

HOUSE BILL 889

L5
HB 611/11 – ENV

2lr0657

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

Introduced and read first time: February 9, 2012

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 15, 2012

CHAPTER _____

1 AN ACT concerning

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

3 **PG/MC 103–12**

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

17 BY repealing and reenacting, with amendments,
18 Article – Public Utilities
19 Section 18–105, 18–108, and 18–111
20 Annotated Code of Maryland
21 (2010 Replacement Volume and 2011 Supplement)

22 BY repealing

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Public Utilities
2 Section 18–109, 18–110, 18–112, and 18–113
3 Annotated Code of Maryland
4 (2010 Replacement Volume and 2011 Supplement)

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

7 **Article – Public Utilities**

8 18–105.

9 [(a)] The Commission may adopt regulations to carry out this subtitle.

10 [(b) (1)] The Commission shall submit any change in a regulation to the
11 Secretary for approval.

12 (2) Failure of the Secretary to act within 60 days after receipt of the
13 proposed regulation constitutes approval.]

14 18–108.

15 (a) The Commission shall[:

16 (1)] establish a list of each position to be included under the merit
17 system and its corresponding salary[; and

18 (2) file the list with the Secretary].

19 (b) The Commission may:

20 (1) establish additional position classifications; and

21 (2) combine, alter, or abolish existing position classifications and their
22 corresponding salaries.

23 [(c) The Commission shall submit to the Secretary:

24 (1) for the Secretary’s approval, each position classification to be
25 established or abolished; and

26 (2) the reason for its establishment or abolishment.

27 (d) Within 60 days after receipt of a proposal to establish or abolish a
28 position classification, the Secretary:

1 (1) shall approve or disapprove the proposal; and

2 (2) if disapproving, shall give the reason for the disapproval to the
3 Commission.

4 (e) Failure of the Secretary to act within 60 days after receipt of the proposal
5 constitutes approval.]

6 [18–109.

7 (a) Promptly after filing the list of merit system positions and corresponding
8 salaries with the Secretary as required under § 18–108 of this subtitle, the
9 Commission shall prepare and hold examinations to establish a list of individuals
10 eligible for appointment to vacancies in the positions.

11 (b) The Commission may hold examinations whenever the Commission
12 considers it necessary to establish an additional list of eligible individuals for any
13 position in the merit system.

14 (c) Each examination shall be:

15 (1) a fair test of the relative abilities of the candidates to perform the
16 duties of the classification to which they seek to be appointed;

17 (2) competitive, free, and open to all individuals who lawfully may be
18 appointed to a position in the classification for which the examination is held; and

19 (3) in one or any combination of the following forms:

20 (i) oral;

21 (ii) written; or

22 (iii) a demonstration of skill.

23 (d) All examinations shall be submitted to the Secretary for approval before
24 being held.]

25 [18–110.

26 At least once a week for at least 2 successive weeks before the day on which an
27 examination is to be held, the Commission shall publish in a newspaper of general
28 circulation in each county of the sanitary district:

29 (1) the time, place, and scope of the examination; and

1 (2) the duties, compensation, and qualifications for each position in
2 the classification for which the examination is to be held.]

3 18-111.

4 On all [examinations] **COMPETITIVE SELECTION PROCESSES** for
5 appointment, an honorably discharged veteran of the United States armed forces who
6 was a bona fide resident of the State when the veteran entered the United States
7 armed forces shall receive a credit of 5%.

8 [18-112.

9 (a) On request, a candidate may inspect the candidate's examination papers
10 and scores.

11 (b) (1) If a candidate is not satisfied with the score received from the
12 Commission, the candidate may appeal to the Secretary.

13 (2) The Secretary shall review the candidate's examination and score.

14 (3) The decision of the Secretary is final.]

15 [18-113.

16 (a) The Commission shall:

17 (1) establish a list of the names of individuals whose general average
18 and score on any part of an examination held by the Commission exceed the minimum
19 set by the Commission; and

20 (2) send a copy of the list to the Secretary.

21 (b) (1) Each list of eligible individuals is effective for 1 year from the date
22 the list is established.

23 (2) The Commission may extend the effective period for a list by
24 action:

25 (i) taken before the effective period for the list expires; and

26 (ii) recorded in the Commission's minutes.

27 (c) The Commission may appoint to a vacancy in the merit system any
28 individual who is on a list established under subsection (a) of this section.

29 (d) Except for present employees of the Commission, and except as provided
30 in subsections (e) and (f) of this section, an individual may not be appointed to a

1 position under the merit system unless the individual is qualified by examination as
2 provided in this subtitle.

3 (e) (1) If a position must be established immediately, the Commission
4 may appoint any individual to the position without an examination, at any salary, for
5 a period not to exceed 6 months.

6 (2) The Commission may extend the appointment one time for a period
7 not to exceed 6 months.

8 (f) The Commission may adopt:

9 (1) rules exempting from a competitive examination process positions
10 to be filled by semiskilled or unskilled laborers; and

11 (2) instead of a competitive examination, a system that the
12 Commission considers will best provide for filling those positions.]

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2012.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.