

# **APPENDIX B**

**Membership of the Maryland Advisory Council  
on Environmental Justice**

**MACEJ By Laws**

## **MACEJ Members**

**Jean Yarborough**  
Park Heights Networking  
Community Council  
Chairperson  
Community Association

**Samuel Sanchez**  
Founder, Raising Hispanic Academic  
Achievement, Inc. (SAIC)  
Community Association

**Andrew Sawyers**  
Roger Lyons  
Baltimore Urban League

**Bonnie Wilson**  
Chair, Public Participation, Outreach  
and Education Subcommittee  
Community Affairs Manager  
Browning-Ferris Industries

**Delegate James Hubbard**  
Maryland House of Delegates  
Appointed by Speaker of House

**Cheyenne Watson**  
Prince George's County Commissioner  
Maryland Municipal League

**Arthur Wiley Ray, Vice Chair**  
Deputy Secretary  
Department of the Environment  
MDE Secretary Designee

**Robert Venezia**  
Chair, State and Local Interagency  
Coordination Subcommittee  
DHMH Secretary Designee

**Joe Lewandowski, Principal**  
Environmental Resources  
Management  
State or Local Business  
Association

**John Chlada**  
Director Environmental Programs  
Perdue Farms, Inc.  
Member at Large

**Delegate Nathaniel Oaks**  
Maryland House of Delegates  
Member at Large

**Senator Joan Carter Conway**  
Maryland State Senate  
Appointed by Senate President

**John Mathias**  
Frederick County Attorney  
MACO representative

**Jay Sherman**  
Director of Outreach and Training  
Chesapeake Bay Foundation

**Tamia Boyer-Robinson**  
Founder, Environmental Maryland

**Karen Pecoraro**  
Chair, Environmental Health  
and Research Subcommittee  
Senior Engineer, Dames  
& Moore

**BYLAWS OF THE  
STATE OF MARYLAND ADVISORY COUNCIL ON ENVIRONMENTAL JUSTICE  
November 1997  
FINAL (December 8, 1997)**

**I. NAME**

The name of the organization is the State of Maryland Advisory Council on Environmental Justice.

**II. AUTHORITY**

The State of Maryland Advisory Council on Environmental Justice (hereinafter MACEJ is used to refer to the collective of the Council and all Subcommittees; Council is used to refer to the parent committee of MACEJ) is established by House Bill 1350, "Advisory Council on Environmental Justice", Annotated Code of Maryland, Article 41 §18-313.

MACEJ advises the Governor and General Assembly consistent with the requirements of the Administrative Procedure Act.

**III. MISSION AND SCOPE**

Created in 1997, MACEJ is the State's advisory committee for the formulation of recommendations and advice on environmental justice policy and direction. MACEJ provides a forum for public discussion and development of independent advice and counsel to the Governor and General Assembly utilizing the respective strengths and responsibilities of State and local business and industry, local and municipal government, environmental advocacy organizations, grassroots community groups and others involved in environmental justice issues. The Council may consider environmental justice matters relating to State programs.

The Advisory Council on Environmental Justice shall examine issues relating to Environmental Justice. "Environmental Justice" means equal protection from environmental and public health hazards for all people regardless of race, income, culture and social class.

In examining Environmental Justice issues, the Advisory Council on Environmental Justice shall (before January 1, 1999)

1. make recommendations on environmental justice issues to the Governor and General Assembly, and
2. make recommendations to State and local government units regarding policies relating to environmental justice.

In preparing these recommendations to the Governor, General Assembly and State and local government units, the Advisory Council on Environmental Justice shall study and make recommendations on means to

- a. involve affected communities and enhance public participation,
- b. increase efforts to integrate public health and planning for revitalization of affected communities,
- c. increase awareness and sensitivity of State and local officials to environmental justice issues,
- d. assess the impact of State policies, programs and activities on affected communities, and
- e. encourage public/private partnerships to address environmental justice issues.

#### **IV. MEMBERSHIP**

##### **Section 1: Representation of Sectors**

MACEJ shall be comprised of fair and balanced representation from a broad range of interests, including State and local business and industry, local and municipal government, environmental advocacy organizations, and grassroots community groups.

##### **Section 2: Appointment Process and Terms**

###### **a. Council Members**

Council members shall be volunteer representatives who have full voting rights in all Council and Subcommittee Actions.

1. The Council consists of the following 15 members: one member of the Senate of Maryland, appointed by the President of the Senate; one member of the House of Delegates, appointed by the Speaker of the House; the Secretary of Health and Mental Hygiene, or the Secretary's designee; the Secretary of the Environment, or the Secretary's designee; one representative from the Maryland Association of Counties; one representative from the Maryland Municipal League; and nine members appointed by the Governor, as follows: two individuals from community associations established in affected communities; two individuals from not-for-profit advocacy groups concerned with the health and environment of affected communities; two individuals representing State or local business organizations; and three members at large. The Governor shall select a chairman from the members of the Council. To the greatest extent practicable, the membership of the Council shall be appointed to ensure regional, ethnic, economic and gender diversity.
2. Each Council member shall serve as a member of at least one MACEJ Subcommittee.
3. Each Council member may designate an individual, other than a current Council member, as an alternate with or without proxy when the appointed Council member is unable to attend Council meetings.

4. A member of the Council may not receive compensation, but is entitled to reimbursement for expenses under the standard State travel regulations as provided in the State budget.

5. The term of membership shall be two (2) years (June 30, 1997 through June 30, 1999).

*b. Subcommittee Members*

Subcommittee members shall be volunteer representatives named to serve on a specific Subcommittee or other group formed under MACEJ auspices. Subcommittee members shall be full participants in the Subcommittee's deliberations and have voting rights at this level.

1. Subcommittee Chairs must be a member of the Council.

2. Subcommittee members are nominated, approved and appointed by the full Council. Subcommittee members may be recommended by the Council or the Subcommittee. The term of a Subcommittee member shall be based on the need of the Council and conveyed to the Subcommittee member at the time of the appointment.

3. Subcommittee members shall be selected on the basis of expertise on relevant subject matter and to provide fair and balanced representation. Alternates will be allowed to participate in Subcommittee activities with or without proxy when the Subcommittee member is unable to attend Subcommittee meetings.

*c. Expert Witnesses and Consultants*

Expert witnesses and consultants may, where necessary, provide specialized information or assistance to MACEJ. Experts and consultants have no voting rights. Expert witnesses and consultants may be invited by the individual Council members or Subcommittee members in consultation with the Chair of either MACEJ or a Subcommittee.

**Section 3: Termination of Membership**

a. A member may be removed from the Council for failure to attend meetings of the Council. Individual members of the Council may recommend to the Chair the removal of a Council member if the member or alternate misses three consecutive meetings of the Council.

b. A council member who changes his or her organizational or professional affiliation must notify the Chair immediately and may be subject to removal in order to maintain balance among sectors of membership. A resigning member shall notify the Chairman in writing.

**Section 4: Subcommittee Structure**

a. The number, designation, mission, scope, and membership of Subcommittees at any time will be subject to a vote by a simple majority among the Council members.

b. Other groups formed by the Council under MACEJ auspices (e.g., focus groups, working groups, ad hoc task forces, etc.) may be formed upon vote by a simple majority of the Council members.

c. The Council shall make maximum use of the Subcommittees. Subcommittees may interact with individual Council members and other entities in transacting Subcommittee business, but formal charges to the Subcommittee and advice and recommendations from the Subcommittees must pass through the entire Council membership.

#### **Section 5: Protocol Group**

a. The Chair may establish a Protocol Group of the Council consisting of the Chair of the Council as well as the Chairs of each Subcommittee.

b. The Council Chair, in consultation with the Protocol Group, shall be responsible for overall planning for the Council and for coordinating activity with the Subcommittees. Overall planning for the Council refers only to logistical execution of activities authorized by the Council.

c. Minutes of the Protocol Group meetings shall be sent to the Council within 10 days of said meetings.

d. No official MACEJ actions will be undertaken by the Protocol Group.

### **V. MEETINGS**

#### **Section 1: Compliance with the Administrative Procedure Act (Open Meetings Law)**

MACEJ will operate in accordance with all requirements of the Open Meetings Law. Such requirements include but are not limited to: publishing notice of meetings in the Maryland Register and local papers as appropriate, holding open meetings and taking and distributing minutes of meetings. Open meetings shall include reasonable opportunity for public comment.

#### **Section 2: Meeting Scheduling**

a. The Council shall meet at least once a month.

b. Subcommittees or other groups formed by the Council under MACEJ auspices shall meet as needed at the call of the Chair and the Subcommittee Chairs. Meetings of Subcommittees or other such groups may occur by teleconference or other means.

#### **Section 3: Quorum and Voting**

a. The presence of fifty-one percent of Council members or their proxies attending a Council meeting shall constitute a quorum for transaction of business and no vote shall be taken without a quorum.

- b. A vote shall carry by a majority of the Council members present in a Quorum. Members must be present to vote or send an approved proxy (per Section 2 (a) (3) of IV).
- c. Voting may take place by voice vote or by mail, FAX, written proxy, in writing, or by other means of communication.

## **VI. REPORTS AND RECOMMENDATIONS**

### **Section 1: MACEJ Subcommittee Reports and Recommendations**

- a. A Subcommittee or other group formed by the Council under MACEJ auspices may bring a proposed recommendation forward to the Council for review and approval at any time.
- b. A majority vote of the attending members of a Subcommittee or other such group shall be sufficient for forwarding a recommendation to the Council for review and approval. Voting may take place in a Subcommittee meeting by voice vote or by mail, FAX, written proxy, in writing, or by other means of communication. If a vote is taken at a meeting, a quorum must be present. A majority of the members must vote for a recommendation to forward a report to the Council.
- c. Subcommittees or other such groups may issues their own draft reports, including draft recommendations, if approved by a majority of the group's members as described in b. above. These reports shall be considered draft MACEJ Subcommittee reports until they have undergone complete Council review. Draft Subcommittee reports must be submitted through the Council.

### **Section 2: Council Reports and Recommendations**

- a. A report and/or recommendation shall be accepted for formal review and/or approval by the Council if it was approved by a majority vote of a Subcommittee or group formed by the Council under MACEJ auspices.
- b. Each report or recommendation shall be distributed to all Council members for review. Where at all possible, a review period of a minimum of fifteen (15) calendar days will be designated.
- c. Final Council approval or disapproval and transmittal to the Governor and General Assembly on a proposed recommendation shall be completed within a maximum of forty-five (45) calendar days from the date the proposed report or recommendation was sent to the full Council for review. If action involves voting, voting may take place by voice vote or by mail, FAX, written proxy, or in writing. Council members shall be notified of the results. This provision may be waived by the Council in circumstances where an immediate response is needed.
- d. The Council Chair shall transmit all reports or recommendation considered by the MACEJ directly to the Governor and General Assembly. Minority views shall be transmitted, when they exist, with any report or recommendation of the Council.

### **Section 3: MACEJ Information Reports**

All materials prepared by MACEJ, its Subcommittees, and other groups formed by the Council under MACEJ auspices are available to the public in accordance with the Maryland Public Information Act.

All reports will include the following statement: This report and recommendations have been written as a part of the activities of the Maryland Advisory Council on Environmental Justice (MACEJ), a public advisory committee providing extramural policy information and advice to the Governor and General Assembly. The Council is structured to provide balanced, expert assessment of matters related to the environmental justice program. This report has not been reviewed for approval by the Governor and General Assembly and, hence, the contents of this report and recommendations do not necessarily represent the views and policies of the Governor nor the General Assembly, nor does mention of trade names or commercial products constitute a recommendation for use.

### **VII. ADMINISTRATIVE SUPPORT**

Administrative support for the Council, its Subcommittees and other groups formed under MACEJ auspices will be provided by the Maryland Department of the Environment. Additional staff support may be provided by other State agencies as needed by the Council.

### **VIII. AMENDMENTS TO BYLAWS**

At any regular meeting, the Bylaws of the Council may be added to, amended, or repealed in whole or in part by vote of two-thirds of the entire membership of the Council. The vote may be taken by mail, FAX, and other methods of communication, provided that notice of intention to do so, together with a draft of the proposed changes, shall have been given to each member at least fifteen (15) days preceding the vote.