

SENATE BILL 909

M4

8lr3205

By: **Senator Middleton**

Introduced and read first time: February 20, 2008

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 3, 2008

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 2008

CHAPTER _____

1 AN ACT concerning

2 **Maryland Agricultural Land Preservation Foundation – Board of Trustees –**
3 **Young Farmer**

4 FOR the purpose of expanding the membership of the board of trustees of the
5 Maryland Agricultural Land Preservation Foundation to include a certain
6 member appointed by the Governor from a certain list of nominees submitted by
7 the Young Farmers Advisory Board; requiring nominees submitted by the
8 Young Farmers Advisory Board to meet certain requirements; and generally
9 relating to expanding the membership of the board of trustees of the Maryland
10 Agricultural Land Preservation Foundation.

11 BY repealing and reenacting, with amendments,
12 Article – Agriculture
13 Section 2–503
14 Annotated Code of Maryland
15 (2007 Replacement Volume)

16 BY repealing and reenacting, without amendments,
17 Article – Agriculture
18 Section 2–1002(d)
19 Annotated Code of Maryland
20 (2007 Replacement Volume)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 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 - Agriculture**

2 2-503.

3 (a) (1) The Maryland Agricultural Land Preservation Foundation shall be
 4 governed and administered by a board of trustees composed of the State Treasurer,
 5 who shall serve as an ex officio member, the Comptroller, who shall serve as an ex
 6 officio member, the Secretary of Planning, who shall serve as an ex officio member,
 7 and the Secretary who shall serve as an ex officio member, and [eight] **NINE** members
 8 from the State at-large to be appointed by the Governor, at least [five] **SIX** of whom
 9 shall be farmer representatives from different areas of the State. The State Treasurer
 10 may appoint, as the Treasurer's designee, a deputy treasurer to serve on the board of
 11 trustees. The Secretary of Planning may appoint as the Secretary's designee an
 12 individual within the Department of Planning. All of the farmer representatives shall
 13 be actively engaged in or retired from active farming. [Three] **FOUR** of the [five] **SIX**
 14 farmer representatives shall be appointed as follows:

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

17 (ii) One from a list of three nominees submitted by the
 18 Maryland Farm Bureau; [and]

19 (iii) One from a list of three nominees submitted by the
 20 Maryland State Grange; **AND**

21 **(IV) ONE FROM A LIST OF THREE NOMINEES SUBMITTED BY**
 22 **THE YOUNG FARMERS ADVISORY BOARD.**

23 **(2) NOMINEES UNDER PARAGRAPH (1)(IV) OF THIS SUBSECTION**
 24 **SHALL MEET THE REQUIREMENTS OF § ~~2-1002(C)~~ 2-1002(D) OF THIS TITLE.**

25 [(2)] **(3)** The Governor shall appoint the chairman of the board, from
 26 among the [eight] **NINE** at-large trustees. A majority of the members of the board
 27 serving at any one time constitutes a quorum for the transaction of business.

28 [(3)] **(4)** Notwithstanding the provisions of §§ 15-502 through
 29 15-504 of the State Government Article, a person may be appointed to and serve on
 30 the board as an at-large member even if prior to the appointment the person sold an
 31 easement in the person's agricultural land to the Foundation.

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

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

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

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

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

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

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

13 2-1002.

14 (d) Each member from the general public shall:

15 (1) Be interested in the preservation and development of agriculture
16 and preservation of the agricultural way of life in Maryland;

17 (2) Be under the age of 45 years at the beginning of the member's
18 term;

19 (3) Derive at least 50% of the member's personal income from farming
20 or agricultural activities in the State; and

21 (4) Be a resident of the State.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 June 1, 2008.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.