

HOUSE BILL 992

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1lr2376
CF SB 743

By: Delegate Gilchrist

Introduced and read first time: February 5, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2021

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Maryland Environmental Trust – ~~Appointment of Trustees~~**

3 FOR the purpose of altering the manner in which certain trustees are chosen to serve on
4 the board of the Maryland Environmental Trust by requiring certain ex officio
5 members of the Trust to appoint the remaining trustees; repealing the number of
6 trustees that constitute a quorum; stating the intent of the General Assembly;
7 making conforming changes; and generally relating to the Maryland Environmental
8 Trust.

9 BY repealing and reenacting, with amendments,

10 Article – Natural Resources

11 Section 3–202(a), 3–203(4), and ~~3–204(a)~~ 3–204

12 Annotated Code of Maryland

13 (2018 Replacement Volume and 2020 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Natural Resources**

17 3–202.

18 (a) (1) A board of 19 trustees has and shall exercise the powers and duties of
19 the Trust.

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.



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

(3) (i) Subject to [subparagraphs] **SUBPARAGRAPH** (ii) [and (iii)] of this paragraph, beginning on June 1, [2017] **2021**, of the remaining 16 trustees, four shall be [elected] **APPOINTED** each year for a term of four years [at any regular or special meeting by a majority vote of the trustees present].

(ii) [In order to bring the composition of the board of trustees up to 16 elected trustees, four trustees shall be elected in October 2016.]

9 (iii)] The trustees shall [elect a trustee] **BE APPOINTED** as follows:

10 1. The Governor shall [submit three recommendations to the
11 board of trustees, of which two shall be elected] **APPOINT TWO TRUSTEES;**

12 2. The President of the Senate shall [submit three
13 recommendations to the board of trustees, of which one shall be elected] **APPOINT ONE**
14 **TRUSTEE**; and

15 3. The Speaker of the House of Delegates shall [submit three
16 recommendations to the board of trustees, of which one shall be elected] **APPOINT ONE**
17 **TRUSTEE.**

18 [(iv)] (III) Insofar as is practicable and consistent with the purposes
19 of the Trust, the [recommendations for an elected trustee] **APPOINTED TRUSTEES** shall:

20 1. Represent a broad distribution of professions and
21 geographies;

22 2. Reflect the diversity of the State; and

23 3. Represent individuals with experience in one or more of
24 the following categories:

25 A. Conservation or preservation of parklands, agricultural
26 land, forest land, historic and cultural properties, natural areas, or important recreational
27 lands;

B. Agriculture, including the horse industry;

29 C. Community planning and land use policy, with an
30 emphasis on community sustainability, health communities, community food systems,
31 youth development and education, or green infrastructure;

1 D. Academic work in natural science, social science, or
2 cultural science at the university level; and

3 E. Business leadership, governance, or fund-raising in any of
4 the categories identified under this item.

5 [(v)] (IV) 1. Except as provided under subsubparagraph 2 of this
6 subparagraph, an [elected] APPOINTED trustee may not serve more than two consecutive
7 terms.

8 2. The chair may serve a third consecutive term if elected as
9 chair during or after the second year of the chair's second term.

10 3. The terms of [elected] APPOINTED trustees are staggered
11 as required by the terms provided for trustees of the Trust on June 1, [2016] 2021.

12 4. A trustee who is [elected] APPOINTED to fill a vacancy
13 that arises after a term has begun:

14 A. Shall be [elected from recommendations submitted by the
15 Governor, the President of the Senate, or the Speaker of the House of Delegates in
16 accordance with subparagraph (iii) of this paragraph, as applicable] APPOINTED BY THE
17 EX OFFICIO MEMBER WHO APPOINTED THE TRUSTEE WHO HELD THE VACANT
18 POSITION; and

19 B. Serves only for the rest of the term and until a successor
20 is [elected] APPOINTED.

21 3–203.

22 The trustees have the powers and duties to:

23 (4) Accept any gift. The trustees may expend both principal and income of
24 any gift of money or invest it in whole or in part in general obligations of the State or other
25 securities in furtherance of the Trust, as decided at a regular or special meeting, if a quorum
26 is present, by the affirmative vote of a minimum of seven [elected] APPOINTED trustees;

27 3–204.

28 (a) The trustees shall elect from among the [elected] APPOINTED membership a
29 chair, secretary, and other officers as they determine.

30 (b) The trustees shall meet at least four times a year at places and on dates they
31 determine.

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1 (c) The chair may call other meetings, and must call one at the request of six or
2 more trustees.

3 (d) The secretary shall notify in writing every trustee of the time and place of
4 every meeting at least seven days in advance of the meeting, except that meetings may be
5 held on shorter notice if all trustees agree.

6 (e) [Ten trustees constitute a quorum to conduct business.]

7 (f) If at any time there is no director, the chair shall assume the director's duties
8 and powers.

9 [(g)] (F) The chair with the consent of the trustees may appoint an advisory
10 council.

11 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
12 Assembly that an elected trustee of the Maryland Environmental Trust shall serve the rest
13 of the term for which the trustee was elected and until a successor is appointed to the
14 Maryland Environmental Trust in accordance with Section 1 of this Act.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
16 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.