



MARYLAND LEAGUE  
OF CONSERVATION VOTERS





# Hot List – Senate

WEEK of March 8, 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](mailto:pjohnson@mdlcv.org) or 410-280-9855, extension 204.

## Important Bills To Watch

The environmental community’s top priorities are:

	<p><b>SB 85/SB 87: Protecting the Green Infrastructure Budget</b>  <b>Committee Hearing: SB87-Already Heard</b>  <b>SUPPORT</b></p> <p>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><b>SB 634: Marcellus Shale Safe Drilling Act</b>  <b>Sponsor: Senator Frosh</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></p> <p>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><b>SB 602: Clean the Streams and Beautify the Bay Act</b>  <b>Sponsor: Senator Raskin</b>  <b>Committee Hearing: March 8, 2011 at 1pm in Education, Health, and Environmental Affairs</b>  <b>SUPPORT</b></p> <p>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><b>SB 861: Maryland Offshore Wind Energy Act</b>  <b>Sponsor: President Miller (By Request of Governor O’Malley), Senator Pinsky</b>  <b>Committee Hearing: March 15, 2011 at 1pm in Finance</b>  <b>SUPPORT</b></p> <p>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><b>SB 881: Economic Development Opportunities—Wind Turbine Manufacturing Facility</b>  <b>Sponsor: President Miller (By Request of Governor O’Malley), Senator Pinsky</b>  <b>Committee Hearing: March 15, 2011 at 1:00 pm in Finance</b>  <b>SUPPORT</b></p> <p>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. We are still in the early part of the session; therefore 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](mailto:pjohnson@mdlcv.org) or 410-280-9855 x 204.

## UPCOMING BILLS BY COMMITTEE

### Budget and Taxation Committee

	<p><b>SB 160: Septics</b>  <b>Sponsor: Senator Frosh</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>            Bans the installation of traditional septic systems in all new developments.</p>
	<p><b>SB 177: Tax Credit for Electric Vehicle Recharging Equipment</b>  <b>Sponsor: President Miller (By Request of the Administration)</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>            Allows a State income tax credit for 20% of the cost of qualified electric vehicle recharging equipment.</p>
	<p><b>SB 387: High Performance Building Act</b>  <b>Sponsor: Senator Frosh</b>  <b>Committee Hearing: March 9, 2011 at 1:00 pm in Budget and Taxation</b>  <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>

### Education, Health, and Environmental Affairs Committee

	<p><b>SB 111: Apartment Building Recycling</b>  <b>Sponsor: Senator Brochin</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>            Requires owners or managers of apartment buildings or condominiums to provide recycling for residents.</p>
	<p><b>SB 153: Consolidating Department of the Environment into Department of Natural Resources</b>  <b>Sponsor: Senator Colburn</b>  <b>Committee Action: Unfavorable report by Education, Health, and Environmental Affairs</b>  <i>OPPOSE</i>            Consolidates the Maryland Department of the Environment into the Department of Natural Resource.</p>
<b>NEW THIS WEEK</b>	<p><b>SB 538: Natural Resources --Oyster Sanctuaries --Designation</b>  <b>Sponsor: Senator Colburn</b>  <b>Committee Action: Already Heard</b>  <i>OPPOSE</i>            Restricts DNR from designating more than 25% of available oyster habitat in State waters as oyster sanctuaries.</p>
	<p><b>SB 159: Natural Resources—Oyster Poaching Hearings</b>  <b>Sponsor: Senator Frosh</b>  <b>Floor Action: Passed Third Reader 46-0, assigned to Environmental Matters</b>  <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><b>SB 635: Fresh Natural Resources --Striped Bass and Crabs --Revocation</b>  <b>Sponsor: Senator Frosh</b>  <b>Committee Hearing: Already Heard</b>  <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><b>SB 655: Natural Resources --Commercial Fishing Violations --Enhanced Penalties</b>  <b>Sponsor: Senator Pinsky</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  Adds a \$25,000 fine for commercial fishing on a revoked or suspended license or without a license.</p>
	<p><b>SB 160: Septics</b>  <b>Sponsor: Senator Frosh</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p><b>SB 372: Environment—Nitrogen Removal Technology—Evaluation and Ranking</b>  <b>Sponsor: Senator Conway</b>  <b>Committee Action: Favorable with Amendments Report by Education, Health, and Environmental Affairs</b>  <i>SUPPORT</i></p> <p><b>SB 846: Sustainable Growth and Agricultural Preservation Act of 2011</b>  <b>Sponsor: Senator Pinsky</b>  <b>Committee Hearing: March 11, 2011 at 1:00pm in Education, Health, and Environmental Affairs</b>  <i>SUPPORT</i></p> <p><b>Septics (3 bills):</b> 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><b>SB 544: Chesapeake Bay Nitrogen Reduction Act of 2011</b>  <b>Sponsor: Senator Young</b>  <b>Committee Hearing: March 8, 2011 at 1pm in Education Healthy and Environmental Affairs</b>  <i>SUPPORT</i></p> <p><b>SB 546: Chesapeake Bay Phosphorus Reduction Act of 2011</b>  <b>Sponsor: Senator Young</b>  <b>Committee Hearing: March 8, 2011 at 1pm in Education Healthy and Environmental Affairs</b>  <i>SUPPORT</i></p> <p><b>SB 487: Fertilizer Use Act of 2011</b>  <b>Sponsors: Senators Middleton and Frosh</b>  <b>Committee Hearing: March 8, 2011 at 1:00pm in Education, Health, and Environmental Affairs</b>  <i>SUPPORT</i></p> <p><b>Lawn Fertilizer (3 bills):</b> 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</p>

	certification of professional applicators, and regulates sales.
	<p><b>SB 785: Pesticides: Use, Release, Purchase and Sales Reporting</b>  <b>Sponsor: Senator Montgomery</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></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><b>SB 417: Arsenic in Chicken Feed</b>  <b>Sponsor: Senator Pinsky</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></p> <p>Prohibits the use, sale, or distribution of poultry feed that contains roxarsone or any other feed additive that contains arsenic.</p>
	<p><b>SB 752: Environment--Permitting Process --Environmental Justice Review</b>  <b>Sponsor: Senator Benson</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></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><b>SB 552: Local Stormwater Charges</b>  <b>Sponsors: Senators Madaleno, Forehand, and Raskin</b>  <b>Committee Hearing: March 8, 2011 at 1:00pm in Education, Health, and Environmental Affairs</b>  <b>SUPPORT</b></p> <p>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><b>SB 637: Healthy Kids, Healthy Maryland</b>  <b>Sponsor: Senator Benson</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></p> <p>Establishes comprehensive chemical reform by giving the Maryland Department of the Environment the authority to regulate multiple chemicals of concern.</p>
	<p><b>SB 539: Bay Restoration Fund</b>  <b>Sponsor: Senator Colburn</b>  <b>Committee Hearing: March 8, 2011 at 1:00 pm in Education, Health and Environmental Affairs</b>  <b>SUPPORT</b></p> <p>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>
<b>NEW THIS WEEK</b>	<p><b>SB 766: Snowstorm and Related Climate Change Restoration Act</b>  <b>Sponsor: Senator Rosepepe</b>  <b>Committee Hearing: March 8, 2011 at 1:00 pm in Education, Health and Environmental Affairs</b>  <b>SUPPORT</b></p> <p>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>

## Finance Committee

	<p><b>SB 151: Bisphenol-A (BPA) Free Maryland</b>  <b>Sponsor: Senator Frosh</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></p> <p>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>
	<p><b>SB 176: Maryland Electric Vehicle Infrastructure Council</b>  <b>Sponsor: President Miller (By Request of the Administration)</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></p> <p><b>SB 177: Tax Credit for Electric Vehicle Recharging Equipment</b>  <b>Sponsor: President Miller (By Request of the Administration)</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></p> <p><b>SB 179: Demand Response Pilot Program for Charging Electric Vehicles</b>  <b>Sponsor: President Miller (By Request of the Administration)</b>  <b>Floor Action: Passed Third Reader 46-0, Assigned to Economic Matters</b>  <b>SUPPORT</b></p> <p><b>Electric Vehicles (3 bills):</b> 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><b>SB 304: Renewable Energy Surcharge—Retail Residential Electric Customers</b>  <b>Sponsors: Senators Garagiola and Manno</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></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><b>SB 648: Renewable Energy Surcharge-Retail Electric Customers</b>  <b>Sponsors: Senators Ramirez and Montgomery</b>  <b>Committee Hearing: March 15, 2011 at 1:00 pm in the Finance Committee</b>  <b>SUPPORT</b></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>
<b>NEW THIS WEEK</b>	<p><b>SB 717: Renewable Energy Credits- Solar Water Heating System</b>  <b>Sponsor: Senator Garagiola and the President (By Request of the Administration in Finance</b>  <b>Committee Hearing: March 9, 2011 at 1:00 pm in the Finance Committee</b>  <b>SUPPORT</b></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>

## Judicial Proceedings Committee

	<p><b>SB 261: Commercial Building Disclosure</b> Sponsor: Senator Frosh <b>Committee Hearing: Already Heard</b> <i>SUPPORT</i></p> <p><b>SB 622: Government Building Disclosure</b> Sponsor: Senator Madaleno <b>Committee Hearing: March 8, 2011 at 1:00 pm in Judicial Proceedings</b> <i>SUPPORT</i></p> <p><b>Building Energy Disclosure (2 bills):</b> These bills require their 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><b>SB 644: Joint Committee on Transparency and Open Government</b> Sponsor: Senator Ferguson <b>Committee Hearing: March 15, 2011 at 1:00 pm in Education, Health, and Environmental Affairs</b> <i>SUPPORT</i></p> <p>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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