

SENATE BILL 315

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5lr2164
CF HB 344

By: **Senators Brooks and Kagan**

Introduced and read first time: January 13, 2025

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable

Senate action: Adopted

Read second time: February 2, 2025

CHAPTER _____

1 AN ACT concerning

2 **Maryland Environmental Service – Membership of Board of Directors –**
3 **Alterations**

4 FOR the purpose of altering the composition of the Board of Directors of the Maryland
5 Environmental Service by replacing the State Treasurer with the Secretary of
6 Planning or the Secretary’s designee; providing that certain provisions of law
7 relating to terms of members of the Board do not apply to the Secretary of Planning
8 and the Executive Director; and generally relating to the membership of the Board
9 of Directors of the Maryland Environmental Service.

10 BY repealing and reenacting, without amendments,
11 Article – Natural Resources
12 Section 3–103(a)
13 Annotated Code of Maryland
14 (2023 Replacement Volume and 2024 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Natural Resources
17 Section 3–103(b)
18 Annotated Code of Maryland
19 (2023 Replacement Volume and 2024 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 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 – Natural Resources**

2 3–103.

3 (a) (1) There is a body politic and corporate known as the “Maryland
4 Environmental Service”.5 (2) The Service is an instrumentality of the State and a public corporation
6 by that name, style, and title, and the exercise by the Service of the powers conferred by
7 this subtitle is the performance of an essential governmental function of the State.

8 (b) (1) There are four officers of the Service:

9 (i) An Executive Director;

10 (ii) A Deputy Director;

11 (iii) A Secretary; and

12 (iv) A Treasurer.

13 (2) (i) The four officers of the Service shall be appointed in accordance
14 with this paragraph.15 (ii) 1. The Executive Director shall be appointed by the
16 Governor, with the advice and consent of the Senate solely with regard to the qualifications
17 for the duties of the office.18 2. The Executive Director serves at the pleasure of the Board
19 with the concurrence of the Governor and shall receive such compensation as may be
20 determined by the Board.21 (iii) 1. The Deputy Director shall be appointed by the Executive
22 Director with the approval of the Governor solely with regard to the qualifications for the
23 duties of the office.24 2. The Deputy Director serves at the pleasure of the
25 Executive Director and shall receive such compensation as may be determined by the
26 Board.27 (iv) 1. The Secretary and the Treasurer shall be selected by the
28 Board from among the Board’s members.29 2. The Secretary and the Treasurer serve at the pleasure of
30 the Board and shall receive such compensation as may be reasonably determined by the
31 Board.

1 (3) The Board of Directors of the Service shall consist of the following
2 members:

3 (i) The Executive Director, who shall serve as a nonvoting member;

4 (ii) The [State Treasurer] **SECRETARY OF PLANNING**, or the
5 [State Treasurer's] **SECRETARY'S** designee;

6 (iii) Three members from the public sector in the State in positions
7 responsible for environmental, water, wastewater, or solid waste management;

8 (iv) One member from the private sector in the State with technical,
9 financial, development, or legal experience related to environmental, water, wastewater, or
10 solid waste management;

11 (v) One member from the private sector in the State with financial
12 experience related to environmental, water, wastewater, or solid waste management; and

13 (vi) One member from the private sector in the State with experience
14 or expertise in matters related to business ethics, preferably involving board of director
15 ethics and conflicts of interest.

16 (4) (i) Subject to subparagraphs (ii), (iii), and (iv) of this paragraph, the
17 public sector and private sector members of the Board, as set forth in paragraph (3)(iii)
18 through (vi) of this subsection shall be appointed by the Governor with the advice and
19 consent of the Senate.

20 (ii) The Governor shall select at least one of the public sector
21 members of the Board from a list of recommendations jointly compiled by the Maryland
22 Association of Counties and the Maryland Municipal League.

23 (iii) The Governor may not appoint an employee of the Service to the
24 Board.

25 (iv) At least one of the public sector or private sector members shall
26 be a resident of a rural county in the State.

27 (5) (i) Five members constitute a quorum for the transaction of
28 business of the Board.

29 (ii) The affirmative vote of at least five members is necessary for any
30 action taken by the Board.

31 (6) Those members of the Board not already holding a public office shall
32 receive from the Service:

33 (i) Per diem compensation as established by the Board; and

1 (ii) Reimbursement for expenses under Standard State Travel
2 Regulations.

3 (7) The term of a member other than the [State Treasurer] **SECRETARY**
4 **OF PLANNING AND THE EXECUTIVE DIRECTOR** is 4 years.

5 (8) The terms of members other than the [State Treasurer] **SECRETARY**
6 **OF PLANNING AND THE EXECUTIVE DIRECTOR** are staggered as required by the terms
7 provided for those members of the Board on July 1, 2021.

8 (9) At the end of a term, a member continues to serve until a successor is
9 appointed and qualifies.

10 (10) A member who is appointed after a term has begun serves only the
11 remainder of that term and until a successor is appointed and qualifies.

12 (11) A member of the Board who is appointed under paragraph (3)(iii)
13 through (vi) of this subsection may serve only two consecutive full 4–year terms, plus any
14 partial term served before the initial 4–year term.

15 (12) Subject to paragraphs (13) and (14) of this subsection, the Board shall
16 select a Chair from among the Board’s members.

17 (13) The Executive Director may not serve as the Secretary, Treasurer, or
18 Chair of the Board.

19 (14) The [State Treasurer] **SECRETARY OF PLANNING** may not serve as
20 the Secretary, Treasurer, or Chair of the Board.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.