

## Chapter 148

## (Senate Bill 4)

AN ACT concerning

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

FOR the purpose of ~~repealing the requirement that certain trustees of the Maryland Environmental Trust be elected in a certain manner; requiring the Governor to appoint certain trustees with the advice and consent of the Senate; specifying the terms of the appointed trustees~~ altering the number of trustees of the Maryland Environmental Trust; altering the number of trustees that are elected to the Trust beginning on a certain date; altering the manner in which a trustee is elected; requiring that a certain number of trustees be elected in a certain month and year; specifying that certain recommendations for an elected trustee represent and reflect certain criteria; prohibiting an elected trustee from serving more than a certain number of consecutive terms, subject to a certain exception; prohibiting a trustee from receiving certain compensation, but authorizing the reimbursement of certain expenses; altering the number of times the trustees are required to meet; altering the number of trustees that may request a meeting for which the chair is required to call a meeting; altering the number of trustees that constitute a quorum; declaring the intent of the General Assembly; specifying the expiration of a term for ~~an appointed trustee~~ certain elected trustees; making conforming and stylistic changes; and generally relating to the Maryland Environmental Trust.

BY repealing and reenacting, with amendments,  
 Article – Natural Resources  
 Section 3–202 and 3–204  
 Annotated Code of Maryland  
 (2012 Replacement Volume and 2015 Supplement)

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

**Article – Natural Resources**

3–202.

(a) (1) A board of ~~15~~ **19** trustees has and shall exercise the powers and duties of the Trust.

(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) [Of the] ~~THE~~ SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, BEGINNING ON JUNE 1, 2017, OF THE remaining ~~12~~ 16 trustees, ~~three,~~ FOUR shall be elected each year for a term of four years at any regular or special meeting by ~~unanimous~~ A MAJORITY vote of the trustees present] ~~SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.~~

(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.

(III) THE TRUSTEES SHALL ELECT A TRUSTEE AS FOLLOWS:

1. THE GOVERNOR SHALL SUBMIT THREE RECOMMENDATIONS TO THE BOARD OF TRUSTEES, OF WHICH TWO SHALL BE ELECTED;

2. THE PRESIDENT OF THE SENATE SHALL SUBMIT THREE RECOMMENDATIONS TO THE BOARD OF TRUSTEES, OF WHICH ONE SHALL BE ELECTED; AND

3. THE SPEAKER OF THE HOUSE OF DELEGATES SHALL SUBMIT THREE RECOMMENDATIONS TO THE BOARD OF TRUSTEES, OF WHICH ONE SHALL BE ELECTED.

~~(II)~~ (IV) [If an elected trustee for any reason fails to serve or complete any elected term, a successor shall be elected for the remainder of the term at any regular or special meeting by unanimous vote of the trustees present. Elected] ~~THE APPOINTED~~ trustees shall be selected to obtain a broad distribution from the professions and other occupations, and a broad geographical distribution throughout the State, insofar INSOFAR as is practicable and consistent with the purposes of the Trust, THE RECOMMENDATIONS FOR AN ELECTED TRUSTEE SHALL:

1. REPRESENT A BROAD DISTRIBUTION OF PROFESSIONS AND GEOGRAPHIES;

2. REFLECT THE DIVERSITY OF THE STATE; AND

3. REPRESENT INDIVIDUALS WITH EXPERIENCE IN ONE OR MORE OF THE FOLLOWING CATEGORIES:

A. CONSERVATION OR PRESERVATION OF PARKLANDS, AGRICULTURAL LAND, FOREST LAND, HISTORIC AND CULTURAL PROPERTIES, NATURAL AREAS, OR IMPORTANT RECREATIONAL LANDS;

**B. AGRICULTURE, INCLUDING THE HORSE INDUSTRY;**

**C. COMMUNITY PLANNING AND LAND USE POLICY, WITH AN EMPHASIS ON COMMUNITY SUSTAINABILITY, HEALTH COMMUNITIES, COMMUNITY FOOD SYSTEMS, YOUTH DEVELOPMENT AND EDUCATION, OR GREEN INFRASTRUCTURE;**

**D. ACADEMIC WORK IN NATURAL SCIENCE, SOCIAL SCIENCE, OR CULTURAL SCIENCE AT THE UNIVERSITY LEVEL; AND**

**E. BUSINESS LEADERSHIP, GOVERNANCE, OR FUND-RAISING IN ANY OF THE CATEGORIES IDENTIFIED UNDER THIS ITEM.**

~~(III) (V)~~ 1. ~~THE TERM OF AN APPOINTED TRUSTEE IS 4 YEARS.~~

~~2.~~ ~~AN APPOINTED~~ EXCEPT AS PROVIDED UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, AN ELECTED TRUSTEE MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.

2. THE CHAIR MAY SERVE A THIRD CONSECUTIVE TERM IF ELECTED AS CHAIR DURING OR AFTER THE SECOND YEAR OF THE CHAIR'S SECOND TERM.

3. THE TERMS OF ~~APPOINTED~~ ELECTED TRUSTEES ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR TRUSTEES OF THE TRUST ON ~~OCTOBER~~ JUNE 1, 2016.

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

~~5.~~ A TRUSTEE WHO IS ~~APPOINTED~~ ELECTED TO FILL A VACANCY THAT ARISES AFTER A TERM HAS BEGUN ~~SERVES:~~

A. SHALL BE ELECTED FROM RECOMMENDATIONS SUBMITTED BY THE GOVERNOR, THE PRESIDENT OF THE SENATE, OR THE SPEAKER OF THE HOUSE OF DELEGATES IN ACCORDANCE WITH SUBPARAGRAPH (III) OF THIS PARAGRAPH, AS APPLICABLE; AND

B. SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS ~~APPOINTED AND QUALIFIES~~ ELECTED.

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

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

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

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

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

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

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

3-204.

(A) The trustees shall elect from among the elected membership a [chairman] CHAIR, secretary, and other officers as they determine.

(B) The trustees shall meet at least [twice] FOUR TIMES a year at places and on dates they determine.

(C) The [chairman] CHAIR may call other meetings, and must call one at the request of [four] SIX or more trustees.

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

(E) [Eight] TEN trustees constitute a quorum to conduct business.

(F) If at any time there is no director, the [chairman] CHAIR shall assume the director's duties and powers.

(G) The [chairman] CHAIR with the consent of the trustees may appoint an advisory council.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that an elected trustee of the Maryland Environmental Trust shall serve the rest

of the term for which the trustee was elected and until a successor is ~~appointed~~ elected to the Maryland Environmental Trust in accordance with Section 3 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the initial terms of the ~~appointed~~ four trustees of the Maryland Environmental Trust elected under § 3-202(a)(3)(ii) of the Natural Resources Article, as enacted by Section 1 of this Act, shall expire as follows:

- (1) in ~~2019 for all trustees~~ 2017 for one trustee appointed in 2016;
- (2) in ~~2020 for all trustees~~ 2018 for one trustee appointed in ~~2017~~ 2016;
- (3) in ~~2021 for all trustees~~ 2019 for one trustee appointed in ~~2018~~ 2016; and
- (4) in ~~2022 for all trustees~~ 2020 for one trustee appointed in ~~2019~~ 2016.

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

**Approved by the Governor, April 26, 2016.**