

**Department of Legislative Services
Maryland General Assembly
2006 Session**

FISCAL AND POLICY NOTE

House Bill 1093 (Prince George's County Delegation and Montgomery County Delegation)
Environmental Matters

**Washington Suburban Sanitary Commission - Commissioners and General
Manager - Duties and Removal Procedures
PG/MC 116-06**

This bill aligns the provisions for removal of Washington Suburban Sanitary Commission (WSSC) commissioners in Montgomery and Prince George's counties. In both counties, either the county executive or the county council could initiate a removal. A removal may be initiated by a resolution of the majority of the county council if the county executive does not disapprove of the resolution in writing within 30 days; however, if the removal is initiated by the county executive, the approval of a majority of the county council is required. The bill requires that an orientation program for new commissioners be provided.

The bill takes effect on June 1, 2006.

Fiscal Summary

State Effect: None.

Local Effect: The bill's changes would not materially impact WSSC finances.

Small Business Effect: None.

Analysis

Bill Summary: The bill specifies responsibilities of the WSSC general manager and WSSC commissioners, and gives both the general manager and the WSSC chair input

into the agenda for commission meetings. The bill specifies that the general manager is the chief executive officer of WSSC and responsible for its daily operation. The general manager is accountable to the commissioners for carrying out policies adopted by the commissioners, and a two-thirds vote of the commissioners from each county is required to remove the general manager.

Current Law: In Montgomery County, a WSSC commissioner may be removed by the county executive with the approval of a majority of members of the county council, or by resolution of a majority of the members of the county council unless the county executive disapproves of the resolution in writing within 30 days of its adoption. In Prince George's County, however, a WSSC commissioner may only be removed by the county executive with the approval of a majority of members of the county council. Furthermore, in Montgomery County a public hearing regarding the removal of a WSSC commissioner must be held by the body initiating the removal, and in Prince George's County, by the county council.

There are six WSSC commissioners, with three each appointed from Montgomery and Prince George's counties.

Background: WSSC is among the 10 largest water and sewer utilities in the country, providing water and sewer services to 1.6 million residents in Montgomery and Prince George's counties. It has a total budget of \$759.2 million in fiscal 2006, over 400,000 customer accounts, and serves an area of around 1,000 square miles. This agency operates three reservoirs, two water filtration plants, and six wastewater treatment plants.

While there is no statutory provision specifying the removal procedure for the WSSC general manager, WSSC advises that current practice is to specify removal procedures in each general manager's contract. According to WSSC, it has provided orientation programs in the past for new commissioners.

Additional Information

Prior Introductions: This bill is similar to HB 603 of 2005, as amended by the House of Delegates. The bill passed the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee but no further action was taken.

Cross File: None.

Information Source(s): Montgomery County, Prince George's County, Washington Suburban Sanitary Commission, Department of Legislative Services

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ncs/hlb

Analysis by: Joshua A. Watters

Direct Inquiries to:
(410) 946-5510
(301) 970-5510