



MARYLAND LEAGUE  
OF CONSERVATION VOTERS



# Hot List – House

WEEK of March 9, 2010

The **Maryland League of Conservation Voters** is pleased to present the “Hot List” – a detailed list of environmental legislation moving through the General Assembly *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 communication helpful and instructive as you tackle important environmental bills this session. If you have any questions, please contact Jen Brock-Cancellieri at [jbrock@mdlcv.org](mailto:jbrock@mdlcv.org) or 410-280-9855 extension 202.

## IMPORTANT BILLS TO WATCH

The environmental community’s top priorities are:

	<p><b>HB 150/HB 151: Protecting the Green Infrastructure Budget</b>  <b>Committee Hearing: Ongoing committee hearings in Appropriations</b>  <i><b>OPPOSE</b></i> - We urge you to reject the Department of Legislative Services’ proposals cut the 2010 Chesapeake and Atlantic Coastal Bays Trust Fund and limit remaining funds to cover crops, to extend last year’s diversion of RGGI, to repeal mandated funding for the Department of Natural Resources Fisheries Service, and to eliminate the Maryland Environmental Trust.  <i><b>SUPPORT AS PROPOSED</b></i>          We must oppose cuts to Program Open Space, the Chesapeake Bay Trust Fund, the Regional Greenhouse Gas Initiative (RGGI) Programs, the Heritage Structure Tax Credit (Historic Tax Credit) and protect funding for our Environment, Natural Resources, Agriculture, and Planning agencies.</p>
	<p><b>Smarter Transportation Choices for Maryland</b></p> <p><b>HB 282: Bicycle and Pedestrian Access</b>  <b>Sponsor: Delegate Peña-Melnyk</b>  <b>Committee Hearing: Already Heard</b></p> <p><b>HB 461: Three Foot Bicycle Safety Rule</b>  <b>Sponsor: Delegate Cardin</b>  <b>Committee Hearing: Already Heard</b></p> <p><b>HB 1155: Consolidated Transportation Program</b>  <b>Sponsor: Delegate Lafferty</b>  <b>Committee Hearing: Already Heard</b></p> <p><b>HB 1193: The Shoulder Rule Bill</b>  <b>Sponsor: Delegate Carr</b>  <b>Committee Hearing: March 9 at 1pm in Environmental Matters</b>  <i><b>SUPPORT</b></i></p> <p>In a time of scarce transportation dollars, we need to make sure we are investing state funds wisely. HB 1155 will establish smart growth criteria for funding transportation projects to make it easy for the state to choose proposals that ensure our transportation and land use decisions work together to provide more travel choices to Maryland citizens, especially for those who do not own cars. It will also reduce environmental damage from transportation projects and improve access to jobs. The other bills will make the roads safer for bicycling.</p>



**HB 999: Watershed Protection and Restoration Act**  
**Sponsors: Delegates Huckler and Cardin**  
**Committee Hearing: March 10 at 1pm in Environmental Matters**  
***SUPPORT***  
 In order to restore the health of the Chesapeake Bay, each city and county throughout the region needs funding to invest in its community to reduce the polluted runoff poisoning our waterways. This legislation will give these local jurisdictions a dedicated funding source by assessing a surcharge on impervious surfaces to clean up their rivers and the Bay, create green jobs, and leverage additional dollars from the state and federal government for watershed protection and restoration.

**Maryland LCV  
 Priority**

**HB 964: Stormwater Management**  
**Sponsor: Delegate Haddaway-Riccio**  
**Committee Hearing: Hearing Cancelled**  
***OPPOSE***

**HB 1125: Stormwater Management**  
**Sponsor: Delegate Holmes**  
**Committee Hearing: Hearing Cancelled**  
***OPPOSE***

**HB 1408: Stormwater Management**  
**Sponsor: Delegate G. Clagett**  
***OPPOSE***

**HB 1409: Stormwater Management**  
**Sponsor: Delegate G. Clagett**  
***OPPOSE***

**Stormwater Management (4 bills) -** We oppose any rollbacks to the Stormwater Management regulations. Stormwater is the ONLY pollution source INCREASING loads to the Bay and its rivers. If we want healthy water, we have to step up reductions from development and redevelopment. Builders worry about their costs of meeting treatment requirements; however, it will cost more to retrofit after the fact. Developers can share the burden now, or taxpayers can foot the entire bill later. The regulations work as written since they allow ample flexibility for redevelopment projects to meet requirements in any number of ways.

**Maryland LCV  
 Priority**

**HB 522: Public Service Commission - Report on the State's Long-Term Energy Needs**  
**Sponsors: Delegates Manno and Hecht**  
**Committee Hearing: Already Heard**  
***SUPPORT***  
 Requires the Public Service Commission (PSC) to oversee the creation of a state energy plan that is consistent with all state environmental laws and to review proposals with respect to that state plan.

In addition to these five priority issues and bills, we will also work on a number of other bills this session. If you have bills that you would like us to consider for the “Hot List” or submit testimony on, please contact Jen Brock-Cancellieri at [jbrock@mdlcv.org](mailto:jbrock@mdlcv.org) or 410-280-9855 x 202.

## COMMITTEE ACTION

	<p><b>HB 51: Real Property - Installation and Use of Clotheslines on Residential Property</b>  <b>Sponsor: Delegate G. Clagett</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p>This bill encourages energy conservation by prohibiting communities from banning clotheslines on residential property.</p>
	<p><b>HB 70: Bay Restoration Fund – Expanded Uses of Funds</b>  <b>Sponsor: Delegate McIntosh</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p>Recommended by the Bay Restoration Fund Advisory Committee to make the best use of the Bay Restoration Funds for local governments to use in their enhanced nutrient removal programs.</p>
	<p><b>HB 103: Mobile Home Parks - Plans for Dislocated Residents</b>  <b>Sponsor: Delegate Lafferty</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p>This is a smart growth measure that requires better land use planning for the relocation of dislocated residents of mobile parks to encourage the continuation of their community.</p>
	<p><b>HB: 160: Estate Tax Exclusion for Family Farm in Preservation</b>  <b>Sponsor: Delegate Malone</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p><b>HB 221: Estate Tax Exclusion for Qualified Agricultural Property</b>  <b>Sponsor: Delegate Kullen</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p><b>Keep Farmers Farming (2 bills)</b> - Many farm families are forced off their land when the parents die because of the burden of estate taxes; we support full relief for farmers from this tax. But in these fiscal times, we also support partial relief for those farmers who go the extra mile and preserve their property. Keeping farmers farming promotes smart growth and protects our open spaces.</p>
	<p><b>HB 169: Marilyn J. Praisner Safe and Earth-Friendly Roadway Act</b>  <b>Sponsor: Delegate Carr</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p>This bill authorizes local jurisdictions to install safer, more energy efficient road lamps.</p>
	<p><b>HB 313: Bay Restoration Fund - Authorized Uses</b>  <b>Sponsor: Delegate Costa</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT WITH AMENDMENTS</i></p> <p>Reduces pollution by authorizing the Bay Restoration Fund to pay the cost of connecting properties served by onsite sewage disposal systems to existing municipal wastewater facilities.</p>

	<p><b>HB 349: Maryland Efficiency Standards Act – Televisions</b>  <b>Sponsors: Delegates Carr and Bronrott</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  Saves energy and reduces global warming pollution by establishing minimum efficiency standards for televisions sold in Maryland.</p>
	<p><b>HB 351: Chesapeake Bay Restoration Consumer Retail Choice Act</b>  <b>Sponsor: Delegate Carr</b>  <b>Committee Hearing: March 10 at 1pm in Environmental Matters</b>  <i>SUPPORT</i>  Reduces waste and energy demands by establishing a customer credit for using reusable bags instead of disposable bags and establishing a fee on the use of disposable bags. A significant portion of the fee will go to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund.</p>
	<p><b>HB 446: Distribution of Telephone Directories - Customer Opt Out</b>  <b>Sponsor: Delegate Stein</b>  <b>Committee Hearing: Unfavorable Report by Economic Matters</b>  <i>SUPPORT</i>  Requires a telephone company to provide customers with an opportunity to opt out of receiving telephone directories distributed by, or on behalf of, the telephone company.</p>
	<p><b>HB 468: Qualified Submerged Energy Lines</b>  <b>Sponsor: Speaker Busch (By Request of Governor O’Malley)</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  This bill would help facilitate development of offshore wind energy off the coast of Maryland.</p>
	<p><b>HB 471: Renewable Energy Portfolio Standard – Solar</b>  <b>Sponsor: Speaker Busch (By Request of Governor O’Malley)</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  Require a quicker ramp-up of the solar portion of the state’s renewable portfolio standard (RPS), which would jump-start job creation and cut down on our emission of global warming pollution.</p>
	<p><b>HB 475: Sustainable Communities Act</b>  <b>Sponsor: Speaker Busch (By Request of Governor O’Malley)</b>  <b>Committee Hearing: March 9 at 12pm Jointly in Ways and Means and Environmental Matters</b>  <i>SUPPORT</i>  Reestablishes and alters the Maryland Heritage Structure Rehabilitation Tax Credit Program (a.k.a., the Historic Tax Credit) to be the Sustainable Communities Tax Credit Program.</p>
	<p><b>HB 527: Abandoned Vessels</b>  <b>Sponsor: Delegate V. Clagett</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  Makes it easier for citizens and the Department of Natural Resources to remove abandoned boats.</p>
	<p><b>HB 624: Pharmaceutical Disposal Act</b>  <b>Sponsor: Delegate V. Clagett</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  Reduces water pollution by requiring healthcare facilities to safely dispose of pharmaceuticals.</p>

<p><b>NEW THIS WEEK</b></p>	<p><b>HB 701: Payment for Accrued Generation Credit</b>  Sponsor: Delegate Hecht  Committee Hearing: <a href="#">Already Heard</a>  <i>SUPPORT</i></p> <p><b>HB 801: Credits</b>  Sponsor: Delegate McHale  Committee Hearing: <a href="#">Already Heard</a>  <i>SUPPORT</i></p> <p><b>HB 852: Net Energy Metering Credit Transfers for Municipalities</b>  Sponsor: Delegate George  Committee Hearing: <a href="#">Already Heard</a>  <i>SUPPORT</i></p> <p><b>HB 902: Net Energy Metering Credit Transfers</b>  Sponsor: Delegate George  Committee Hearing: <a href="#">Already Heard</a>  <i>SUPPORT</i></p> <p><b>HB 1169: Agricultural Energy Production Act of 2010</b>  Sponsor: Delegate Bartlett  Committee Hearing: <a href="#">March 16 at 1pm in Economic Matters</a>  <i>SUPPORT</i></p> <p><b>Net Energy Metering (5 bills)</b> - HB 701 requires utilities to pay customers for surplus energy created with solar panels. HB 801 allows for customers to submit a written request of payment for surplus energy credits generated every quarter or year. HB 852 allows municipalities to transfer renewable energy credits for future renewable energy projects. HB 902 allows specified not-for-profit customers to transfer specified generation credits accrued from electricity produced from specified renewable sources to specified properties. HB 1169 allows farmers to use methane gas to power their farms. These incentives will create a more robust market for energy generation.</p>
<p><b>NEW THIS WEEK</b></p>	<p><b>HB 705: State, County, and Municipal Buildings</b>  Sponsor: Delegate Stein  Committee Hearing: <a href="#">Already Heard</a>  <i>SUPPORT</i></p> <p><b>HB 985: Public and Commercial Buildings</b>  Sponsor: Delegate Hecht  Committee Hearing: <a href="#">March 12 at 1pm in Economic Matters</a>  <i>SUPPORT</i></p> <p><b>HB 1291: Residential Home Sales</b>  Sponsor: Delegate McIntosh  Committee Hearing: <a href="#">March 11 at 1pm in Economic Matters</a>  <i>SUPPORT</i></p> <p><b>Building Energy Disclosure (3 bills)</b> - HB 705 requires that all government buildings publicly disclose building energy use; HB 985 adds an additional requirement for commercial building owners; and HB 1291 requires residential homeowners to publically disclose utility use at time of listing.</p>

	<p><b>HB 710: Blue Ribbon Commission on Maryland Transportation Funding</b>  <b>Sponsor: Delegate Howard</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  Establish a Blue Ribbon Commission to review, evaluate, and make recommendations on Maryland Transportation Funding.</p>
	<p><b>HB 716: Direct Wine Shipping</b>  <b>Sponsors: Delegates Krysiak and Hucker</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  The bill supports sustainable farming practices and maintaining Maryland's farms and open spaces by promoting the sale of a growing agricultural product –Maryland wine. This bill would allow both wineries and retailers to ship up to 24 cases of wine to a Maryland resident per year.</p>
	<p><b>HB 827: Biomass and Biofuels - In-State Production Incentives</b>  <b>Sponsor: Delegate Hubbard</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  Allows farmers to receive revenue for surplus energy produced with biofuels and requires blending biofuels into transportation fuels to provide energy independence and cleaner water.</p>
	<p><b>HB 903: Road Salt Management Programs</b>  <b>Sponsor: Delegate Kramer</b>  <b>Committee Hearing: March 10 at 1pm in Environmental Matters</b>  <i>SUPPORT</i>  Road salt can have a significant impact in fresh water streams. This bill requires jurisdictions responsible for highway maintenance to establish and implement a best practices road salt management program.</p>
	<p><b>HB 922: The Renewables First Act</b>  <b>Sponsor: Delegate Hecht</b>  <b>Committee Hearing: Hearing Cancelled</b>  <i>SUPPORT</i>  Requires that Maryland first consider renewable energy for new electricity generation.</p>
	<p><b>HB 930: Fertilizer and Pesticide Reporting</b>  <b>Sponsor: Delegate Frush</b>  <b>Committee Hearing: Unfavorable Report by Environmental Matters, Withdrawn</b>  <i>SUPPORT</i>  Mandates tracking and geographic mapping of fertilizer and pesticide use.</p>
	<p><b>HB 943: Chesapeake Conservation Corps</b>  <b>Sponsors: Delegate McIntosh</b>  <b>Committee Hearing: March 12 at 1pm in Environmental Matters</b>  <i>SUPPORT WITH AMENDMENTS</i>  The bill would establish a public-private volunteer service-based program that will train young adults for green-collar and community organizing jobs in environmental restoration, protection, energy conservation and education.</p>
	<p><b>HB 944: Recycling - Bars and Restaurants - Beverage Containers</b>  <b>Sponsor: Delegate Niemann</b>  <b>Committee Hearing: March 10 at 1pm in Environmental Matters</b>  <i>SUPPORT</i>  Establishes a program for recycling of specified beverage containers from bars and restaurants.</p>

	<p><b>HB 953: Agriculture - Commercial Feed - Arsenic Prohibition</b>  <b>Sponsor: Delegate Hucker</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  Prohibiting a person from using, selling, or distributing poultry feed that contains roxarsone or any other additive that contains arsenic.</p>
	<p><b>HB 982: Solid Waste Management - Recycling - Requirements</b>  <b>Sponsor: Delegate Niemann</b>  <b>Committee Hearing: March 10 at 1pm in Environmental Matters</b>  <i>SUPPORT</i>  Requires the creation of a statewide recycling plan and establishes recycling goals.</p>
	<p><b>HB 1014: Clean Energy Loans</b>  <b>Sponsors: Delegates Hecht and Waldstreicher</b>  <i>SUPPORT</i>  <b>Committee Hearing: March 9 at 1pm in Economic Matters</b>  Gives cities and municipalities the ability to loan citizens money for solar or energy efficiency projects at very low interest rates, resulting in more access for homeowners.</p>
	<p><b>HB 1040: High Performance Building Act</b>  <b>Sponsor: Delegate Bronrott</b>  <b>Committee Hearing: March 11 at 1pm in Health and Government Operations</b>  <i>SUPPORT</i>  Expands the High Performance Buildings Act requiring LEED Silver Standard for capital projects that are funded solely or partly by a grant of state aid.</p>
	<p><b>HB 1041: The Lead Paint Reduction Act of 2010</b>  <b>Sponsors: Delegate Waldstreicher</b>  <b>Committee Hearing: March 11 at 1pm in Environmental Matters</b>  <i>SUPPORT</i>  Gives legal standing to neighborhood associations to sue on behalf of their members over damages from lead paint poisoning and makes current lead paint law consistent across the state.</p>
	<p><b>HB 1153: Lead Paint Dust Testing Bill</b>  <b>Sponsor: Delegate Oaks</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  This bill ensures that rental properties are tested for the presence of lead containing dust instead of the current visual testing method. This will help eliminate childhood lead poisoning.</p>
	<p><b>HB 1191: Natural Resources - Oyster Poaching – Hearing</b>  <b>Sponsor: Delegate McIntosh</b>  <b>Committee Hearing: March 12 at 1pm in Environmental Matters</b>  <i>SUPPORT</i>  This bill complements the Governor's oyster initiative by directing DNR to conduct an administrative hearing for anyone who receives a citation for oyster poaching.</p>
	<p><b>HB 1224: Long-Term Power Purchasing Agreements</b>  <b>Sponsor: Delegate Hucker</b>  <i>SUPPORT</i>  <b>Committee Hearing: March 16 at 1pm in Economic Matters</b>  Requires the Public Service Commission to enter into long-term purchasing contracts with renewable energy sources.</p>

	<p><b>HB 1230: Task Force to Encourage Recycling and Reduce Litter in Maryland's Waterways</b>  <b>Sponsor: Delegate Olszewski</b>  <b>Committee Hearing: March 12 at 1pm in Environmental Matters</b>  Establishes a task force to develop strategies to encourage recycling and reduce litter in Maryland's waterways.</p>
	<p><b>HB 1257: No-Discharge Designation for Maryland Waters</b>  <b>Sponsor: Delegate Holmes (At the Request of the Attorney General)</b>  <b>Committee Hearing: March 19 at 1pm in Environmental Matters</b>  <b>SUPPORT</b>  Reduces nutrient pollution by prohibiting boats from discharging treated and untreated sewage into the waters of the state.</p>
	<p><b>HB 1360: Invasive Plants - Labeling and Notice</b>  <b>Sponsor: Delegate Boteler</b>  <b>Committee Hearing: March 12 at 1pm in Environmental Matters</b>  <b>SUPPORT</b>  Discourages the introduction of invasive plants by requiring retailers to notify customers that invasive species sold could cause harm to the environment.</p>
	<p><b>HB 1427: Incinerator Regulation</b>  <b>Sponsor: Delegate Hucker</b>  <b>SUPPORT</b>  Establishes criteria for the building, re-licensing, or re-permitting of an incinerator or waste-to-energy facility.</p>
	<p><b>HB 1467: Keep Coal Ash Out of Our Water</b>  <b>Sponsor: Delegate Stein</b>  <b>SUPPORT</b>  Prohibits certain uses of coal ash, a byproduct of coal fired power plants, and adds stricter requirements to prevent toxic dust from poisoning our waters.</p>

## GOOD GOVERNANCE BILLS

Open transparent government is critical to the Maryland LCV's mission of holding legislators accountable. Therefore, we are tracking the following good governance bills this session:

	<p><b>HB 107: Legislative Voting Sunshine Act</b>  <b>Sponsor: Delegate Ali</b>  <b>SUPPORT</b>  <b>Committee Hearing: Already Heard</b>  Requires that certain votes taken on a bill or amendments in a standing committee to be made available on the Maryland General Assembly website by a certain time.</p>
	<p><b>HB 344: Maryland Open Government Act</b>  <b>Sponsor: Delegate Mizeur</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b>  Requires all standing committee votes be posted and accessible on the Maryland General Assembly website; requires additional measures to enable more public participation in General Assembly and Board of Public Works hearings.</p>

<p><b>HB 1031: Open Meetings Bill</b>  <b>Sponsors: Delegates O'Donnell and Mizeur</b>  <b>Committee Hearing: March 10 at 1pm in Rules and Executive Nominations</b>  <b><i>SUPPORT</i></b></p> <p>Requires the State Open Meetings Law Compliance Board develop and offer an online training program on the requirements of the open meetings law to employees, officers, and members of the public.</p>
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## BILLS THROUGH THE SENATE CHAMBER

<p><b>SB 3/HB 89: Wetlands and Waterways Program Fees</b>  <b>Sponsor: Delegate O'Donnell</b>  <b>HB 89 Floor Action: Passed Third Reader on House Floor 138-0, Assigned to Education, Health and Environmental Affairs</b>  <b>SB 3 Floor Action: Passed Third Reader 42-0 in Senate, Assigned to Environmental Matters</b>  <b><i>SUPPORT</i></b></p> <p>Exempting aquaculture activities for which the Department of Natural Resources has issued a specified permit from a requirement to pay application fees under the Wetlands and Waterways Program.</p>
<p><b>SB 29: Preparation of Fishery Management Plans</b>  <b>Sponsor: Senator Astle</b>  <b>Committee Hearing: Passed Third Reader in Senate 47-0, Assigned to Environmental Matters</b>  <b><i>SUPPORT</i></b></p> <p>The Task Force on Fisheries Management recommended this legislation that authorizes the Department of Natural Resources to develop fishery management plans for species in need as identified by the Department in addition to the 24 species already listed in statute. State agencies and commissions managing fisheries in the mid-Atlantic region, including Virginia, Delaware, Pennsylvania, New Jersey, and North Carolina, already hold this authority.</p>
<p><b>SB 213/HB 33: Child Care Articles and Toys Containing Bisphenol-A (BPA)</b>  <b>Sponsor: Delegate Hubbard</b>  <b>HB 33 Floor Action: Passed Third Reader on House Floor 137-0, Assigned Finance</b>  <b>SB 213 Floor Action: Passed Third Reader 46-0, Assigned Health &amp; Government Operations</b>  <b><i>SUPPORT</i></b></p> <p>Prohibits the manufacture, sale or distribution of toys or child care articles containing BPA; requiring the use of the least toxic alternative.</p>
<p><b>SB HB 763: Solar Drying Bill</b>  <b>Sponsor: Delegate Montgomery</b>  <b>Committee Hearing: Already Heard</b>  <b><i>SUPPORT</i></b></p> <p>Removes the prohibition of clotheslines or other outdoor laundry drying devices, but would allow condominiums, homeowners associations or housing cooperatives to adopt reasonable rules regarding the timing, placement, and manner of use of these devices.</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 League of Conservation Voters advocates for sound conservation policies, works to get pro-environment candidates elected, and holds elected officials accountable for their votes and actions.