

# HOUSE BILL 975

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By: **Delegates Kramer, Arora, Barkley, Carr, Kaiser, McDonough, Stocksedale, and Wood**

Introduced and read first time: February 8, 2013

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission – Membership**

3 FOR the purpose of altering the membership of the Public Service Commission;  
4 establishing a certain eligibility requirement for certain commissioners;  
5 providing that the Chairman shall serve at large; requiring the Governor to  
6 appoint certain new commissioners; providing that members of the Commission  
7 as of a certain date shall continue to serve the terms under which they were  
8 appointed; and generally relating to the membership of the Public Service  
9 Commission.

10 BY repealing and reenacting, with amendments,  
11 Article – Public Utilities  
12 Section 2–102  
13 Annotated Code of Maryland  
14 (2010 Replacement Volume and 2012 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – Public Utilities  
17 Section 2–103  
18 Annotated Code of Maryland  
19 (2010 Replacement Volume and 2012 Supplement)

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

22 **Article – Public Utilities**

23 2–102.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) The Commission consists of [five commissioners]:

2 (I) ONE COMMISSIONER FROM EACH CONGRESSIONAL  
3 DISTRICT IN THE STATE, appointed by the Governor with the advice and consent of  
4 the Senate; AND

5 (II) A CHAIRMAN APPOINTED UNDER § 2-103 OF THIS  
6 SUBTITLE.

7 (2) THE CHAIRMAN SERVES AT LARGE AND DOES NOT  
8 REPRESENT A CONGRESSIONAL DISTRICT.

9 (b) (1) Each commissioner shall be a registered voter of the State.

10 (2) A COMMISSIONER WHO REPRESENTS A CONGRESSIONAL  
11 DISTRICT SHALL BE A RESIDENT OF THAT DISTRICT.

12 [(2)] (3) The Commission shall be:

13 (i) broadly representative of the geographic and demographic  
14 diversity of the State and of the public; and

15 (ii) composed of individuals with diverse training and  
16 experience.

17 (c) Each commissioner shall devote full time to the duties of office.

18 (d) (1) The term of a commissioner is 5 years and begins on July 1.

19 (2) The terms of commissioners are staggered as required by the terms  
20 in effect for commissioners on July 1, 2006.

21 (3) At the end of a term, a commissioner continues to serve until a  
22 successor qualifies.

23 (4) A commissioner who is appointed after a term has begun serves for  
24 the rest of the term and until a successor qualifies.

25 (e) Before taking office, each appointee to the Commission shall take the  
26 oath required by Article I, § 9 of the Maryland Constitution.

27 (f) The Governor may remove a commissioner for incompetence or  
28 misconduct in accordance with § 3-307 of the State Government Article.

29 2-103.

1           (a)    With the advice and consent of the Senate, the Governor shall appoint a  
2 Chairman.

3           (b)    (1)    The term of the Chairman is 5 years and begins on July 1.

4                   (2)    At the end of a term, the Chairman continues to serve until a  
5 successor qualifies.

6                   (3)    A Chairman who is appointed after a term has begun serves for the  
7 rest of the term and until a successor qualifies.

8           SECTION 2. AND BE IT FURTHER ENACTED, That:

9           (a)    (1)    In accordance with this Act the Governor shall appoint four new  
10 commissioners for terms commencing July 1, 2013.

11                   (2)    To the extent practicable, the new commissioners shall be  
12 appointed from congressional districts not already represented by the members of the  
13 Commission as of June 30, 2013.

14                   (3)    With respect to the initial appointments only, the terms of the new  
15 commissioners shall expire as follows:

16                           (i)    the term of one commissioner shall expire on June 30, 2014;

17                           (ii)   the term of one commissioner shall expire on June 30, 2015;

18                           (iii)  the term of one commissioner shall expire on June 30, 2016;

19 and

20                           (iv)   the term of one commissioner shall expire on June 30, 2017.

21           (b)    (1)    Members of the Commission as of June 30, 2013, shall continue to  
22 serve the terms to which they were appointed.

23                   (2)    As the terms of the commissioners serving as of June 30, 2013,  
24 expire, the Governor shall make appointments from any congressional districts that  
25 remain unrepresented.

26           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 2013.