

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 992

(Delegate Gilchrist)

Environment and Transportation

Education, Health, and Environmental Affairs

Natural Resources - Maryland Environmental Trust - Trustees

This bill changes the manner in which trustees on the 19-member Maryland Environmental Trust (MET) board of trustees (which includes the Governor, the President of the Senate, and the Speaker of the House of Delegates as *ex officio* members), are chosen to serve, by requiring that the 16 trustees other than the *ex officio* members be appointed rather than elected. The bill also repeals a requirement regarding the number of trustees needed for a quorum to conduct business. **The bill takes effect June 1, 2021.**

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: Beginning June 1, 2021, instead of 4 of the 16 trustees other than the *ex officio* members being elected each year for a term of four years by the other trustees, the bill requires 4 trustees to be appointed each year for a term of four years by the *ex officio* members. Two trustees are appointed by the Governor, 1 trustee is appointed by the President of the Senate, and 1 trustee is appointed by the Speaker of the House of Delegates. Existing provisions applicable to elected members similarly apply to appointed members. The terms of appointed trustees are staggered as required by the terms provided for trustees of the trust on June 1, 2021. A trustee who is appointed to fill a vacancy that

arises after a term has begun must be appointed by the *ex officio* member who appointed the trustee who held the vacant position.

The bill establishes that it is the intent of the General Assembly that an elected trustee serve the rest of the term for which the trustee was elected and until a successor is appointed.

The bill repeals a provision that requires 10 trustees for a quorum to conduct business.

Current Law: MET was established by statute in 1967 “to conserve, improve, stimulate, and perpetuate the aesthetic, natural, health and welfare, scenic, and cultural qualities of the environment, including, but not limited to land, water, air, wildlife, scenic qualities, [and] open spaces.” The trust was created as a quasi-public entity and is both a unit of the Department of Natural Resources and governed by a board of trustees.

MET’s board of 19 trustees exercises the powers and duties of the trust. The Governor, the President of the Senate, and the Speaker of the House of Delegates are *ex officio* members of the board of trustees. Of the remaining 16 trustees, 4 must be elected each year for a term of four years at any regular or special meeting by a majority vote of the trustees present. The Governor must submit 3 recommendations to the board, of which 2 must be elected. The President of the Senate must submit 3 recommendations, of which 1 must be elected. Finally, the Speaker of the House of Delegates must submit 3 recommendations, of which 1 must be elected. The recommendations for an elected trustee must, to the extent practicable and consistent with the purposes of the trust, (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 specified categories (conservation/preservation; agriculture; community planning and land use policy; academic work; and business leadership, governance, or fundraising). Ten trustees constitute a quorum to conduct business.

Chapter 148 of 2016 increased the number of trustees from 15 to 19 and modified the manner in which the trustees other than the *ex officio* members are elected by the board (including requiring recommendations by the *ex officio* members and a majority rather than a unanimous vote).

Additional Information

Prior Introductions: None.

Designated Cross File: SB 743 (Senator Eckardt) - Education, Health, and Environmental Affairs.

Information Source(s): Department of Natural Resources; Department of Legislative Services

Fiscal Note History: First Reader - February 22, 2021
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