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

Introduced and read first time: February 12, 1998

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Membership**
3 **PG/MC 10-98**

4 FOR the purpose of increasing the membership of the Washington Suburban Sanitary
5 Commission; exempting certain members from certain appointment, removal,
6 and salary provisions; and generally relating to the membership of the
7 Washington Suburban Sanitary Commission.

8 BY repealing and reenacting, with amendments,
9 Article 29 - Washington Suburban Sanitary District
10 Section 1-102 through 1-105
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1997 Supplement)

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

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

16 1-102.

17 (a) (1) There is a Washington Suburban Sanitary Commission.

18 (2) The WSSC has jurisdiction over the Washington Suburban Sanitary
19 District.

20 (b) The WSSC consists of THE FOLLOWING COMMISSIONERS:

21 (1) 3 commissioners from Prince George's County appointed by the
22 County Executive subject to the confirmation of the County Council; [and]

23 (2) THE CHIEF ADMINISTRATIVE OFFICER OF PRINCE GEORGE'S
24 COUNTY, OR THE CHIEF ADMINISTRATIVE OFFICER'S DESIGNEE;

1 (3) THE CHAIRMAN OF THE PRINCE GEORGE'S COUNTY COUNCIL, OR
2 THE CHAIRMAN'S DESIGNEE;

3 [(2)] (4) 3 commissioners from Montgomery County appointed by the
4 County Executive subject to the confirmation of the County Council;

5 (5) THE CHIEF ADMINISTRATIVE OFFICER FROM MONTGOMERY
6 COUNTY, OR THE CHIEF ADMINISTRATIVE OFFICER'S DESIGNEE; AND

7 (6) THE PRESIDENT OF THE MONTGOMERY COUNTY COUNCIL, OR THE
8 PRESIDENT'S DESIGNEE.

9 (c) (1) The term of a commissioner is 4 years, beginning on June 1 of the
10 year of appointment.

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

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

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

17 (d) A vacancy on the WSSC does not impair the right of the remaining
18 commissioners to exercise all the powers of the WSSC.

19 (e) (1) Each appointee shall be a resident of the sanitary district.

20 (2) [An] EXCEPT FOR THE CHIEF ADMINISTRATIVE OFFICERS OF
21 PRINCE GEORGE'S COUNTY AND MONTGOMERY COUNTY, THE CHAIRMAN OF THE
22 PRINCE GEORGE'S COUNTY COUNCIL, AND THE PRESIDENT OF THE MONTGOMERY
23 COUNTY COUNCIL, OR THE DESIGNEE OF ANY OF THOSE INDIVIDUALS IF THE
24 DESIGNEE IS A COUNTY OFFICER OR EMPLOYEE, AN individual may not be appointed
25 or continue in office as a member of the WSSC if the individual holds any other
26 position of profit or trust under the Constitution or laws of this State or any political
27 subdivision of this State.

28 (3) No more than [2] 4 commissioners from Montgomery County may be
29 of the same political party.

30 (4) Each appointee from Montgomery County shall be a registered voter
31 of Montgomery County and each appointee from Prince George's County shall be a
32 registered voter of Prince George's County.

33 1-103.

34 (a) THIS SECTION DOES NOT APPLY TO THE CHIEF ADMINISTRATIVE OFFICER
35 OF PRINCE GEORGE'S COUNTY OR MONTGOMERY COUNTY, THE CHAIRMAN OF THE
36 PRINCE GEORGE'S COUNTY COUNCIL, OR THE PRESIDENT OF THE MONTGOMERY

1 COUNTY COUNCIL, OR THE DESIGNEE OF ANY OF THOSE INDIVIDUALS IF THE
2 DESIGNEE IS A COUNTY OFFICER OF EMPLOYEE.

3 (B) (1) The County Executive shall make any appointment from a list of
4 applicants. The list of applicants shall:

5 (i) Be completed at least 3 weeks before the date the County
6 Executive makes the actual appointment; and

7 (ii) Be open to the public for inspection from the time the list is first
8 begun until an appointment is made by the County Executive.

9 (2) If a County Executive does not choose to appoint an individual from
10 the names on the list, the County Executive shall prepare additional lists and follow
11 the procedure applicable to the first list. The 3 week period begins with the closing of
12 each list.

13 [(b)] (C) The County Executive or a designee of the County Executive shall
14 interview in private each applicant for appointment or reappointment to the WSSC as
15 to possible or potential conflicts of interest.

16 [(c)] (D) (1) In Montgomery County, the applicant shall be interviewed:

17 (i) In a question and answer fashion; and

18 (ii) Under oath about all sources of income, property holdings,
19 business interests, and financial interests of the applicant, and the applicant's
20 spouse, father, mother, brother, sister, or child.

21 (2) The County Executive of Montgomery County may require the
22 production of any documents that the County Executive wishes the applicant to
23 produce.

24 (3) A written transcript of the interview:

25 (i) Shall be made;

26 (ii) Unless waived by the applicant, may be reviewed by the
27 applicant;

28 (iii) May be altered for the applicant by the transcribing officer if
29 accompanied by a statement of the reason given by the applicant for the alteration;
30 and

31 (iv) Shall be signed by the applicant.

32 (4) The transcribing officer shall certify on the transcript that:

33 (i) The applicant was duly sworn by the officer; and

1 (ii) The transcript is a true record of the testimony given by the
2 applicant.

3 (5) The County Executive of Montgomery County shall:

4 (i) Publicly disclose the complete transcribed testimony of actual
5 appointees to the WSSC 3 weeks after their appointment; and

6 (ii) Destroy the complete transcript of all other applicants
7 immediately without the disclosure to anyone of any information contained in the
8 transcript.

9 1-104.

10 (a) THIS SECTION DOES NOT APPLY TO THE CHIEF ADMINISTRATIVE OFFICER
11 OF PRINCE GEORGE'S COUNTY OR MONTGOMERY COUNTY, THE CHAIRMAN OF THE
12 PRINCE GEORGE'S COUNTY COUNCIL, THE PRESIDENT OF THE MONTGOMERY
13 COUNTY COUNCIL, OR THE DESIGNEE OF ANY OF THOSE INDIVIDUALS IF THE
14 DESIGNEE IS A COUNTY OFFICER OR EMPLOYEE.

15 (B) A commissioner may be removed before the completion of the
16 commissioner's term:

17 (1) In Montgomery County:

18 (i) By the County Executive with the approval of a majority of the
19 members of the County Council; or

20 (ii) Unless the Montgomery County Executive disapproves the
21 resolution in writing within 30 days of its adoption, by resolution of a majority of the
22 members of the County Council; and

23 (2) In Prince George's County, by the County Executive with the
24 approval of a majority of the members of the County Council.

25 [(b)] (C) (1) Unless a hearing is waived in writing by the commissioner
26 designated for removal, prior to any removal under this subsection a public hearing
27 shall be held:

28 (i) In Montgomery County, by the body initiating the removal
29 proceeding; and

30 (ii) In Prince George's County, by the County Council.

31 (2) Each commissioner shall be given an opportunity at the hearing to
32 present a defense.

33 1-105.

34 (a) (1) The members of the WSSC shall receive the following salaries:

- 1 (i) Chairman \$13,500.
- 2 (ii) Vice-Chairman..... \$13,000.
- 3 (iii) Commissioners..... \$13,000.

4 (2) The salary shall be paid every 2 weeks.

5 (3) While holding office, commissioners may participate in any WSSC
6 program of group health, life, and disability insurance to the same extent and under
7 the same terms as WSSC officers and employees.

8 (b) SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO THE CHIEF
9 ADMINISTRATIVE OFFICER OF PRINCE GEORGE'S COUNTY OR MONTGOMERY
10 COUNTY, THE CHAIRMAN OF THE PRINCE GEORGE'S COUNTY COUNCIL, THE
11 PRESIDENT OF THE MONTGOMERY COUNTY COUNCIL, OR THE DESIGNEE OF ANY OF
12 THOSE INDIVIDUALS IF THE DESIGNEE IS A COUNTY OFFICER OR EMPLOYEE.

13 (C) (1) From among its members, the WSSC shall elect a chairman and a
14 vice-chairman.

15 (2) The election of the chairman and vice-chairman shall be at the first
16 meeting of the WSSC in June of each year, or as soon thereafter as possible.

17 (3) Each officer shall:

- 18 (i) Perform the duties designated by the WSSC; and
- 19 (ii) Serve for 1 year or until a successor is elected.

20 (4) (i) One of the officers shall be from Montgomery County and 1 of
21 the officers shall be from Prince George's County.

22 (ii) The offices of chairman and vice-chairman shall alternate
23 between Montgomery County and Prince George's County from year to year.

24 (iii) By unanimous vote the WSSC may waive the provisions of
25 paragraph (4)(ii) of this subsection for 1 year. The WSSC may not waive the
26 provisions of paragraph (4)(ii) of this subsection for 2 successive years.

27 [(c)] (D) (1) If a vacancy exists in the position of chairman or
28 vice-chairman, the WSSC promptly shall elect a new chairman or vice-chairman for
29 the remaining portion of the 1 year term of the office.

30 (2) If the vacancy in the position of chairman or vice-chairman results
31 from that officer's resignation or removal from the WSSC for any reason, the election
32 to fill the unexpired portion of the officer's term shall be held only after the WSSC
33 vacancy has been filled. However, the WSSC may elect an acting chairman or
34 vice-chairman to serve until the vacancy has been filled.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1998.