

# SENATE BILL 1032

M1

8lr2452  
CF HB 917

---

By: **Senator Hough**

Introduced and read first time: February 5, 2018

Assigned to: Education, Health, and Environmental Affairs

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County – Scenic River Advisory Board – Composition**

3 FOR the purpose of altering the composition of a scenic river advisory board in Frederick  
4 County if the scenic or wild river for which the board was created flows through  
5 Frederick County and one or more other counties; making stylistic changes; and  
6 generally relating to scenic river advisory boards.

7 BY repealing and reenacting, with amendments,

8 Article – Natural Resources

9 Section 8–403

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2017 Supplement)

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

14 **Article – Natural Resources**

15 8–403.

16 (a) (1) **(I)** There is a Scenic and Wild Rivers Review Board.

17 **(II)** The Board consists of the Secretaries of Natural Resources,  
18 Agriculture, and the Environment and the Director of Planning and a member of the  
19 Garrett County Commissioners, who shall be a voting member of the Board only on matters  
20 pertaining to the wild portion of the Youghiogheny River.

21 (2) The members of the Board shall select the chairperson.

22 (3) A member of the Board:

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) May not receive any compensation for the member's services; but

2 (ii) Shall be reimbursed for necessary travel expenses and  
3 disbursements made in order to attend any meeting or perform any other official duty.

4 (b) In addition to the duties set forth elsewhere in this subtitle, the Scenic and  
5 Wild Rivers Review Board shall:

6 (1) Review:

7 (i) Any inventory, study, plan, and regulation that is prepared  
8 under this subtitle; and

9 (ii) The recommendations on the inventory, study, plan, and  
10 regulation of the Secretary, any local governing body, or any local advisory board;

11 (2) Meet regularly; and

12 (3) Appoint, with the advice and consent of the appropriate local governing  
13 body, a local scenic and wild river advisory board for each river that is included in the Scenic  
14 and Wild Rivers Program.

15 (c) (1) Each local scenic and wild river advisory board consists of at least [7]  
16 SEVEN members, except for the Youghiogheny local Scenic and Wild River Advisory Board  
17 that consists of at least [8] EIGHT members.

18 (2) Each member of a local scenic and wild river advisory board shall reside  
19 in the county through which the scenic and wild river flows.

20 (3) The Scenic and Wild Rivers Review Board shall select the members of  
21 each local advisory board as follows:

22 (i) At least [2] TWO members shall own land contiguous to the  
23 scenic or wild river, except for the Youghiogheny River where at least [3] THREE members  
24 shall own land contiguous to that portion of the river designated by § 8-408(a) of this  
25 subtitle as a wild river;

26 (ii) At least [2] TWO members who own land that is not contiguous  
27 to the scenic or wild river;

28 (iii) [1] ONE member shall represent the local governing body; and

29 (iv) [2] TWO members from the county soil conservation district.

30 (d) If a scenic or wild river flows through more than [1] ONE county, the local

1 advisory board shall consist of no more than the following members:

2 (1) **[2] TWO** residents of each county through which the scenic or wild river  
3 flows who own land contiguous to the scenic or wild river;

4 (2) **[2] TWO** residents of each county through which the scenic or wild river  
5 flows who do not own land contiguous to the scenic or wild river;

6 (3) **[2] TWO** representatives of the local governing body of each county  
7 through which the scenic or wild river flows; and

8 (4) **[1] ONE** representative of each soil conservation district through which  
9 the scenic or wild river flows.

10 (e) Each local scenic and wild river advisory board shall:

11 (1) Review any inventory, study, plan, and regulation that is proposed  
12 under this subtitle and is applicable to any river in its jurisdiction;

13 (2) Make recommendations on the inventory, study, plan, and regulation  
14 to its local governing body and to the Scenic and Wild Rivers Review Board;

15 (3) Select its own chairperson; and

16 (4) Adopt its own administrative regulations for the operation of the local  
17 advisory board.

18 (f) (1) Each member of a local advisory board may not:

19 (i) Receive compensation for service; or

20 (ii) Be reimbursed for expenses incurred in travel or for attending  
21 meetings or performing any official duty.

22 (2) The Secretary shall schedule meetings for each local advisory board.  
23 However, in the event of emergencies, the chairperson of a local advisory board may  
24 schedule meetings for the local advisory board.

25 (g) **(1)** **[Upon] ON** completion of an approved management plan, the local  
26 governing body may establish a scenic river advisory board for each designated scenic or  
27 wild river within its jurisdiction.

28 **(2)** Each board, as constituted by the local authority, may recommend  
29 policies, laws, and regulations in furtherance of the aims of this subtitle to the appropriate  
30 local governing body.

1                   **(3) (I) [If] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
2 **PARAGRAPH, IF** a scenic or wild river flows through more than **[1] ONE** county, the scenic  
3 river advisory board may consist of an equal number of members from each county.

4                   **(II) IF A SCENIC OR WILD RIVER FLOWS THROUGH FREDERICK**  
5 **COUNTY AND ONE OR MORE OTHER COUNTIES, THE SCENIC RIVER ADVISORY BOARD**  
6 **SHALL CONSIST OF THE FOLLOWING MEMBERS:**

7                   **1. TWO RESIDENTS OF EACH COUNTY THROUGH WHICH**  
8 **THE SCENIC OR WILD RIVER FLOWS WHO OWN LAND CONTIGUOUS TO THE SCENIC**  
9 **OR WILD RIVER;**

10                   **2. TWO RESIDENTS OF EACH COUNTY THROUGH WHICH**  
11 **THE SCENIC OR WILD RIVER FLOWS WHO DO NOT OWN LAND CONTIGUOUS TO THE**  
12 **SCENIC OR WILD RIVER;**

13                   **3. SUBJECT TO SUBPARAGRAPH (III) OF THIS**  
14 **PARAGRAPH, TWO REPRESENTATIVES OF THE LOCAL GOVERNING BODY OF EACH**  
15 **COUNTY THROUGH WHICH THE SCENIC OR WILD RIVER FLOWS; AND**

16                   **4. ONE REPRESENTATIVE OF AN ORGANIZATION IN THE**  
17 **COUNTY WITH EXPERTISE IN AGRICULTURE, SUCH AS THE LOCAL FARM BUREAU,**  
18 **GRANGE, OR SOIL CONSERVATION DISTRICT.**

19                   **(III) THE TWO REPRESENTATIVES OF THE LOCAL GOVERNING**  
20 **BODY SHALL BE NONVOTING MEMBERS OF THE SCENIC RIVER ADVISORY BOARD.**

21                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2018.