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## States' Environmental Justice Statutes: Maryland



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# A National Agricultural Law Center Research Publication

## States' Environmental Justice Statutes: Maryland

MD Env Code § [1-707](#)

*Current with all legislation from the 2021 Regular Session and 2021 First Special Session of the General Assembly.*

### **§ 1-701. Commission on Environmental Justice and Sustainable Communities.**

#### Definitions

(a)

(1) In this section the following words have the meanings indicated.

(2) "Business organization" means a corporation, business trust, partnership, or any other for-profit entity.

(3) "Commission" means the Commission on Environmental Justice and Sustainable Communities.

(4) "Community listening session" means a public convening to gather information and input from community members.

(5) "Environmental justice" means equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social status.

(6) "Environmental organization" means a nonprofit entity engaged in advocacy or action related to conservation, stewardship of natural resources, or pollution reduction.

#### Establishment

(b) There is a Commission on Environmental Justice and Sustainable Communities.

#### Members

(c)

(1) The Commission consists of the following members:

(i) One member of the Senate of Maryland, appointed by the President of the Senate;

(ii) One member of the House of Delegates, appointed by the Speaker of the House;



- (iii) The Secretary, or the Secretary's designee;
- (iv) The Secretary of Health, or the Secretary's designee;
- (v) The Secretary of Planning, or the Secretary's designee;
- (vi) The Secretary of Commerce, or the Secretary's designee;
- (vii) The Secretary of Housing and Community Development, or the Secretary's designee;
- (viii) The Secretary of Transportation, or the Secretary's designee;
- (ix) The following members appointed by the Governor:
  - 1. At least one representative from a community disproportionately impacted by environmental and public health hazards;
  - 2. One representative of a business organization;
  - 3. One representative of an environmental organization;
  - 4. One representative who is a health expert on environmental justice issues; and
  - 5. One representative of an academic institution with an environmental justice institute or similar program;
- (x) The following members appointed jointly by the President of the Senate and the Speaker of the House:
  - 1. At least three representatives from communities disproportionately impacted by environmental and public health hazards that represent the geographic diversity of the State;
  - 2. One representative of a business organization;
  - 3. One representative of an environmental organization; and
  - 4. One representative who is a health expert on environmental justice issues;
- (xi) One representative of local government, designated by the Maryland Association of Counties;
- (xii) One representative of local government, designated by the Maryland Municipal League; and



(xiii) Two representatives of a labor union, designated by the Maryland State and D.C. AFL-CIO.

(2) To the extent practicable, the membership of the Commission shall reflect the racial, gender, ethnic, and geographic diversity of the State, according to the most recent available census data.

#### Terms; orientation

(d)

(1) The term of a member appointed by the Governor or the President of the Senate and the Speaker of the House is 3 years.

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

(3) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(4) A member may not be appointed to more than two consecutive terms.

(5) The Department shall provide a new Commission member with an orientation that reviews:

(i) Environmental justice issues in the State; and

(ii) Previous work of the Commission.

#### Chair

(e) The Commission shall elect a chair from among its members.

#### Staff

(f) The Department shall provide staff for the Commission.

#### Meetings and listening sessions

(g)

(1)

(i) The Commission shall:

1. Meet at least six times per calendar year; and

2. Host at least four community listening sessions per calendar year in communities disproportionately impacted by environmental and public health hazards, with a majority of the members of the Commission present at each community

listening session.



(ii) Of the meetings and community listening sessions required under subparagraph (i) of this paragraph, the Commission shall establish rotating meeting or community listening session locations in different geographic locations of the State, including:

1. At least one in a rural location of the State; and
2. At least one in an urban location of the State.

(iii) The meetings and community listening sessions required under subparagraph (i) of this paragraph shall be reasonably accessible to all attendees, including persons with:

1. Limited English proficiency; and
2. Disabilities.

(iv) The Department shall post notice of the time and location of a meeting or community listening session required under subparagraph (i) of this paragraph on its website at least 30 days before the meeting or community listening session.

(2) A majority of members of the Commission shall constitute a quorum for the transaction of business.

(3) A member of the Commission:

- (i) May not receive compensation as a member of the Commission; but
- (ii) Is entitled to reimbursement for expenses under the Standard State Travel Regulations,<sup>1</sup> as provided in the State budget.

(4) A member of the Commission may not represent more than one entity or group.

#### Duties

(h) The Commission shall:

- (1) Advise State government agencies on environmental justice and related community issues;
- (2) Use data sets and mapping tools to review and analyze the impact of current State and local laws, permits, actions, and policies on the issue of environmental justice and sustainable communities, including cumulative impacts, effects, and exposure;



(3) Assess the adequacy of State and local government laws to address the issue of environmental justice and sustainable communities, including assessing compliance with Title VI of the federal Civil Rights Act of 1964;

(4) Coordinate with the Children's Environmental Health and Protection Advisory Council, the Maryland Office of Minority Health and Health Disparities, and the Commission on Climate Change on recommendations related to environmental justice and sustainable communities; and

(5) Recommend options to the Governor and the General Assembly for addressing issues, concerns, or problems related to environmental justice that surface after reviewing State laws and policies, including prioritizing areas of the State that need immediate attention.

## Reports

(i) On or before October 1 of each year, the Commission shall report its findings and recommendations to the Governor and, subject to § 2-1257 of the State Government Article, the General Assembly.

