

# SENATE BILL 4

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6lr0378

(PRE-FILED)

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By: **Senator Conway**

Requested: June 23, 2015

Introduced and read first time: January 13, 2016

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Maryland Environmental Trust – Trustees**

3 FOR the purpose of repealing the requirement that certain trustees of the Maryland  
4 Environmental Trust be elected in a certain manner; requiring the Governor to  
5 appoint certain trustees with the advice and consent of the Senate; specifying the  
6 terms of the appointed trustees; prohibiting a trustee from receiving certain  
7 compensation, but authorizing the reimbursement of certain expenses; declaring the  
8 intent of the General Assembly; specifying the expiration of a term for an appointed  
9 trustee; making conforming changes; and generally relating to the Maryland  
10 Environmental Trust.

11 BY repealing and reenacting, with amendments,  
12 Article – Natural Resources  
13 Section 3–202  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume and 2015 Supplement)

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

18 **Article – Natural Resources**

19 3–202.

20 (a) **(1)** A board of 15 trustees has and shall exercise the powers and duties of  
21 the Trust.

22 **(2)** The Governor, the President of the Senate, and the Speaker of the  
23 House of Delegates are ex officio members of the board of trustees.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(3) (I)** [Of the] **THE** remaining 12 trustees[, three shall be elected each  
2 year for a term of four years at any regular or special meeting by unanimous vote of the  
3 trustees present] **SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND**  
4 **CONSENT OF THE SENATE.**

5           **(II)** [If an elected trustee for any reason fails to serve or complete any  
6 elected term, a successor shall be elected for the remainder of the term at any regular or  
7 special meeting by unanimous vote of the trustees present. Elected] **THE APPOINTED**  
8 trustees shall be selected to obtain a broad distribution from the professions and other  
9 occupations, and a broad geographical distribution throughout the State, insofar as is  
10 practicable and consistent with the purposes of the Trust.

11           **(III) 1. THE TERM OF AN APPOINTED TRUSTEE IS 4 YEARS.**

12                           **2. AN APPOINTED TRUSTEE MAY NOT SERVE MORE THAN**  
13 **TWO CONSECUTIVE TERMS.**

14                           **3. THE TERMS OF APPOINTED TRUSTEES ARE**  
15 **STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR TRUSTEES OF THE TRUST**  
16 **ON OCTOBER 1, 2016.**

17                           **4. AT THE END OF A TERM, AN APPOINTED TRUSTEE**  
18 **CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

19                           **5. A TRUSTEE WHO IS APPOINTED AFTER A TERM HAS**  
20 **BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS**  
21 **APPOINTED AND QUALIFIES.**

22           (b) [A trustee serves without compensation] **A TRUSTEE:**

23                           **(1) MAY NOT RECEIVE COMPENSATION AS A TRUSTEE OF THE TRUST;**  
24 **BUT**

25                           **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
26 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

27           (c) (1) An ex officio member of the board of trustees may delegate any of the  
28 powers or duties of the member to an authorized representative.

29                           (2) (i) The representative of the Governor shall be a member of the  
30 Executive Department of this State.

31   (ii) The representative of the President of the Senate shall be a  
32 member of the Senate.

1 (iii) The representative of the Speaker of the House shall be a  
2 member of the House of Delegates.

3 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General  
4 Assembly that an elected trustee of the Maryland Environmental Trust shall serve the rest  
5 of the term for which the trustee was elected and until a successor is appointed to the  
6 Maryland Environmental Trust in accordance with Section 3 of this Act.

7 SECTION 3. AND BE IT FURTHER ENACTED, That the initial terms of the  
8 appointed trustees of the Maryland Environmental Trust shall expire as follows:

9 (1) in 2019 for all trustees appointed in 2016;

10 (2) in 2020 for all trustees appointed in 2017;

11 (3) in 2021 for all trustees appointed in 2018; and

12 (4) in 2022 for all trustees appointed in 2019.

13 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2016.