

Chapter 211

(Senate Bill 60)

AN ACT concerning

Commission on Environmental Justice and Sustainable Communities – Membership

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

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

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

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

Article – Environment

1–101.

- (a) In this article the following words have the meanings indicated.
- (k) “Secretary” means the Secretary of the Environment.

1–701.

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

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

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

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

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

[(3)] (III) The Secretary, or the Secretary's designee;

[(4)] (IV) The Secretary of Health and Mental Hygiene, or the Secretary's designee;

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

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

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

(VIII) **THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S DESIGNEE; AND**

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

[(i)] 1. Affected communities concerned with environmental justice;

[(ii)] 2. Business organizations;

[(iii)] 3. Environmental organizations;

[(iv)] 4. Health experts on environmental justice;

[(v)] 5. Local government; and

[(vi)] 6. The general public with interest or expertise in environmental justice.

(2) **OF THE TWELVE MEMBERS APPOINTED BY THE GOVERNOR UNDER PARAGRAPH (1)(IX) OF THIS SUBSECTION, AT LEAST TWO MEMBERS**

SHALL REPRESENT AFFECTED COMMUNITIES CONCERNED WITH ENVIRONMENTAL JUSTICE.

- (d) (1) The term of a member appointed by the Governor is 3 years.
- (2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.
- (3) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.
- (4) A member may not be appointed to more than two consecutive terms.
- (e) The Governor shall designate the chairman of the Commission.
- (f) The Department shall provide staff for the Commission.
- (g) (1) The Commission shall meet at the times and places that the chairman determines.
- (2) A majority of members of the Commission shall constitute a quorum for the transaction of business.
- (3) A member of the Commission:
 - (i) May not receive compensation; but
 - (ii) Is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.
- (h) The Commission shall:
 - (1) Advise State government agencies on environmental justice and related community issues;
 - (2) Review and analyze the impact of current State laws and policies on the issue of environmental justice and sustainable communities;
 - (3) Assess the adequacy of State and local government laws to address the issue of environmental justice and sustainable communities;
 - (4) Coordinate with the Children's Environmental Health and Protection Advisory Council on recommendations related to environmental justice and sustainable communities;

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

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

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

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

Approved by the Governor, May 4, 2010.