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

Introduced and read first time: January 31, 1997

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **District of Columbia Water and Sewer Authority - Bicounty Appointment Process**

3 **MC/PG 2-97**

4 FOR the purpose of requiring the county executives of Montgomery County and Prince  
5 George's County to request the respective county's legislative delegation to  
6 nominate individuals for recommendation as members or alternative members of  
7 the Board of Directors of the District of Columbia Water and Sewer Authority;  
8 requiring the county executive to either choose from the list submitted or reject all  
9 the nominees and request a new list; providing an alternative procedure should the  
10 delegation fail to submit a list of nominees in a timely manner; defining certain  
11 terms; providing for the application of this Act; and generally relating to the  
12 procedure by which representatives from Montgomery County and Prince George's  
13 County to the Board of Directors of the District of Columbia Water and Sewer  
14 Authority must be selected.

15 BY adding to

16 Article 29 - Washington Suburban Sanitary District  
17 Section 20-101 to be under the new title "Title 20. Interjurisdictional Programs"  
18 Annotated Code of Maryland  
19 (1993 Replacement Volume and 1996 Supplement)

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

22 **Article 29 - Washington Suburban Sanitary District**

23 TITLE 20. INTERJURISDICTIONAL PROGRAMS.

24 20-101.

25 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
26 INDICATED.

27 (2) "COUNTY EXECUTIVE" MEANS:

28 (I) IN THE CASE OF MONTGOMERY COUNTY, THE COUNTY  
29 EXECUTIVE OF MONTGOMERY COUNTY; AND

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1 (II) IN THE CASE OF PRINCE GEORGE'S COUNTY, THE COUNTY  
2 EXECUTIVE OF PRINCE GEORGE'S COUNTY.

3 (3) "LEGISLATIVE DELEGATION" MEANS:

4 (I) IN THE CASE OF MONTGOMERY COUNTY, THE MEMBERS OF  
5 THE MONTGOMERY COUNTY DELEGATIONS TO THE MARYLAND SENATE AND THE  
6 HOUSE OF DELEGATES, ACTING JOINTLY; AND

7 (II) IN THE CASE OF PRINCE GEORGE'S COUNTY, THE MEMBERS OF  
8 THE PRINCE GEORGE'S COUNTY DELEGATIONS TO THE MARYLAND SENATE AND  
9 THE HOUSE OF DELEGATES, ACTING JOINTLY.

10 (B) NOTWITHSTANDING ANY PROVISION OF DISTRICT OF COLUMBIA LAW, IN  
11 MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY, EACH MEMBER OF THE  
12 BOARD OF DIRECTORS OF THE DISTRICT OF COLUMBIA WATER AND SEWER  
13 AUTHORITY AND ANY ALTERNATIVE MEMBER RECOMMENDED BY EITHER COUNTY  
14 SHALL BE SELECTED IN ACCORDANCE WITH THIS SECTION.

15 (C) (1) AT LEAST 30 DAYS BEFORE RECOMMENDING AN APPOINTEE TO THE  
16 MAYOR OF THE DISTRICT OF COLUMBIA, THE COUNTY EXECUTIVE SHALL NOTIFY  
17 THE CHAIRMEN OF THE COUNTY'S MARYLAND SENATE AND HOUSE OF DELEGATES  
18 LEGISLATIVE DELEGATIONS, REQUESTING THAT THE LEGISLATIVE DELEGATION  
19 NOMINATE THREE INDIVIDUALS WHO QUALIFY FOR APPOINTMENT TO FILL EACH  
20 VACANCY ON THE BOARD OF DIRECTORS OR AS AN ALTERNATIVE MEMBER OF THE  
21 BOARD OF DIRECTORS OF THE DISTRICT OF COLUMBIA WATER AND SEWER  
22 AUTHORITY.

23 (2) THE LEGISLATIVE DELEGATION SHALL HAVE 20 DAYS AFTER  
24 RECEIVING A REQUEST OF THE COUNTY EXECUTIVE TO JOINTLY RESPOND TO THE  
25 REQUEST.

26 (D) ON RECEIPT OF THE NOMINATIONS FROM THE LEGISLATIVE  
27 DELEGATION, THE COUNTY EXECUTIVE MAY:

28 (1) SELECT ONE INDIVIDUAL FROM THE THREE INDIVIDUALS  
29 NOMINATED BY THE LEGISLATIVE DELEGATION TO FILL A VACANCY FOR  
30 RECOMMENDATION TO THE MAYOR OF THE DISTRICT OF COLUMBIA; OR

31 (2) REJECT ALL THREE NOMINEES AND REQUEST THAT THE  
32 LEGISLATIVE DELEGATION SUBMIT THREE ADDITIONAL NOMINEES TO THE  
33 COUNTY EXECUTIVE WITHIN 20 DAYS.

34 (E) (1) IF THE LEGISLATIVE DELEGATION SUBMITS NOMINATIONS TO THE  
35 COUNTY EXECUTIVE IN A TIMELY MANNER, THE COUNTY EXECUTIVE MAY NOT  
36 RECOMMEND ANY INDIVIDUAL FOR APPOINTMENT TO THE FILL A VACANCY ON  
37 THE BOARD OF DIRECTORS OR AS AN ALTERNATIVE MEMBER OF THE BOARD OF  
38 DIRECTORS OF THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY  
39 WHOSE NAME DID NOT APPEAR ON A LIST SUBMITTED FOR THAT VACANCY BY THE  
40 LEGISLATIVE DELEGATION.

1                   (2) IF THE LEGISLATIVE DELEGATION FAILS TO SUBMIT A LIST OF  
2 NOMINEES IN A TIMELY MANNER FOLLOWING A REQUEST FROM THE COUNTY  
3 EXECUTIVE, THE COUNTY EXECUTIVE MAY RECOMMEND ANY QUALIFIED  
4 INDIVIDUAL TO FILL A VACANCY IN ACCORDANCE WITH COUNTY LAW.

5                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be  
6 construed to have any effect on the members of the Board of Directors of the District of  
7 Columbia Water and Sewer Authority or any alternative members appointed prior to the  
8 effective date of this Act, but any member or alternative recommended by Montgomery  
9 County or Prince George's County to fill any vacancy on or after July 1, 1997, shall be  
10 selected in accordance with Section 1 of this Act.

11                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 July 1, 1997.