



MARYLAND LEAGUE
OF CONSERVATION VOTERS



Hot List – House


WEEK of April 6, 2010 *Final Edition of 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@mdcv.org or 410-280-9855 extension 202.

IMPORTANT BILLS TO WATCH

The environmental community’s top priorities are:

	<p>SB 140 HB 150/SB 141 HB 151: Protecting the Green Infrastructure Budget SB 140/141: Third Reading Passed 100-35, Assigned to Conference Committee <i>SUPPORT AS PROPOSED BY GOVERNOR O’MALLEY</i> OPPOSE - We urge you to reject the Department of Legislative Services’ proposals to:</p> <ul style="list-style-type: none"> • cut the 2010 Chesapeake and Atlantic Coastal Bays Trust Fund and limit remaining funds to cover crops, • extend last year’s diversion of funds from the Regional Greenhouse Gas Initiative (RGGI), • eliminate the Maryland Environmental Trust, • raid Program Open Space, • cut the Heritage Structure Tax Credit (Historic Tax Credit) and • repeal mandated funding for the Department of Natural Resources and Planning agencies. • We also urge you to reject funding restrictions to the University of Maryland Environmental Law Clinic. <p>Learn more at www.supportgoodmdjobs.com</p>
	<p>Smarter Transportation Choices for Maryland HB 282: Bicycle and Pedestrian Access Sponsor: Delegate Peña-Melnyk Third Reading Passed 138-0, Assigned to Budget and Taxation HB 461/SB 51: Three Foot Bicycle Safety Rule Sponsor: Delegate Cardin/Senator Raskin HB 461: Already Heard SB 51: Passed Senate 43-0, Heard in Environmental Matters HB 1155: Consolidated Transportation Program Sponsor: Delegate Lafferty Passed House 104-32, assigned to Budget and Taxation HB 1193: The Shoulder Rule Bill Sponsor: Delegate Carr Committee Hearing: Already Heard <i>SUPPORT</i> 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>

	<p>HB 999: Watershed Protection and Restoration Act Sponsors: Delegates Huckler and Cardin Committee Hearing: Already Heard SUPPORT</p> <p>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.</p>
<p>Maryland LCV Priority</p> <p>NEW THIS WEEK</p>	<p>HB 964: Stormwater Management Sponsor: Delegate Haddaway-Riccio Committee Hearing: Hearing Cancelled OPPOSE</p> <p>HB 1408: Stormwater Management Sponsor: Delegate G. Clagett Committee Hearing: Re-referred to Environmental Matters OPPOSE</p> <p>HB 1409: Stormwater Management Sponsor: Delegate G. Clagett Committee Hearing: Withdrawn by Environmental Matters OPPOSE</p> <p>Emergency Regulations: Stormwater Management Committee Hearing: Tuesday April 6 at 4 pm in Administrative, Executive, & Legislative Review SUPPORT</p> <p>Stormwater Management (4 bills) - Stormwater management has become a big issue during the Maryland 2010 General Assembly Session. The Maryland League of Conservation Voters (LCV) has worked with the environmental community this session to try and avoid legislation that would significantly rollback the 2007 Stormwater Management Act. To address a finite number of concerns, legislators convened a meeting of stakeholders, including Maryland Department of the Environment, local government officials, some developers, and members of the environmental community, to work out a compromise that would both provide some certainty for developers who are playing by the rules and a firm deadline by which all new construction projects would have to meet the new regulations.</p> <p>Because it is likely that the stormwater regulations will be changed, Maryland LCV supports the compromise language and the adoption of emergency regulations by the Administrative, Executive, and Legislative Review (AELR). We believe that if the regulations are to be changed, then changes should occur in regulation and not legislation.</p> <p>HB 1125 as it was originally introduced as Delegate Holmes would have gutted the 2007 Stormwater Management Act, it has now been amended to match the compromise. However, Maryland LCV does not have a position that bill.</p>
<p>Maryland LCV Priority</p>	<p>HB 522: Public Service Commission - Report on the State's Long-Term Energy Needs Sponsors: Delegates Manno and Hecht Committee Hearing: Already Heard SUPPORT</p> <p>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.</p>

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 or 410-280-9855 x 202.

FLOOR ACTION

	<p>HB 527: Abandoned Vessels Sponsor: Delegate V. Clagett Floor Action: Third Reading Passed 139-1, Assigned to Education, Health, and Environmental Affairs <i>SUPPORT</i> Makes it easier for citizens and the Department of Natural Resources to remove abandoned boats.</p>
	<p>HB 801: Credits Sponsor: Delegate McHale Floor Action: Third Reading Passed 140-0, Assigned to Finance <i>SUPPORT</i></p> <p>HB 852: Net Energy Metering Credit Transfers for Municipalities Sponsor: Delegate George Floor Action: Third Reading Passed 139-0, Assigned to Finance <i>SUPPORT</i></p> <p>HB 1169: Agricultural Energy Production Act of 2010 Sponsor: Delegate Bartlett Floor Action: Third Reading Passed 137-1, Assigned to Finance <i>SUPPORT</i></p> <p>Net Energy Metering (3 Bills): HB 801 allows for customers to submit a written request of payment for surplus energy credits generated. HB 852 allows municipalities to transfer renewable energy credits for future projects. 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>HB 1161: Special Taxing Districts - State Hospital Redevelopment Sponsor: Delegate Jones Floor Action: Third Reading Passed 139-0, Assigned to Budget and Taxation <i>OPPOSE</i> Extends tax benefits and directs limited public dollars to benefit specific private development projects.</p>
	<p>HB 1467: Keep Coal Ash Out of Our Water Sponsor: Delegate Stein Floor Action: Third Reading Passed 138-1, Assigned to Education, Health, and Environmental Affairs <i>SUPPORT</i> 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>

COMMITTEE ACTION

	<p>HB 51: Real Property - Installation and Use of Clotheslines on Residential Property Sponsor: Delegate G. Clagett Committee Hearing: Already Heard <i>SUPPORT</i> This bill encourages energy conservation by prohibiting communities from banning clotheslines on residential property.</p>
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	<p>HB: 160: Estate Tax Exclusion for Family Farm in Preservation Sponsor: Delegate Malone Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>HB 221: Estate Tax Exclusion for Qualified Agricultural Property Sponsor: Delegate Kullen Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>Keep Farmers Farming (2 bills) - 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>HB 357: Land Acquisition, Notification and Approval Sponsor: Dorchester County Delegation Committee Hearing: Already Heard <i>OPPOSE</i></p> <p>Prohibits the state from acquiring land for open space purposes in Dorchester County unless the County Council of Dorchester County approves the purchase.</p>
	<p>HB 468: Qualified Submerged Energy Lines Sponsor: Speaker Busch (By Request of Governor O'Malley) Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>This bill would help facilitate development of offshore wind energy off the coast of Maryland.</p>
	<p>HB 471: Renewable Energy Portfolio Standard – Solar Sponsor: Speaker Busch (By Request of Governor O'Malley) Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>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>HB 649: Pharmaceutical Disposal Act Sponsor: Delegate V. Clagett Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>Reduces water pollution by requiring healthcare facilities to safely dispose of pharmaceuticals.</p>
	<p>HB 827: Biomass and Biofuels - In-State Production Incentives Sponsor: Delegate Hubbard Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>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>HB 902: Net Energy Metering Credit Transfers Sponsor: Delegate George Committee Hearing: Unfavorable Report by Economic Matters <i>SUPPORT</i></p> <p>HB 902 allows specified not-for-profit customers to transfer generation credits accrued from electricity produced from specified renewable sources to specified properties.</p>

	<p>HB 944: Recycling - Bars and Restaurants - Beverage Containers Sponsor: Delegate Niemann Committee Hearing: Already Heard <i>SUPPORT</i> Establishes a program for recycling of specified beverage containers from bars and restaurants.</p>
	<p>HB 953: Agriculture - Commercial Feed - Arsenic Prohibition Sponsor: Delegate Hucker Committee Hearing: Already Heard <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>HB 982: Solid Waste Management - Recycling - Requirements Sponsor: Delegate Niemann Committee Hearing: Already Heard <i>SUPPORT</i> Requires the creation of a statewide recycling plan and establishes recycling goals.</p>
	<p>HB 1014: Clean Energy Loans Sponsors: Delegates Hecht and Waldstreicher <i>SUPPORT</i> Committee Hearing: Already Heard 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>HB 1040: High Performance Building Act Sponsor: Delegate Bronrott Committee Hearing: Already Heard <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>HB 1224: Long-Term Power Purchasing Agreements Sponsor: Delegate Hucker <i>SUPPORT</i> Committee Hearing: Withdrawn from Economic Matters Requires the Public Service Commission to enter into long-term purchasing contracts with renewable energy sources.</p>
	<p>HB 1230: Task Force to Encourage Recycling and Reduce Litter in Maryland's Waterways Sponsor: Delegate Olszewski Committee Hearing: Already Heard <i>SUPPORT</i> Establishes a task force to develop strategies to encourage recycling and reduce litter in Maryland's waterways.</p>
	<p>HB 1257: No-Discharge Designation for Maryland Waters Sponsor: Delegate Holmes (At the Request of the Attorney General) Committee Hearing: Already Heard <i>SUPPORT</i> Reduces nutrient pollution by prohibiting boats from discharging treated and untreated sewage into the waters of the state.</p>

	<p>HB 1360: Invasive Plants - Labeling and Notice Sponsor: Delegate Boteler Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>Discourages the introduction of invasive plants by requiring retailers to notify customers that invasive species sold could cause harm to the environment.</p>
	<p>HB 1404: Transit Review and Evaluation Sponsor: Delegate Gaines Committee Hearing: April 7 at 1pm in Finance <i>SUPPORT</i></p> <p>Requires the Department of Transportation to review and evaluate policies for discreet, achievable changes to our transportation planning process that could lead to smarter transportation choices statewide.</p>
	<p>HB 1427: Incinerator Regulation Sponsor: Delegate Hucker Committee Hearing: Assigned to Rules and Executive Nominations <i>SUPPORT</i></p> <p>Establishes criteria for the building, re-licensing or re-permitting of an incinerator or waste-to-energy facility.</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>HB 107: Legislative Voting Sunshine Act Sponsor: Delegate Ali <i>SUPPORT</i> Committee Hearing: Already Heard</p> <p>Requires that certain votes taken on a bill or amendments in a standing committee be made available on the Maryland General Assembly website by a certain time.</p>
	<p>HB 344: Maryland Open Government Act Sponsor: Delegate Mizeur Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>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>

BILLS THROUGH THE SENATE CHAMBER

	<p>SB 3/HB 89: Wetlands and Waterways Program Fees Sponsor: Delegate O'Donnell SB 3: Passed Senate 42-0, Favorable Report by Environmental Matters HB 89: Passed House 138-0, Favorable Report by Education, Health and Environmental Affairs <i>SUPPORT</i></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>
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	<p>SB 29: Preparation of Fishery Management Plans Sponsor: Senator Astle SB 29: Passed Senate 47-0, Favorable Report by Environmental Matters SUPPORT</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>SB 95: Maryland Agricultural Land Preservation Foundation - Farmland Preservation Partnership Sponsor: Senator Carter Conway (By Request of the Department of Agriculture) SB 95: Passed Senate 47-0, Favorable Report by Environmental Matters SUPPORT</p> <p>Establishes a Farmland Preservation Partnership Program to preserve productive agricultural and forested lands; forms partnerships to purchase easements that meet specified criteria.</p>
	<p>SB 213/HB 33: Child Care Articles and Toys Containing Bisphenol-A (BPA) Sponsor: Delegate Hubbard SB 213: Senate Passed 46-0, Passed House 137-0 HB 33: House Passed 137-0, Second Reading Passed in Senate SUPPORT</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>SB 224/HB 763: Solar Drying Bill Sponsor: Delegate Montgomery SB 224: Passed Third Reader 47-0, Already Heard in Environmental Matters HB 763: Already Heard in Environmental Matters SUPPORT</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>
	<p>SB 229/HB 710: Blue Ribbon Commission on Maryland Transportation Funding Sponsor: Delegate Howard SB 229: Passed Senate 47-0, Hearing April 6 in Ways and Means HB 710: Passed Second Reading SUPPORT</p> <p>Establish a Blue Ribbon Commission to review, evaluate and make recommendations on Maryland Transportation Funding.</p>
	<p>SB 235/HB 103: Mobile Home Parks - Plans for Dislocated Residents Sponsor: Delegate Lafferty SB 235: Passed Senate 31-13, Favorable with Amendments Report by Environmental Matters HB 103: Passed House 115-25, Passed Second Reader in Senate SUPPORT</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>SB 281/HB 469: Tax Credit For Electric Vehicles Sponsor: Speaker Busch (By Request of Governor O'Malley) SB 281: Passed Senate 47-0, April 6 at 1pm in Ways and Means HB 469: Passed House 140-0, Already Heard by Budget and Taxation SUPPORT Allows a tax credit for qualified plug-in electric drive vehicles to encourage use of clean vehicles.</p>
	<p>SB 311/HB 943 : Chesapeake Conservation Corps Sponsors: Delegate McIntosh SB 311: Passed Senate 33-14, Hearing April 7 at 1pm in Environmental Matters HB 943: Passed House 110-29, Assigned to Education, Health, and Environmental Affairs SUPPORT WITH AMENDMENTS 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>SB 342/HB 1191: Natural Resources - Oyster Poaching – Hearing Sponsor: Delegate McIntosh SB 342: Passed Senate 44-0, Hearing April 7 at 1pm in Environmental Matters HB 1191: Passed House 140-0, Assigned to Education, Health and Environmental Affairs OPPOSE AS AMENDED As introduced 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. We now oppose the bill as amended because it will prohibit DNR from creating new oyster sanctuaries until 2011.</p>
	<p>SB 355: Net Energy Metering Sponsor: Senator Pinsky Passed Senate 47-0, Hearing April 6 at 1pm in Economic Matters SUPPORT The bill would require utilities to pay customers back for surplus energy they create with the solar panels on their roofs. These incentives will create a more robust market for energy generation.</p>
	<p>SB 556: Environment - Decabrominated Diphenyl Ether - Prohibitions Sponsor: Senator Carter Conway Passed Senate 44-0, Hearing April 7 at 1pm in Environmental Matters SUPPORT WITH AMENDMENTS This bill prohibits the use of flame-retardant DecaBDE from nearly all products sold or produced in Maryland by January 1, 2011.</p>
	<p>SB 775/ HB 903: Road Salt Management Programs Sponsor: Senator Kramer HB 903: Third Reading Passed 140-0, Assigned to Education, Health, and Environmental Affairs SB 775: Passed Senate 47-0, Hearing April 7 at 1pm in Environmental Matters SUPPORT Road salt can have a significant impact in our streams. This bill requires jurisdictions responsible for highway maintenance to establish and implement a best practices road salt management program.</p>

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.

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