

SENATE BILL 743

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1r2634
CF HB 992

By: **Senator Eckardt**

Introduced and read first time: February 5, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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; stating the intent of the
6 General Assembly; making conforming changes; and generally relating to the
7 Maryland Environmental Trust.

8 BY repealing and reenacting, with amendments,

9 Article – Natural Resources

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

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2020 Supplement)

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

15 **Article – Natural Resources**

16 3–202.

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 meeting by a majority vote of the trustees present].

2 (ii) [In order to bring the composition of the board of trustees up to
3 16 elected trustees, four trustees shall be elected in October 2016.

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

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

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

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

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

15 1. Represent a broad distribution of professions and
16 geographies;

17 2. Reflect the diversity of the State; and

18 3. Represent individuals with experience in one or more of
19 the following categories:

20 A. Conservation or preservation of parklands, agricultural
21 land, forest land, historic and cultural properties, natural areas, or important recreational
22 lands;

23 B. Agriculture, including the horse industry;

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

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

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

31 [(v)] **(IV)** 1. Except as provided under subparagraph 2 of this

1 subparagraph, an [elected] **APPOINTED** trustee may not serve more than two consecutive
2 terms.

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

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

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

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

14 B. Serves only for the rest of the term and until a successor
15 is [elected] **APPOINTED**.

16 3-203.

17 The trustees have the powers and duties to:

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

22 3-204.

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

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

29 **SECTION 3. AND BE IT FURTHER ENACTED**, That this Act shall take effect June
30 1, 2021.