

subtitle to provide for dependable, effective, and efficient water supply and purification and disposal of liquid and solid wastes, to encourage reductions in the amount of waste generated and discharged to the environment AND THE GENERATION OF ENERGY AND THE RECOVERY OF USEABLE RESOURCES FROM SUCH WASTE TO THE EXTENT PRACTICABLE; and to serve its political subdivisions and economic interests. For these purposes, the General Assembly creates an instrumentality of the State constituted as a body politic and corporate to provide water supply and 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.

(b) This subtitle shall be liberally construed to effect its purposes. However, nothing contained in it shall restrict any control which the Departments of the Environment and Natural Resources, or of their units, are empowered to exercise over any water supply, wastewater purification or solid waste disposal project authorized by this subtitle, except as provided in § 3-103(i) of this subtitle; nor interfere with or affect the operation of existing wastewater purification, water supply, or solid waste disposal projects found by the Secretary of the Environment to be adequately and lawfully operated by municipalities having jurisdiction or responsibility for them, except by their express consent and agreement.

(c) Nothing in this subtitle shall be construed to alter, change, modify, or restrict the zoning or land use planning authority of any municipality or public instrumentality OR CAUSE A MUNICIPALITY OR PUBLIC INSTRUMENTALITY TO TAKE ACTION INCONSISTENT WITH THE COUNTY SOLID WASTE MANAGEMENT PLAN REQUIRED UNDER TITLE 9, SUBTITLE 5 OF THE ENVIRONMENT ARTICLE.

3-103.

(a) There is a body politic and corporate known as the "Maryland Environmental Service." The Service is constituted as an instrumentality of the State, and the exercise by the Service of the powers conferred by this subtitle is the performance of an essential governmental function of the State. For the purpose of executive organization, the Service is a unit in the Department of Natural Resources, and the exercise of all powers and functions of the Service are subject to the authority of the Secretary of Natural Resources. However, the Secretary's authority to transfer functions, staff, or funds set forth in Title 1 of this article, is not applicable to the Service.

(b) (1) There are four officers of the Service: a director, a deputy director, a secretary, and a treasurer. The four officers of the Service shall be appointed as follows: