

(iii) In the case of any criminal proceeding, the director had reasonable cause to believe that the act or omission was unlawful.

(2) (i) Indemnification may be against judgments, penalties, fines, settlements, and reasonable expenses actually incurred by the director in connection with the proceeding.

(ii) However, if the proceeding was one by or in the right of the corporation, indemnification may not be made in respect of any proceeding in which the director shall have been adjudged to be liable to the corporation.

(3) (i) The termination of any proceeding by judgment, order, or settlement does not create a presumption that the director did not meet the requisite standard of conduct set forth in this subsection.

(ii) The termination of any proceeding by conviction, or a plea of nolo contendere or its equivalent, or an entry of an order of probation prior to judgment, creates a rebuttable presumption that the director did not meet that standard of conduct.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

Approved May 19, 1989.

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CHAPTER 451

(House Bill 1014)

AN ACT concerning

Green Shores Program

FOR the purpose of requiring the Department of Natural Resources to establish a Green Shores Program for the Chesapeake Bay and its tributaries for a certain purpose; providing for certain permissible elements of the Green Shores Program; giving the Department certain powers to implement this Act; requiring certain contractual agreements under this Act to specify certain terms; providing for certain grants to local governments and State agencies for certain purposes; and generally relating to the Green Shores Program for the Chesapeake Bay and its tributaries.

BY adding to