

# HOUSE BILL 443

P4

71r2868  
CF SB 284

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By: **Southern Maryland Delegation**

Introduced and read first time: February 5, 2007

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Potomac River Fisheries Commission – Employees and Retirees –**  
3 **Participation in State Health and Welfare Benefits Program**

4 FOR the purpose of altering the Potomac River Compact of 1958 to require that  
5 retirees of the Potomac River Fisheries Commission be eligible for certain  
6 health and related insurance benefits; allowing employees and retirees of the  
7 commission to enroll and participate in the health insurance benefit options  
8 established under the State Employee and Retiree Health and Welfare Benefits  
9 Program under certain circumstances; requiring the commission to pay certain  
10 costs to the State and make a certain determination; making this Act subject to  
11 a certain contingency; and generally relating to the participation in health  
12 insurance benefit options under the State Employee and Retiree Health and  
13 Welfare Benefits Program by employees and retirees of the Potomac River  
14 Fisheries Commission.

15 BY repealing and reenacting, with amendments,  
16 Article – Natural Resources  
17 Section 4–306 Article I Section 7  
18 Annotated Code of Maryland  
19 (2005 Replacement Volume and 2006 Supplement)

20 BY adding to  
21 Article – State Personnel and Pensions  
22 Section 2–515.1  
23 Annotated Code of Maryland  
24 (2004 Replacement Volume and 2006 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Natural Resources**

4 4–306.

5 Article I.

6 Section 7. The commission shall establish and maintain an office at such  
7 locations as it may select, and may employ an executive secretary who shall serve at  
8 the pleasure of the commission, and such other administrative, clerical, scientific, and  
9 legal personnel as it deems necessary. The powers, duties and compensation of all  
10 employees shall be as prescribed by the commission, and the employees shall not be  
11 subject to the provisions of Division I of the State Personnel and Pensions Article of  
12 the Annotated Code of Maryland that govern the Maryland State Personnel  
13 Management System nor to the provisions of the Virginia Personnel Act, as the same  
14 may be from time to time in effect. The commission may extend to any employee or  
15 employees membership in the Virginia Supplemental Retirement System or the  
16 Maryland Employees' Retirement System, whichever is applicable, subject to the laws  
17 relating to each such retirement system. Employees **AND RETIREES** of the commission  
18 shall also be eligible for the health and related insurance for State employees **AND**  
19 **RETIREES** in § 2.1–20.1 of the Code of Virginia or Title 2, Subtitle 5 of the State  
20 Personnel and Pensions Article of the Annotated Code of Maryland, whichever is  
21 applicable.

22 **Article – State Personnel and Pensions**

23 **2–515.1.**

24 **(A) AN EMPLOYEE OR RETIREE OF THE POTOMAC RIVER FISHERIES**  
25 **COMMISSION MAY ENROLL AND PARTICIPATE IN THE HEALTH INSURANCE**  
26 **BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM WITH THE APPROVAL**  
27 **OF THE COMMISSION.**

28 **(B) THE COMMISSION SHALL:**

29 **(1) PAY TO THE STATE THE TOTAL COSTS RESULTING FROM THE**  
30 **PARTICIPATION OF ITS EMPLOYEES AND RETIREES IN THE PROGRAM; AND**

1           **(2) DETERMINE THE EXTENT TO WHICH THE COMMISSION WILL**  
2 **SUBSIDIZE PARTICIPATION OF ITS EMPLOYEES IN THE PROGRAM.**

3           SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not take  
4 effect until a similar Act is enacted by the Commonwealth of Virginia; that the  
5 Commonwealth of Virginia is requested to concur in this Act of the General Assembly  
6 of Maryland by the enactment of a similar Act; that the Department of Legislative  
7 Services shall notify the appropriate officials of the Commonwealth of Virginia of the  
8 enactment of this Act; and that upon the concurrence in this Act by the  
9 Commonwealth of Virginia, the Governor of the State of Maryland shall issue a  
10 proclamation declaring the Act valid and effective and shall forward a copy of the  
11 proclamation to the Director of the Department of Legislative Services.

12           SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of  
13 this Act, this Act shall take effect October 1, 2007.