

(PRE-FILED)

By: **Chairman, Environmental Matters Committee (By Request -
Departmental - Agriculture)**

Requested: November 15, 2004

Introduced and read first time: January 12, 2005

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 8, 2005

CHAPTER _____

1 AN ACT concerning

2 **Maryland Agricultural Land Preservation Foundation - Board of Trustees**

3 FOR the purpose of designating the Secretary of Planning or the Secretary's designee
4 as an ex officio member of the board of trustees of the Maryland Agricultural
5 Land Preservation Foundation; and generally relating to the membership of the
6 board of trustees of the Maryland Agricultural Land Preservation Foundation.

7 BY repealing and reenacting, with amendments,
8 Article - Agriculture
9 Section 2-503
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 2004 Supplement)

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

14 **Article - Agriculture**

15 2-503.

16 (a) (1) The Maryland Agricultural Land Preservation Foundation shall be
17 governed and administered by a board of trustees composed of the State Treasurer,
18 who shall serve as an ex officio member, the Comptroller, who shall serve as an ex
19 officio member, THE SECRETARY OF PLANNING, WHO SHALL SERVE AS AN EX
20 OFFICIO MEMBER, and the Secretary who shall serve as an ex officio member, and
21 [nine] EIGHT members from the State at-large to be appointed by the Governor, at

1 least five of whom shall be farmer representatives from different areas of the State.
2 The State Treasurer may appoint, as the Treasurer's designee, a deputy treasurer to
3 serve on the board of trustees. THE SECRETARY OF PLANNING MAY APPOINT AS THE
4 SECRETARY'S DESIGNEE AN INDIVIDUAL WITHIN THE DEPARTMENT OF PLANNING.
5 [One of the at-large members who is not a farmer representative shall be a
6 representative of the Department of Planning.] All of the farmer representatives
7 shall be actively engaged in or retired from active farming. Three of the five farmer
8 representatives shall be appointed as follows:

9 (i) One from a list of three nominees submitted by the Maryland
10 Agricultural Commission;

11 (ii) One from a list of three nominees submitted by the Maryland
12 Farm Bureau; and

13 (iii) One from a list of three nominees submitted by the Maryland
14 State Grange.

15 (2) The Governor shall appoint the chairman of the board, from among
16 the [nine] EIGHT at-large trustees. A majority of the members of the board serving at
17 any one time constitutes a quorum for the transaction of business.

18 (3) Notwithstanding the provisions of §§ 15-502 through 15-504 of the
19 State Government Article, a person may be appointed to and serve on the board as an
20 at-large member even if prior to the appointment the person sold an easement in the
21 person's agricultural land to the Foundation.

22 (b) (1) The term of any trustee at-large serving on the board shall expire on
23 July 1, 1977. The Governor then shall appoint trustees at-large for the following
24 terms:

25 (i) Three for a term of four years;

26 (ii) Three for a term of three years; and

27 (iii) Three for a term of two years.

28 (2) In appointing members at-large to replace members whose terms
29 expire on July 1, 1977, the Governor may appoint members serving as of July 1, 1977.
30 Thereafter, successors to trustees at-large whose terms expire shall be appointed for
31 terms of four years. Vacancies shall be filled for the unexpired term. A trustee
32 at-large may not serve more than two successive terms. Appointment to fill a vacancy
33 may not be considered as one of two terms.

34 (c) Trustees at-large shall take the oath of office as prescribed by law.

35 (d) Compensation may not be paid to any trustee. Each trustee shall be
36 reimbursed for travel and other expenses incurred by him in the performance of his
37 duties on behalf of the Foundation.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2005.