

and efficient purification and disposal of liquid and solid wastes, to encourage reductions in the amount of waste generated and discharged to the environment, and to serve its political subdivisions and economic interests. For these purposes, the General Assembly creates an instrumentality of the State of Maryland constituted as a body politic and corporate to provide waste purification and disposal services in compliance with State laws, regulations, and policies governing air, land, and water pollution to public and private instrumentalities, and with safeguards to protect the autonomy of the political subdivisions and the rights of the private entities it serves.

2. Creation of Environmental Service.

(a) There is created a body politic and corporate to be known as the "Maryland Environmental Service," hereinafter referred to as the Service. The Service is constituted as an instrumentality of the State of Maryland, and the exercise by the Service of the powers conferred by this Article shall be deemed and held to be the performance of an essential governmental function of the State of Maryland. ~~The~~ FOR PURPOSES OF EXECUTIVE ORGANIZATION, THE Service shall be an agency within the Department of Natural Resources, and the exercise of all powers and functions of the Service shall be subject to the authority of the Secretary of Natural Resources as set forth in Article 41 of this Code or elsewhere in the laws of Maryland. However, the Secretary's authority to transfer functions, staff or funds set forth in Section 234(d) of Article 41 of this Code shall not be applicable to the Service.

(b) There shall be three officers of the Service: a Director, a Secretary, and a Treasurer. The Director, Secretary, and Treasurer shall be appointed SOLELY WITH REGARD TO THEIR QUALIFICATIONS FOR THE DUTIES OF THEIR OFFICES by the Secretary of Natural Resources, with the approval of the Governor, and they shall serve at the pleasure of the Secretary of Natural Resources. The Director, Secretary, and Treasurer shall receive such compensation as MAY BE provided in the State Budget. The Director, Secretary, and Treasurer shall comprise the Board of Directors of the Service. Two members of the Board of Directors shall constitute a quorum for the transaction of business of the Board. The affirmative vote of at least two members shall be necessary for any action taken by the Board of Directors. No vacancy in the membership of the Board of Directors shall impair the right of a quorum to exercise all the rights and perform all the duties of the Board of Directors. The Director shall be the administrative head of the Service and the presiding officer of the Board of Directors. He shall be responsible for the exercise of all powers and duties conferred upon the Service by the provisions of this Article except for those powers and duties specifically conferred by this Article on the Secretary, Treasurer, or on the Board of Directors.

(c) The staff of the Service shall consist of such employees as may be necessary to carry out the duties of the Service. The Director, with the approval of the Secretary of Natural Resources, shall appoint and remove the staff of the Service. The appointment or removal of employees of the Service shall not be subject to the provisions of Article 64A of this Code.