESSIONAL DISTRICT IN THE STATE; AND

19 (2) ONE COMMISSIONER AT LARGE.

20 (B) THE COMMISSIONERS SHALL BE appointed by the Governor with the advice  
21 and consent of the Senate[, one of whom shall be the Chairman].

22 (C) The Commission shall be broadly representative of the public interest, and  
23 shall be composed of persons with diverse training or experience.

24 (D) Each commissioner upon taking office shall be a resident and registered voter  
25 of Maryland AND OF ANY CONGRESSIONAL DISTRICT WHICH THE COMMISSIONER  
26 REPRESENTS [and], shall remain such during [his] THE COMMISSIONER'S term of  
27 office[. Each commissioner], AND shall serve full time.

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1 (E) The office of Chairman shall be filled initially, at the expiration of each term,  
2 and upon an earlier vacancy in the office by a person nominated as such by the Governor  
3 and confirmed by the Senate.

4 (F) Commissioners are eligible for reappointment.

5 (G) (1) IN THE EVENT OF AN INCREASE IN THE NUMBER OF  
6 CONGRESSIONAL DISTRICTS:

7 (I) A NEW COMMISSIONER, OTHER THAN A COMMISSIONER AT  
8 LARGE, SHALL BE APPOINTED FROM A CONGRESSIONAL DISTRICT NOT  
9 REPRESENTED ON THE COMMISSION AT THE TIME OF THE INCREASE IN ORDER TO  
10 RAISE THE COMMISSION TO ITS FULL AUTHORIZED NUMBER; AND

11 (II) COMMISSIONERS SERVING AT THE TIME OF THE INCREASE  
12 SHALL SERVE UNTIL THE EXPIRATION OF THEIR RESPECTIVE TERMS, REGARDLESS  
13 OF ANY CHANGE IN THE LOCATION OF CONGRESSIONAL DISTRICTS.

14 (2) IN THE EVENT OF A DECREASE IN THE NUMBER OF CONGRESSIONAL  
15 DISTRICTS:

16 (I) COMMISSIONERS SERVING AT THE TIME OF THE DECREASE  
17 SHALL CONTINUE TO SERVE UNTIL THE EXPIRATION OF THEIR RESPECTIVE TERMS;  
18 AND

19 (II) ANY DECREASE IN THE AUTHORIZED NUMBER OF  
20 COMMISSIONERS, OR CHANGE OR REALIGNMENT IN REQUIRED DISTRICTS OF  
21 RESIDENCE, MAY NOT TAKE EFFECT UNTIL THE EXPIRATION OF A COMMISSIONER'S  
22 TERM.

23 (3) IN THE EVENT OF A CHANGE IN THE LOCATION OF CONGRESSIONAL  
24 DISTRICTS:

25 (I) COMMISSIONERS SERVING AT THE TIME OF THE CHANGE  
26 SHALL CONTINUE TO SERVE UNTIL THE EXPIRATION OF THEIR RESPECTIVE TERMS;  
27 AND

28 (II) ANY CHANGE OR REALIGNMENT IN THE COMMISSIONERS'  
29 REQUIRED DISTRICTS OF RESIDENCE MAY NOT OCCUR UNTIL THE EXPIRATION OF  
30 A COMMISSIONER'S TERM.

31 6.

32 (A) The term of each commissioner is 5 years and shall begin on the expiration of  
33 [his] THE predecessor's term.

34 (B) A commissioner, including the Chairman, shall continue in office after [his]  
35 THE COMMISSIONER'S term expires until [his] THE successor has qualified, but without  
36 lengthening [his] THE successor's term.

37 (C) Vacancies shall be filled by the Governor for any unexpired term in  
38 accordance with the requirements of § 5 OF THIS ARTICLE.

HOUSE BILL 1418

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1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 1996.