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Executive Director

The Honorable Ben Barnes, Chair
Appropriations Committee
Room 121, House Office Building
Annapolis, MD 21401

The Honorable Marc Korman, Chair
Environment & Transportation Committee
Room 251, House Office Building
Annapolis, Maryland 21401

Honorable Brian Feldman, Chair
Education, Energy and Environment Committee
2 West Miller Senate Building
Annapolis, MD 21401

**Maryland Environmental Service Board of Directors Support Testimony on
House Bill 78 and Senate Bill 293**

January 24, 2024

Dear Chairs Feldman, Barnes and Korman:

The Maryland Environmental Service Board of Directors (Board) had its monthly meeting for the month of January 2024 this morning. During the meeting, we heard a presentation on the provisions that are in House Bill 78 and Senate Bill 293, "Maryland Environmental Service – Governance and Requirements". These two bills are crossfiled and were introduced by MES. The House bill had its hearing on Tuesday, January 23 and the Senate Bill will be heard on Wednesday, January 31.

The Board voted unanimously to support these two bills, with the following comments:

Board quorum: as introduced, this bill would lower the threshold for the number of

Board members needed to achieve a quorum down to for (currently five). During the discussion, Maryland State Treasurer Derek Davis advised the Board that his office is in the process of drafting and will introduce a bill that would remove the State Treasurer from a number of different Boards, one of them being the MES Board. That would put in to question how to handle both the quorum and vote threshold requirements. It is the consensus of the Board that if the legislature decides it is appropriate to remove the State Treasurer from the Board, and no other members are added to replace the State Treasurer, both the quorum and vote thresholds should be lowered to four. Removing the State Treasurer without replacing that spot would reduce the Board to six voting members. Therefore, lowering the threshold for both quorum and voting to four of six members would maintain the supermajority threshold for both quorum and agenda items that need the Board's approval. If, however, the legislature decides to maintain a seven-member Board (whether that is through keeping the State Treasurer or removing the State Treasurer but adding an additional member) the Board consensus is to be supportive of lowering the quorum threshold to four but keep the elevated voting threshold at five.

With these comments in mind, the MES Board of Directors supports House Bill 78 and Senate Bill 293 and urges the Committees to issue a favorable report.

Respectfully,



Shelley Heller
Chair, Board of Directors

Contact:

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