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

Introduced and read first time: February 7, 2003

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Washington Suburban Sanitary Commission and**
3 **Maryland-National Capital Park and Planning Commission -**
4 **Commissioners - Removal**
5 **MC/PG 121-03**

6 FOR the purpose of authorizing, in Prince George's County, the removal of a
7 commissioner of the Washington Suburban Sanitary Commission or a
8 commissioner of the Maryland-National Capital Park and Planning
9 Commission at the will of the County Executive for Prince George's County;
10 repealing certain requirements that the removal be subject to approval by a
11 majority of the Prince George's County Council; repealing certain requirements
12 for notice and hearing under certain circumstances; and generally relating to
13 the removal, in Prince George's County, of a commissioner of the Washington
14 Suburban Sanitary Commission or a commissioner of the Maryland-National
15 Capital Park and Planning Commission.

16 BY repealing and reenacting, with amendments,
17 Article 28 - Maryland-National Capital Park and Planning Commission
18 Section 2-103
19 Annotated Code of Maryland
20 (1997 Replacement Volume and 2002 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article 29 - Washington Suburban Sanitary District
23 Section 1-104
24 Annotated Code of Maryland
25 (1997 Replacement Volume and 2002 Supplement)

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

Article 28 - Maryland-National Capital Park and Planning Commission

2-103.

(A) The County Council of Montgomery County may remove any member of the Commission appointed from Montgomery County. Removals may occur prior to the expiration of the term for which they were appointed. [The County Executive of Prince George's County may remove at his pleasure any members from that county prior to the expiration of the term for which they were appointed, subject to the approval of the County Council of Prince George's County by a vote of a majority of the full Council. In each case, the] THE cause of removal shall be stated in writing and a public hearing held on the removal. [However, in Prince George's County the Commission member sought to be removed may waive in writing the public hearing held by the Council. Further, this provision does not apply to any Prince George's member of the Commission in office on June 1, 1975 for the member's current term of office.] Any vacancy occurring in the membership of the Commission from Montgomery County for any cause shall be filled by the County Council for the unexpired term [and any vacancy occurring in the membership of the Commission from Prince George's County shall be filled in the manner provided in this title for the making of appointments to the Commission. A person appointed to fill any vacancy for an unexpired term shall be] BY a member of the same political party as was represented by the member who vacated the office.

(B) THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY MAY REMOVE AT WILL ANY MEMBER OF THE COMMISSION APPOINTED FROM PRINCE GEORGE'S COUNTY.

Article 29 - Washington Suburban Sanitary District

1-104.

(a) A commissioner may be removed before the completion of the commissioner's term:

(1) In Montgomery County:

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

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

(2) In Prince George's County, [by] AT THE WILL OF the County Executive [with the approval of a majority of the members of the County Council].

(b) IN MONTGOMERY COUNTY:

1 (1) Unless a hearing is waived in writing by the commissioner
2 designated for removal, prior to any removal under this subsection a public hearing
3 shall be held[:

4 (i) In Montgomery County,] by the body initiating the removal
5 proceeding[; and

6 (ii) In Prince George's County, by the County Council.]; AND

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

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2003.