



MARYLAND LEAGUE  
OF CONSERVATION VOTERS

# Hot List – Senate


WEEK of March 30, 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>SB 140/SB 141: Protecting the Green Infrastructure Budget</b>  <b>Floor Action: Third Reader Passed 39-8, Favorable Report by Appropriations</b>  <i><b>SUPPORT AS PROPOSED BY GOVERNOR O’MALLEY</b></i>  <b>OPPOSE</b> - We urge you to reject the Department of Legislative Services’ proposals to:</p> <ul style="list-style-type: none"> <li>• cut the 2010 Chesapeake and Atlantic Coastal Bays Trust Fund and limit remaining funds to cover crops,</li> <li>• extend last year’s diversion of funds from the Regional Greenhouse Gas Initiative (RGGI),</li> <li>• eliminate the Maryland Environmental Trust,</li> <li>• raid Program Open Space,</li> <li>• cut the Heritage Structure Tax Credit (Historic Tax Credit) and</li> <li>• repeal mandated funding for the Department of Natural Resources and Planning agencies.</li> <li>• <b>We also urge you to reject funding restrictions to the University of Maryland Environmental Law Clinic.</b></li> </ul> <p><b>Learn more at <a href="http://www.supportgoodmdjobs.com">www.supportgoodmdjobs.com</a></b></p>
	<p><b>SB 51: Three-Foot Bicycle Safety Bill</b>  <b>Sponsor: Senator Raskin</b>  <b>Floor Action: Third Reader Passed 43-0, Assigned to Environmental Matters</b>  <b>SB 624: The Shoulder Rule Bill</b>  <b>Sponsor: Senator Frosh</b>  <b>Floor Action: Third Reader Passed 47-0, Assigned to Environmental Matters</b>  <b>SB 760: Consolidated Transportation Program</b>  <b>Sponsors: Senators Pugh and Harrington</b>  <b>Committee Hearing: Already Heard</b>  <i><b>SUPPORT</b></i>  <b>Smarter Transportation Choices for Maryland (3 bills):</b>          In a time of scarce transportation dollars, we need to make sure we are investing state funds wisely. SB 760 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><b>SB 686: Watershed Protection and Restoration Act</b>  <b>Sponsor: Senator Raskin</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></p> <p>In order to restore the health of the Chesapeake Bay Watershed, 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><b>Maryland LCV Priority</b></p>	<p><b>SB 420: Stormwater Management</b>  <b>Sponsor: Senator Colburn</b>  <b>Committee Hearing: Unfavorable Report by Education, Health, and Environmental Affairs</b>  <b>OPPOSE</b></p> <p><b>SB 1082: Stormwater Management</b>  <b>Sponsor: Senator DeGrange</b>  <b>Committee Hearing: Assigned to Rules</b>  <b>OPPOSE</b></p> <p><b>Stormwater Management (2 bills)</b> - 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.</p>
<p><b>Maryland LCV Priority</b></p>	<p><b>SB 910: Comprehensive Energy Planning</b>  <b>Sponsor: Senator Lenett</b>  <b>Committee Hearing: Already Heard</b>  <b>SUPPORT</b></p> <p>Requires the Department of Planning to oversee the creation of a state energy plan that is consistent with all state environmental laws and requires the Public Service Commission to review proposals from energy companies with respect to the state plan and environmental laws such as the Greenhouse Gas Reduction Act.</p>

In addition to our 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.

## FLOOR ACTION

	<p><b>SB 29: Preparation of Fishery Management Plans</b>  <b>Sponsor: Senator Astle</b>  <b>Floor Action: Passed Third Reader 47-0, Assigned to Environmental Matters</b>  <b>SUPPORT</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>
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	<p><b>SB 95: Maryland Agricultural Land Preservation Foundation - Farmland Preservation Partnership</b>  <b>Sponsor: Senator Carter Conway (By Request of the Department of Agriculture)</b>  <b>Floor Action: Passed Third Reader 47-0, Assigned to Environmental Matters</b>  <b>SUPPORT</b>  Establishes a Farmland Preservation Partnership Program to preserve productive agricultural and forested lands; forms partnerships to purchase easements that meet specified criteria.</p>
	<p><b>SB 224: Solar Drying Bill</b>  <b>Sponsor: Senator King</b>  <b>Floor Action: Passed Third Reader 47-0, Assigned to Environmental Matters</b>  <b>SUPPORT</b>  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><b>SB 229: Blue Ribbon Commission on Maryland Transportation Funding</b>  <b>Sponsor: Senator Garagiola</b>  <b>Floor Action: Passed Third Reader 47-0, Assigned to Environmental Matters &amp; Ways and Means</b>  <b>SUPPORT</b>  Establish a Blue Ribbon Commission to review, evaluate, and make recommendations on Maryland Transportation Funding.</p>
<b>POSITION CHANGED THIS WEEK</b>	<p><b>SB 342: Natural Resources - Oyster Poaching – Hearing</b>  <b>Sponsor: Senator Frosh</b>  <b>Floor Action: Passed Third Reader 44-0, Assigned to Environmental Matters</b>  <b>OPPOSE AS AMENDED</b>  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 creation of a new oyster sanctuaries until 2011.</p>
	<p><b>SB 355: Net Energy Metering</b>  <b>Sponsor: Senator Pinsky</b>  <b>Floor Action: Passed Third Reader 47-0, Assigned to Economic Matters</b>  <b>SUPPORT</b>  This requires utilities to pay customers back for surplus energy they create with the solar panels on their roofs to create a more robust market for energy generation.</p>
	<p><b>SB 504: Lead Paint Dust Testing Bill</b>  <b>Sponsor: Senator Gladden</b>  <b>Committee Action: Favorable Report by Judicial Proceedings, Special Order 3/29 Adopted</b>  <b>SUPPORT</b>  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>SB 556: Environment - Decabrominated Diphenyl Ether - Prohibitions</b>  <b>Sponsor: Senator Carter Conway</b>  <b>Floor Action: Passed Third Reader 44-0, Assigned to Environmental Matters</b>  <b>SUPPORT WITH AMENDMENTS</b>  This bill prohibits the use of flame-retardant DecaBDE from nearly all products sold or produced in Maryland by January 1, 2011.</p>

<p><b>NEW THIS WEEK</b></p>	<p><b>SB 746: Land Acquisition - Approval Required</b>  Sponsor: Senator Colburn  <b>Floor Action: Passed Third Reader 47-0, Assigned to Environmental Matters</b>  <i><b>OPPOSE</b></i>  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><b>SB 775: Road Salt Management Programs</b>  Sponsor: Senator Kramer  <b>Floor Action: Passed Third Reader 47-0, Assigned to Environmental Matters</b>  <i><b>SUPPORT</b></i>  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>

## COMMITTEE ACTION

	<p><b>SB 20: Bay Restoration Fund - Authorized Uses</b>  Sponsor: Senator Colburn  <b>Committee Action: Recommit to Education, Health and Environmental Affairs</b>  <i><b>SUPPORT WITH AMENDMENTS</b></i>  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>SB 37: Oysters – Patent Tongs and Power Dredges</b>  Sponsor: Senator Colburn  <b>Committee Hearing: Already Heard</b>  <i><b>OPPOSE</b></i>  Prohibits the Department of Natural Resources from prohibiting the use of patent tongs and power dredges to catch oysters in the waters of the state, providing for the application of a specified provision of the Act, and making stylistic changes.</p>
	<p><b>SB 63: Transit-Oriented Development - Pledge and Use of Tax Increment Revenues – Operations and Maintenance Funding</b>  Sponsor: Senator Currie (By Request of the Department of Transportation)  <b>Committee Hearing: Already Heard</b>  <i><b>SUPPORT</b></i>  Provides more flexibility to distribute funds to encourage investment in transit-oriented development, encouraging smart growth and sustainable communities.</p>

	<p><b>SB 155: Estate Tax Exclusion for Family Farm in Preservation</b>  <b>Sponsor: Senator Glassman</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p><b>SB 592: Estate Tax Exclusion for Qualified Agricultural Property</b>  <b>Sponsor: Senator Garagiola</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p><b>SB 790: Estate Tax Exclusions for Family Farms Subject to Agricultural Preservation Easements</b>  <b>Sponsor: Senator Garagiola</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p><b>Keep Farmers Farming (3 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>SB 215: High Performance Building Act</b>  <b>Sponsor: Senator Frosh</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p>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>SB 277: Renewable Energy Portfolio Standard – Solar</b>  <b>Sponsor: President Miller (By Request of Governor O’Malley)</b>  <b>Committee Hearing: Already Heard</b>  <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><b>SB 282: Qualified Submerged Energy Lines</b>  <b>Sponsor: President Miller (By Request of Governor O’Malley)</b>  <b>Committee Hearing: Already Heard in Finance; Re-assigned jointly to Education, Health and Environmental Affairs</b>  <i>SUPPORT</i></p> <p>This bill would help facilitate development of offshore wind energy off the coast of Maryland.</p>
	<p><b>SB 285: Sustainable Communities Act</b>  <b>Sponsor: President Miller (By Request of Governor O’Malley)</b>  <b>Committee Action: Already Heard</b>  <i>SUPPORT</i></p> <p>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>SB 350: Transit-Oriented Development - Expansion of Geographic Area</b>  <b>Sponsor: Senator Currie</b>  <b>Committee Action: Withdrawn</b>  <i><b>OPPOSE</b></i></p> <p>Expands the geographic area within which a specified project could qualify as a transit-oriented development (TOD). This would weaken TOD, a targeted smart growth program, and would steer precious resources to less efficient locations.</p>
	<p><b>SB 353: Brominated Flame Retardants - Decabrominated Diphenyl Ether (DecaBDE)</b>  <b>Sponsor: Senator Lenett</b>  <b>Committee Hearing: Already Heard</b>  <i><b>SUPPORT WITH AMENDMENTS</b></i></p> <p>This bill prohibits the use of flame-retardant DecaBDE from nearly all products sold or produced in Maryland by January 1, 2011.</p>
	<p><b>SB 359: Fertilizer and Pesticide Reporting</b>  <b>Sponsor: Senator Lenett</b>  <b>Committee Hearing: Unfavorable Report by Education, Health and Environmental Affairs</b>  <i><b>SUPPORT</b></i></p> <p>Mandates tracking and geographic mapping of fertilizer and pesticide use.</p>
	<p><b>SB 455: Maryland Efficiency Standards Act – Televisions</b>  <b>Sponsor: Senator Pinsky</b>  <b>Committee Hearing: Already Heard</b>  <i><b>SUPPORT</b></i></p> <p>Saves energy and reduces global warming pollution by establishing minimum efficiency standards for televisions sold in Maryland.</p>
	<p><b>SB 462: Chesapeake Bay Restoration Consumer Retail Choice Act</b>  <b>Sponsor: Senator Raskin</b>  <b>Committee Hearing: Unfavorable Report by Finance</b>  <i><b>SUPPORT</b></i></p> <p>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>SB 513: No-Discharge Designation for Maryland Waters</b>  <b>Sponsor: Senator Carter Conway (At the Request of the Attorney General)</b>  <b>Committee Hearing: Already Heard</b>  <i><b>SUPPORT</b></i></p> <p>Reduces nutrient pollution by prohibiting boats from discharging treated and untreated sewage into the waters of the state.</p>
	<p><b>SB 566: Direct Wine Shipping</b>  <b>Sponsors: Senators Raskin and Pugh</b>  <b>Committee Hearing: Already Heard</b>  <i><b>SUPPORT</b></i></p> <p>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>SB 569: Biomass and Biofuels – In-State Production Incentives</b>  <b>Sponsors: Senator Middleton</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>SB 653: Keep Coal Ash Out of Our Water</b>  <b>Sponsor: Senator Lenett</b>  <b>Committee Hearing: Already Heard</b>  <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>
	<p><b>SB 656: Public Building Energy Disclosure</b>  <b>Sponsor: Senator Lenett</b>  <b>Committee Hearing: Unfavorable Report by Education, Health and Environmental Affairs</b>  <i>SUPPORT</i></p> <p><b>SB 713: Public and Commercial Buildings Energy Disclosure</b>  <b>Sponsor: Senator Lenett</b>  <b>Committee Hearing: Unfavorable Report by Finance</b>  <i>SUPPORT</i></p> <p><b>SB 952: Residential Home Sales</b>  <b>Sponsor: Senator Carter Conway</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i></p> <p><b>Energy Disclosure (3 bills)</b> - SB 656 requires that all government buildings publicly disclose building energy use; SB 713 adds an additional requirement for commercial building owners; and SB 952 requires residential homeowners to publically disclose utility use at time of listing.</p>
	<p><b>SB 720: Clean Energy Loans</b>  <b>Sponsor: Senator Middleton</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  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>SB 803: Chesapeake and Atlantic Coastal Bays Critical Area - Judicial Review</b>  <b>Sponsor: Senator Pipkin</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  Expands citizens’ access to courts or “standing” to specified sewage sludge utilization permits in the Chesapeake and Atlantic Coastal Bays Critical Area.</p>
	<p><b>SB 859: Arsenic in Chicken Feed</b>  <b>Sponsor: Senator Pinsky</b>  <i>SUPPORT</i>  <b>Committee Hearing: Already Heard</b>  Prohibiting a person from using, selling, or distributing poultry feed that contains roxarsone or any other additive that contains arsenic.</p>

	<p><b>SB 987: Conservation Law Enforcement Act of 2010</b>  <b>Sponsor: Senator Astle</b>  <i>SUPPORT</i>  <b>Committee Hearing: Already Heard</b>  Strengthens the enforcement of Maryland’s fisheries and wildlife laws.</p>
<b>NEW THIS WEEK</b>	<p><b>SB 1092: Snowstorm and Related Climate Change Preparation Act</b>  <b>Sponsor: Senator Rosapepe</b>  <b>Committee Hearing: March 30 at 1:00 p.m. in Education Health and Environmental Affairs</b>  <i>SUPPORT</i>  Requires the Maryland Commission on Climate Change, in cooperation with the Department of Transportation and the Maryland Emergency Management Agency, to submit a report to the General Assembly on preparations and investments needed due to weather emergencies resulting from climate change.</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>SB 407: Maryland Open Government Act</b>  <b>Sponsor: Senator King</b>  <b>Committee Hearing: Already Heard</b>  <i>SUPPORT</i>  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>
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## BILLS THROUGH THE HOUSE CHAMBER

	<p><b>HB 89/SB 3: Wetlands and Waterways Program Fees</b>  <b>Sponsor: Senator Klausmeier</b>  <b>HB 89 Floor Action: Passed Third Reader 138-0, Assigned to Education, Health and Environmental Affairs</b>  <b>SB 3 Committee Action: March 31 at 1pm in Environmental Matters</b>  <i>SUPPORT</i>  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>HB 33/SB 213: Child Care Articles and Toys Containing Bisphenol-A (“BPA”)</b>  <b>Sponsor: Senator Frosh</b>  <b>HB 33 Committee Action: Already Heard in Finance</b>  <b>SB 213 Committee Action: March 30 at 1pm in Health &amp; Government Operations</b>  <i>SUPPORT</i>  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>HB 103/SB235: Mobile Home Parks - Plans for Dislocated Residents</b>  <b>Sponsor: Senator Robey</b>  <b>HB 103 Floor Action: Third Reader Passed 115-25, Assigned to Judicial Proceedings</b>  <b>SB 235 Committee Action: April 1 at 1pm in Environmental Matters</b>  <b>SUPPORT</b>  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>
<b>NEW THIS WEEK</b>	<p><b>HB 469/SB 281: Tax Credit For Electric Vehicles</b>  <b>Sponsor: President Miller (By Request of Governor O'Malley)</b>  <b>HB 469 Committee Action: March 31 at 1 pm in Budget and Taxation</b>  <b>SB 281 Committee Action: April 6 at 1pm in Ways and Means</b>  <b>SUPPORT</b>  Allows a tax credit for qualified plug-in electric drive vehicles to encourage use of clean vehicles.</p>
	<p><b>HB710/SB229: Blue Ribbon Commission on Maryland Transportation Funding</b>  <b>Sponsor: Senator Garagiola</b>  <b>HB 710 Committee Action: Hearing March 31 at 1pm in Budget and Taxation</b>  <b>SB 229 Committee Action: Hearing April 6 at 1pm in Ways and Means</b>  <b>SUPPORT</b>  Establish a Blue Ribbon Commission to review, evaluate, and make recommendations on Maryland Transportation Funding.</p>
	<p><b>HB 801: Net Energy Metering Credits</b>  <b>Sponsor: Delegate McHale</b>  <b>Committee Action: Hearing April 1 at 1pm in Finance</b>  <b>SUPPORT</b>  HB 801 allows for customers to submit a written request of payment for surplus energy credits generated.</p>
	<p><b>HB 943/SB 311: Chesapeake Conservation Corps</b>  <b>Sponsors: President Miller</b>  <b>HB 943 Floor Action: Third Reading Passed 110-29</b>  <b>SB 311: Passed Third Reader in Senate 33-14, Assigned to Environmental Matters</b>  <b>Sponsors: Senators Miller and Klausmeier</b>  <b>SUPPORT WITH AMENDMENTS</b>  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 1161: Special Taxing Districts - State Hospital Redevelopment</b>  <b>Sponsor: Delegate Jones</b>  <b>Committee Action: Hearing March 31 at 1pm in Budget and Taxation</b>  <b>OPPOSE</b>  Extends tax benefits and directs limited public dollars to benefit specific private development projects.</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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