

HOUSE BILL 578

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By: **Prince George's County Delegation and Montgomery County Delegation**
Introduced and read first time: February 3, 2010
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Human Resources**

3 **PG/MC 105–10**

4 FOR the purpose of repealing a requirement that the Washington Suburban Sanitary
5 Commission submit changes of certain rules or regulations to the Secretary of
6 Budget and Management; repealing a provision stating that failure of the
7 Secretary to act within a certain time period on receipt of a certain rule or
8 regulation constitutes approval; repealing a requirement that the Commission
9 file a certain list of positions and salaries with the Secretary; repealing a
10 requirement that the Commission submit for approval certain position
11 classifications to the Secretary; repealing provisions requiring the Secretary to
12 approve or disapprove certain changes; repealing certain provisions relating to
13 competitive examinations held by the Commission; clarifying that certain
14 honorably discharged veterans shall receive a certain credit in certain
15 competitive selection processes; and generally relating to the human resources
16 practices of the Washington Suburban Sanitary Commission.

17 BY repealing and reenacting, with amendments,
18 Article 29 – Washington Suburban Sanitary District
19 Section 11–102, 11–103, and 11–105
20 Annotated Code of Maryland
21 (2003 Replacement Volume and 2009 Supplement)

22 BY repealing
23 Article 29 – Washington Suburban Sanitary District
24 Section 11–104, 11–106, and 11–107
25 Annotated Code of Maryland
26 (2003 Replacement Volume and 2009 Supplement)

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 29 – Washington Suburban Sanitary District**

4 11–102.

5 (a) (1) The WSSC may create or establish a merit system or classified
6 service to include all of its employees except the chief engineer, secretary, treasurer,
7 general manager, the heads of the several departments, and part time, temporary, or
8 contract employees.

9 (2) The WSSC may:

10 (i) Appoint or promote a classified employee to the office of
11 general manager or to be a department head or designate a classified employee as the
12 incumbent of any of these offices on an acting basis;

13 (ii) Provide for the employee's retention in the classified service
14 in the position or grade from which the employee was appointed or promoted; and

15 (iii) Continue to except the positions of general manager and
16 department heads from the classified service.

17 (b) [(1)] The WSSC may adopt rules and regulations that the WSSC
18 considers necessary and proper to carry out the provisions of this title.

19 [(2) (i) The WSSC shall submit any change in a rule or regulation
20 to the Secretary of Budget and Management.

21 (ii) Failure of the Secretary of Budget and Management to act in
22 60 days of the receipt of the rule or regulation constitutes approval.]

23 11–103.

24 (a) The WSSC shall[:

25 (1) Establish] **ESTABLISH** a list of the positions and their
26 corresponding salaries to be included under the merit system or classified service[;
27 and

28 (2) File this list with the Secretary of Budget and Management].

29 (b) [(1)] The WSSC:

30 [(i) (1) Shall establish additional position classifications that
31 the WSSC considers necessary; and

1 [(ii)] (2) May combine, alter, or abolish existing classifications
2 and salaries.

3 [(2) The WSSC shall submit for approval and give reasons for each
4 position classification established or abolished to the Secretary of Budget and
5 Management.

6 (3) Within 60 days after receipt of the proposal to establish or abolish
7 a position classification, the Secretary of Budget and Management shall:

8 (i) Approve or disapprove the change; and

9 (ii) Give the reasons for the disapproval to the WSSC.

10 (4) Failure of the Secretary of Budget and Management to act in 60
11 days of the receipt of the proposal constitutes approval.]

12 [11–104.

13 (a) Promptly on the filing of the list of positions and salaries under the merit
14 system with the Secretary of Budget and Management, the WSSC shall prepare and
15 hold examinations to establish a list of individuals eligible for appointment to
16 vacancies in the various positions.

17 (b) (1) The WSSC may hold examinations whenever the WSSC considers
18 it necessary to establish an additional list of eligible individuals for any position in the
19 classified list.

20 (2) The examinations:

21 (i) May be oral, written, in the form of a demonstration of skill,
22 or any combination; and

23 (ii) Shall be a fair test of the relative ability of the candidate to
24 perform the duty of the classification to which the candidate seeks to be appointed.

25 (3) All examinations shall be submitted for approval to the Secretary
26 of Budget and Management before being given.

27 (4) Examinations shall be competitive, free, and open to all persons
28 who may be lawfully appointed to any position within the class for which the
29 examination is held.

30 (5) The WSSC may adopt:

1 (i) General rules exempting from competitive examination
2 positions to be filled by semiskilled or unskilled laborers; and

3 (ii) In lieu of the competitive examination, a system for laborers
4 that the WSSC considers will best provide for those positions.]

5 11-105.

6 An honorably discharged veteran of the military or naval services of the United
7 States who was a bona fide resident of this State when the veteran entered the
8 military or naval services of the United States shall receive a credit of 5 percent in all
9 [examinations] **COMPETITIVE SELECTION PROCESSES** for appointment.

10 [11-106.

11 The WSSC shall publish separate notices of the time, place, and general scope of
12 every examination and of the duties, pay, and experience advantageous or required for
13 all positions in the class for which the examination is to be held at least once a week
14 for at least 2 successive weeks preceding the examination in a newspaper of general
15 circulation in each county.]

16 [11-107.

17 (a) (1) The WSSC shall:

18 (i) Prepare a list of the names of individuals whose general
19 average and marks on any part of an examination exceed the minimum of the rules set
20 by the WSSC; and

21 (ii) Send a copy of the list to the Secretary of Budget and
22 Management.

23 (2) (i) These lists shall continue in force for 1 year from the date of
24 preparation.

25 (ii) The WSSC may extend this period by action taken before the
26 expiration of the list and entered in the WSSC's minutes.

27 (3) (i) On request, the candidate may inspect the candidate's
28 marks and examination papers.

29 (ii) If the candidate is not satisfied with the marking received
30 from the WSSC, the candidate may appeal to the Secretary of Budget and
31 Management, who shall review the matter. The decision of the Secretary of Budget
32 and Management is final.

1 (b) The WSSC may appoint to a vacancy in the classified service any
2 individual who is on the list as provided in subsection (a) of this section.

3 (c) (1) Except for present employees of the WSSC, a person may not be
4 appointed to a position under the merit system or classified service unless the person
5 is qualified by examination as set forth in this title.

6 (2) (i) Where there is need for the immediate establishment of a
7 position, the WSSC may appoint any individual at any salary for a period of 6 months
8 without an examination.

9 (ii) The WSSC may make a single extension of 6 months of this
10 appointment.]

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2010.