

(PRE-FILED)

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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

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## A BILL ENTITLED

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  
22 least five of whom shall be farmer representatives from different areas of the State.  
23 The State Treasurer may appoint, as the Treasurer's designee, a deputy treasurer to  
24 serve on the board of trustees. THE SECRETARY OF PLANNING MAY APPOINT AS THE  
25 SECRETARY'S DESIGNEE AN INDIVIDUAL WITHIN THE DEPARTMENT OF PLANNING.  
26 [One of the at-large members who is not a farmer representative shall be a  
27 representative of the Department of Planning.] All of the farmer representatives

1 shall be actively engaged in or retired from active farming. Three of the five farmer  
2 representatives shall be appointed as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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