

SENATE BILL 60

M3

0lr0061

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment) and Senators Harrington and Lenett**

Requested: October 5, 2009

Introduced and read first time: January 13, 2010

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 9, 2010

CHAPTER _____

1 AN ACT concerning

2 **Commission on Environmental Justice and Sustainable Communities –**
3 **Membership**

4 FOR the purpose of expanding the membership of the Commission on Environmental
5 Justice and Sustainable Communities; and generally relating to the
6 membership of the Commission on Environmental Justice and Sustainable
7 Communities.

8 BY repealing and reenacting, without amendments,
9 Article – Environment
10 Section 1–101(a) and (k)
11 Annotated Code of Maryland
12 (2007 Replacement Volume and 2009 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Environment
15 Section 1–701
16 Annotated Code of Maryland
17 (2007 Replacement Volume and 2009 Supplement)

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

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 – Environment**

2 1–101.

3 (a) In this article the following words have the meanings indicated.

4 (k) “Secretary” means the Secretary of the Environment.

5 1–701.

6 (a) In this section, “environmental justice” means equal protection from
7 environmental and public health hazards for all people regardless of race, income,
8 culture, and social status.

9 (b) There is a Commission on Environmental Justice and Sustainable
10 Communities.

11 (c) **(1)** The Commission consists of the following **[15] 20** members:

12 **[(1)] (I)** One member of the Senate of Maryland, appointed by the
13 President of the Senate;

14 **[(2)] (II)** One member of the House of Delegates, appointed by the
15 Speaker of the House;

16 **[(3)] (III)** The Secretary, or the Secretary’s designee;

17 **[(4)] (IV)** The Secretary of Health and Mental Hygiene, or the
18 Secretary’s designee;

19 **[(5)] (V)** The Secretary of Planning, or the Secretary’s designee; **[and]**

20 **(VI) THE SECRETARY OF BUSINESS AND ECONOMIC**
21 **DEVELOPMENT, OR THE SECRETARY’S DESIGNEE;**

22 **(VII) THE SECRETARY OF HOUSING AND COMMUNITY**
23 **DEVELOPMENT, OR THE SECRETARY’S DESIGNEE;**

24 **(VIII) THE SECRETARY OF TRANSPORTATION, OR THE**
25 **SECRETARY’S DESIGNEE; AND**

26 **[(6)] (IX) [Ten] TWELVE** members appointed by the Governor who
27 represent the following interests:

- 1 [(i)] 1. Affected communities concerned with environmental
2 justice;
- 3 [(ii)] 2. Business organizations;
- 4 [(iii)] 3. Environmental organizations;
- 5 [(iv)] 4. Health experts on environmental justice;
- 6 [(v)] 5. Local government; and
- 7 [(vi)] 6. The general public with interest or expertise in
8 environmental justice.

9 **(2) OF THE TWELVE MEMBERS APPOINTED BY THE GOVERNOR**
10 **UNDER PARAGRAPH (1)(IX) OF THIS SUBSECTION, AT LEAST TWO MEMBERS**
11 **SHALL REPRESENT AFFECTED COMMUNITIES CONCERNED WITH**
12 **ENVIRONMENTAL JUSTICE.**

- 13 (d) (1) The term of a member appointed by the Governor is 3 years.
- 14 (2) At the end of a term, a member continues to serve until a successor
15 is appointed and qualifies.
- 16 (3) A member who is appointed after a term has begun serves only for
17 the rest of the term and until a successor is appointed and qualifies.
- 18 (4) A member may not be appointed to more than two consecutive
19 terms.
- 20 (e) The Governor shall designate the chairman of the Commission.
- 21 (f) The Department shall provide staff for the Commission.
- 22 (g) (1) The Commission shall meet at the times and places that the
23 chairman determines.
- 24 (2) A majority of members of the Commission shall constitute a
25 quorum for the transaction of business.
- 26 (3) A member of the Commission:
 - 27 (i) May not receive compensation; but
 - 28 (ii) Is entitled to reimbursement for expenses under the
29 Standard State Travel Regulations, as provided in the State budget.

1 (h) The Commission shall:

2 (1) Advise State government agencies on environmental justice and
3 related community issues;

4 (2) Review and analyze the impact of current State laws and policies
5 on the issue of environmental justice and sustainable communities;

6 (3) Assess the adequacy of State and local government laws to address
7 the issue of environmental justice and sustainable communities;

8 (4) Coordinate with the Children's Environmental Health and
9 Protection Advisory Council on recommendations related to environmental justice and
10 sustainable communities;

11 (5) Develop criteria to assess whether communities in the State may
12 be experiencing environmental justice issues; and

13 (6) Recommend options to the Governor for addressing issues,
14 concerns, or problems related to environmental justice that surface after reviewing
15 State laws and policies, including prioritizing areas of the State that need immediate
16 attention.

17 (i) On or before October 1 of each year, the Commission shall report its
18 findings and recommendations to the Governor and, subject to § 2-1246 of the State
19 Government Article, the General Assembly.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.