



MARYLAND LEAGUE
OF CONSERVATION VOTERS





Hot List – Senate

WEEK of March 15, 2011

The Maryland League of Conservation Voters is pleased to present the Senate version of the “Hot List” – a detailed list of environmental legislation moving through your chamber *this week*. Our volunteers will deliver the Hot List to your office every Tuesday; it will also be emailed to your office. We hope you find this weekly communication helpful and instructive as you tackle important environmental bills this session. If you have any questions, please contact Pete Johnson at pjohnson@mdlcv.org or 410-280-9855, extension 204.

IMPORTANT BILLS TO WATCH

The environmental community’s top priorities are:

	<p>SB 85/SB 87: Protecting the Green Infrastructure Budget Committee Hearing: SB87—Already Heard SUPPORT Every dollar Maryland invests in protecting our environment saves good jobs today and creates more good jobs tomorrow. We are gravely concerned about the “zeroing out” of any environmental programs. Specifically, we must protect funding for Program Open Space, the Chesapeake Bay Trust Fund and Bay Restoration Fund, and the Regional Greenhouse Gas Initiative (RGGI) Programs; and we oppose cuts to funding for our Agriculture, Energy, Environment, Natural Resources, and Planning agencies. As the General Assembly once again works to make difficult decisions due to the challenging economy, we are closely watching budget cuts and revenue generating mechanisms.</p>
	<p>SB 634: Marcellus Shale Safe Drilling Act Sponsor: Senator Frosh Committee Hearing: Already Heard SUPPORT Would prohibit drilling for natural gas in Maryland until and unless drilling companies demonstrate that wetlands, forests, critical habitats, and existing communities would not be put at risk.</p>
	<p>SB 602: Clean the Streams and Beautify the Bay Act Sponsor: Senator Raskin Committee Hearing: Already Heard SUPPORT Establishes a five-cent fee for single-use plastic and paper bags distributed at stores, with the proceeds to be split among the retailers, the Chesapeake Bay Trust for environmental restoration projects, and program administration and enforcement.</p>
	<p>SB 861: Maryland Offshore Wind Energy Act Sponsor: President Miller (By Request of Governor O’Malley), Senator Pinsky Committee Hearing: March 15, 2011 at 1:00 pm in Finance SUPPORT The legislation will require the Public Service Commission (PSC) to negotiate long-term contracts of up to 25 years between Maryland utilities and offshore wind generating companies.</p> <p>SB 881: Economic Development Opportunities—Wind Turbine Manufacturing Facility Sponsor: President Miller (By Request of Governor O’Malley), Senator Pinsky Committee Hearing: March 22, 2011 at 1:00 pm in Finance SUPPORT Attracts new wind turbine manufacturing facility to Maryland.</p>

In addition to our four priority issues and bills, we are working on a number of other bills this session. The list below is not comprehensive. If you have bills that you would like Maryland LCV to consider for inclusion in the “Hot List” or submit written testimony for, please contact Pete Johnson at pjohnson@mdlcv.org or 410-280-9855 x 204.

UPCOMING BILLS BY COMMITTEE

Budget and Taxation Committee

	<p>SB 160: Septics Sponsor: Senator Frosh Committee Hearing: Already Heard <i>SUPPORT</i> Bans the installation of traditional septic systems in all new developments.</p>
	<p>SB 177: Tax Credit for Electric Vehicle Recharging Equipment Sponsor: President Miller (By Request of the Administration) Committee Hearing: Already Heard <i>SUPPORT</i> Allows a State income tax credit for 20% of the cost of qualified electric vehicle recharging equipment.</p>
	<p>SB 387: High Performance Building Act Sponsor: Senator Frosh Committee Hearing: Already Heard <i>SUPPORT</i> Expands the 2008 High Performance Buildings Act requiring LEED Silver Building Standards for capital projects that are funded solely or in part by a grant from the state.</p>
NEW THIS WEEK	<p>SB 764: Estate Tax—Exclusion of Qualified Agricultural Property Sponsor: Senator Young Committee Hearing: Already Heard <i>SUPPORT</i> Excludes from the value of the gross estate up to \$5,000,000 of the value of qualified agricultural property; providing that the estate tax on qualified agricultural property may not exceed 5% of the amount by which the value of specified agricultural property exceeds \$5,000,000.</p>
NEW THIS WEEK	<p>SB 513: Estate Tax—Payment Deferral for Qualified Agricultural Property—Waiver of Payment Required Sponsor: Senator Middleton Committee Hearing: Already Heard <i>OPPOSE</i> Grants an extension to a specified deferred tax payment period if a qualified recipient has a pending application to place specified land under a permanent land conservation easement with the Maryland Agricultural Land Preservation Foundation or the Rural Legacy Board.</p>

Education, Health, and Environmental Affairs Committee

	<p>SB 111: Apartment Building Recycling Sponsor: Senator Brochin Committee Hearing: Already Heard <i>SUPPORT</i> Requires owners or managers of apartment buildings or condominiums to provide recycling for residents.</p>
	<p>SB 153: Consolidating Department of the Environment into Department of Natural Resources Sponsor: Senator Colburn Committee Action: Unfavorable Report <i>OPPOSE</i> Consolidates the MDE into the Department of Natural Resources.</p>

	<p>SB 538: Natural Resources—Oyster Sanctuaries—Designation Sponsor: Senator Colburn Committee Action: Favorable Report by Education, Health, and Environmental Affairs <i>OPPOSE</i> Restricts DNR from designating more than 25% of available oyster habitat in State waters as oyster sanctuaries.</p>
	<p>SB 159: Natural Resources—Oyster Poaching Hearings Sponsor: Senator Frosh Floor Action: Passed Third Reader 46-0, Assigned to Environmental Matters <i>SUPPORT</i> Complements the Governor's 2010 oyster initiative by directing DNR to conduct an administrative hearing for anyone who receives a citation for oyster poaching.</p> <p>SB 635: Fresh Natural Resources--Striped Bass and Crabs--Revocation Sponsor: Senator Frosh Committee Action: Favorable Report with Amendments by Education, Health, and Environmental Affairs <i>SUPPORT</i> Provides for revocation of the ability to harvest striped bass or crabs upon a conviction or finding of guilt for a serious violation in that fishery at a Department administrative hearing.</p> <p>SB 655: Natural Resources--Commercial Fishing Violations--Enhanced Penalties Sponsor: Senator Pinsky Committee Action: Favorable Report with Amendments by Education, Health, and Environmental Affairs <i>SUPPORT</i> Adds a \$25,000 fine for commercial fishing on a revoked or suspended license or without a license.</p>
	<p>SB 160: Septics Sponsor: Senator Frosh Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>SB 372: Environment—Nitrogen Removal Technology—Evaluation and Ranking Sponsor: Senator Conway Floor Action: Third Reader Passed 46-0, Assigned to Environmental Matters <i>SUPPORT</i></p> <p>SB 846: Sustainable Growth and Agricultural Preservation Act of 2011 Sponsor: Senator Pinsky Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>Septics (3 bills): SB 160 requires septic systems that utilize nitrogen removal technology for all newly constructed building. SB 372 clarifies how Maryland Department of the Environment ranks septic system technology based on nitrogen removal and cost effectiveness. SB 846 requires developers of sub-divisions either hook up to public sewer or install a shared waste water treatment system.</p>

	<p>SB 544: Chesapeake Bay Nitrogen Reduction Act of 2011 Sponsor: Senator Young Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>SB 546: Chesapeake Bay Phosphorus Reduction Act of 2011 Sponsor: Senator Young Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>SB 487: Fertilizer Use Act of 2011 Sponsors: Senators Middleton and Frosh Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>Lawn Fertilizer (3 bills): SB 544 requires that fertilizers contain a percentage of "bay-friendly" nitrogen, that rules for professional fertilizer applicators reflect bay clean up goals, and more consumer education materials are distributed with fertilizers. SB 546 bans phosphorus from fertilizers. SB 487 establishes nitrogen and phosphorus standards for fertilizer applications, requires certification of professional applicators, and regulates sales.</p>
	<p>SB 785: Pesticides: Use, Release, Purchase and Sales Reporting Sponsor: Senator Montgomery Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>Establishes a centralized reporting system—for both certified applicators' pesticide use and dealers' purchase and sales of restricted use pesticides—under Maryland Department of Agriculture for access by government agencies, scientists, and the public.</p>
	<p>SB 417: Arsenic in Chicken Feed Sponsor: Senator Pinsky Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>Prohibits the use, sale, or distribution of poultry feed that contains roxarsone or any other feed additive that contains arsenic.</p>
	<p>SB 752: Environment--Permitting Process--Environmental Justice Review Sponsor: Senator Benson Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>Requires the Maryland Department of Health and Mental Hygiene and the Commission on Environmental Justice and Sustainable Communities to develop maps that identify the locations of environmentally stressed communities; and requires permit applicants to the Maryland Department of the Environment to submit an Environmental Justice Review.</p>

	<p>SB 552: Local Stormwater Charges Sponsors: Senators Madaleno, Forehand, and Raskin Committee Hearing: Already Heard <i>SUPPORT</i> Requires state agencies to pay municipal and county governments stormwater utility fees if they own property in those localities where fees are accessed.</p>
	<p>SB 637: Healthy Kids, Healthy Maryland Sponsor: Senator Benson Committee Hearing: Already Heard <i>SUPPORT</i> Establishes comprehensive chemical reform by giving the Maryland Department of the Environment the authority to regulate multiple chemicals of concern.</p>
	<p>SB 539: Bay Restoration Fund Sponsor: Senator Colburn Committee Hearing: Already Heard <i>SUPPORT</i> Authorizes specified fee revenue collected for the Bay Restoration Fund to be used to pay the cost of connecting properties served by onsite sewage disposal systems to specified existing municipal wastewater facilities under specified circumstances; and establishing conditions for the funding of specified costs.</p>
	<p>SB 766: Snowstorm and Related Climate Change Restoration Act Sponsor: Senator Rosepepe Committee Hearing: Already Heard <i>SUPPORT</i> Requiring the Maryland Commission on Climate Change to submit a report to the Governor and the General Assembly on necessary investments for the State to respond to specified weather emergencies due to climate change.</p>
NEW THIS WEEK	<p>SB 538: Natural Resources—Oyster Sanctuaries Sponsor: Senator Colburn Committee Hearing: Favorable Report with Amendments by Education, Health, and Environmental Affairs <i>OPPOSE</i> Prohibiting the Department of Natural Resources from designating more than 25% of the available oyster habitat as oyster sanctuaries.</p>

Finance Committee

	<p>SB 151: Bisphenol-A (BPA) Free Maryland Sponsor: Senator Frosh Committee Hearing: Already Heard <i>SUPPORT</i> Prohibits the manufacturing, sale, or distribution of baby food, infant formula, or other products intended for kids four and under, if the packaging contains BPA.</p>
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	<p>SB 176: Maryland Electric Vehicle Infrastructure Council Sponsor: President Miller (By Request of the Administration) Committee Hearing: Already Heard SUPPORT</p> <p>SB 177: Tax Credit for Electric Vehicle Recharging Equipment Sponsor: President Miller (By Request of the Administration) Committee Hearing: Already Heard SUPPORT</p> <p>SB 179: Demand Response Pilot Program for Charging Electric Vehicles Sponsor: President Miller (By Request of the Administration) Floor Action: Passed Third Reader 46-0, Assigned to Economic Matters SUPPORT</p> <p>Electric Vehicles (3 bills): SB 176 establishes the Maryland Electric Vehicle Infrastructure Council to submit an interim and a final report. SB 177 allows a State income tax credit for electric vehicle recharging equipment. SB 179 establishes a demand response pilot program for charging electric vehicles by June 30, 2013.</p>
	<p>SB 304: Renewable Energy Surcharge—Retail Residential Electric Customers Sponsors: Senators Garagiola and Manno Committee Hearing: Unfavorable Report by Finance SUPPORT</p> <p>Establishes a surcharge on residential electricity consumption above a specified amount to support a Renewable Energy Benefit Fund to support residential clean energy grants and programs.</p>
	<p>SB 648: Renewable Energy Surcharge—Retail Electric Customers Sponsors: Senators Ramirez and Montgomery Committee Hearing: March 15, 2011 at 1:00 pm in the Finance Committee SUPPORT</p> <p>Establishes a renewable energy surcharge on electricity consumption by retail electric customers. Requires the PSC to establish the amounts of the surcharge and a specified rebate. Requires electric companies to collect the surcharge and provide a specified rebate.</p>
	<p>SB 717: Renewable Energy Credits—Solar Water Heating System Sponsor: Senator Garagiola and the President (By Request of the Administration in Finance) Committee Action: Favorable Report with Amendments by Finance SUPPORT</p> <p>Provides that energy from a solar water heating systems are eligible for inclusion in meeting the renewable energy portfolio standard and that a person that owns a solar water heating system will receive a renewable energy credit</p>
<p>NEW THIS WEEK</p>	<p>SB 460: Nuclear Power Transportation Act of 2011 Sponsor: Senator Pipkin Committee Hearing: March 15, 2011 at 1:00 pm in the Finance Committee SUPPORT</p> <p>Requires a nuclear generating facility in the State to disclose specified information to the Public Service Commission in writing including management plans for spent fuel, mitigation plans for increased water temperature from Calvert Cliffs III, cost per kwh of power and disclosure of loan guarantees and why they were needed.</p>

Judicial Proceedings Committee

	<p>SB 261: Commercial Building Disclosure Sponsor: Senator Frosh Committee Hearing: Already Heard <i>SUPPORT</i> This bill requires relevant categories of buildings to publicly disclose their energy to use to the public, prospective buyers and renters.</p>
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Good Governance Bills

	<p>SB 644: Joint Committee on Transparency and Open Government Sponsor: Senator Ferguson Committee Hearing: March 15, 2011 at 1:00 pm in Education, Health, and Environmental Affairs <i>SUPPORT</i> Establishes a legislative committee to coordinate State efforts to explore, develop, and implement open government and transparency policies for all branches of our state government.</p>
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For more than 30 years, the **Maryland League of Conservation Voters** has been the independent political voice for the environment in our state. Maryland LCV is dedicated to making environmental protection and restoration a top priority for Maryland's elected officials, appointed leaders, candidates and voters. The Maryland LCV advocates for sound conservation policies, works to get pro-environment candidates elected, and holds elected officials accountable for their votes and actions.

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