



MARYLAND LEAGUE
OF CONSERVATION VOTERS

Hot List – Senate


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@mdlcv.org or 410-280-9855, extension 202.

IMPORTANT BILLS TO WATCH

The environmental community’s top priorities are:

	<p>SB 140/SB 141: Protecting the Green Infrastructure Budget Floor Action: Third Reader Passed in the Senate 39-8, Third Reader Passed in the House 100-35 SUPPORT AS PROPOSED BY GOVERNOR O’MALLEY 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>SB 51: Three-Foot Bicycle Safety Bill Sponsor: Senator Raskin Floor Action: Third Reader Passed 43-0, Assigned to Environmental Matters SB 624: The Shoulder Rule Bill Sponsor: Senator Frosh Floor Action: Third Reader Passed 47-0, Assigned to Environmental Matters SB 760/HB 1155: Consolidated Transportation Program Sponsors: Senators Pugh and Harrington SB 760: Already Heard in Budget and Taxation HB 1155: Passed House 104-32, Hearing April 6 at 1 pm in Budget and Taxation SUPPORT Smarter Transportation Choices for Maryland (3 bills): 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>SB 686: Watershed Protection and Restoration Act Sponsor: Senator Raskin Committee Hearing: Already Heard SUPPORT</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>Maryland LCV Priority</p> <p>NEW THIS WEEK</p>	<p>SB 420: Stormwater Management Sponsor: Senator Colburn Committee Hearing: Withdrawn by Education, Health, and Environmental Affairs OPPOSE</p> <p>SB 1082: Stormwater Management Sponsor: Senator DeGrange Committee Hearing: Assigned to Rules 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 (3 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>SB 910: Comprehensive Energy Planning Sponsor: Senator Lenett Committee Hearing: Already Heard SUPPORT</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 or 410-280-9855 x 202.

FLOOR ACTION

	<p>SB 29: Preparation of Fishery Management Plans Sponsor: Senator Astle Floor Action: Passed Third Reader 47-0, Assigned to 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) Floor Action: Passed Third Reader 47-0, Assigned to 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 224: Solar Drying Bill Sponsor: Senator King Floor Action: Passed Third Reader 47-0, Assigned to 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: Blue Ribbon Commission on Maryland Transportation Funding Sponsor: Senator Garagiola Floor Action: Passed Third Reader 47-0, Assigned to Environmental Matters & Ways and Means SUPPORT</p> <p>Establish a Blue Ribbon Commission to review, evaluate, and make recommendations on Maryland Transportation Funding.</p>
	<p>SB 277: Renewable Energy Portfolio Standard – Solar Sponsor: President Miller (By Request of Governor O’Malley) Floor Action: Passed Third Reader 31-15, Assigned to House Rules and Executive Nominations SUPPORT</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>SB 355: Net Energy Metering Sponsor: Senator Pinsky Floor Action: Passed Third Reader 47-0, Assigned to Economic Matters SUPPORT</p> <p>This requires utilities to pay customers back for surplus energy they create with the solar panels on their roofs, creating a more robust market for energy generation.</p>
	<p>SB 556: Environment - Decabrominated Diphenyl Ether - Prohibitions Sponsor: Senator Carter Conway Floor Action: Passed Third Reader 44-0, Assigned to Environmental Matters SUPPORT WITH AMENDMENTS</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>SB 746: Land Acquisition - Approval Required Sponsor: Senator Colburn Floor Action: Passed Third Reader 47-0, Assigned to Environmental Matters <i>OPPOSE</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>SB 987: Conservation Law Enforcement Act of 2010 Sponsor: Senator Astle <i>SUPPORT</i> Committee Action: Favorable with Amendments Report by Education, Health, and Environmental Affairs Strengthens the enforcement of Maryland’s fisheries and wildlife laws.</p>

COMMITTEE ACTION

	<p>SB 20: Bay Restoration Fund - Authorized Uses Sponsor: Senator Colburn Committee Action: Recommit to Education, Health and Environmental Affairs <i>SUPPORT WITH AMENDMENTS</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>SB 37: Oysters – Patent Tongs and Power Dredges Sponsor: Senator Colburn Committee Hearing: Already Heard <i>OPPOSE</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>SB 63: Transit-Oriented Development - Pledge and Use of Tax Increment Revenues – Operations and Maintenance Funding Sponsor: Senator Currie (By Request of the Department of Transportation) Committee Hearing: Already Heard <i>SUPPORT</i> Provides more flexibility to distribute funds to encourage investment in transit-oriented development, encouraging smart growth and sustainable communities.</p>

	<p>SB 155: Estate Tax Exclusion for Family Farm in Preservation Sponsor: Senator Glassman Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>SB 592: Estate Tax Exclusion for Qualified Agricultural Property Sponsor: Senator Garagiola Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>SB 790: Estate Tax Exclusions for Family Farms Subject to Agricultural Preservation Easements Sponsor: Senator Garagiola Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>Keep Farmers Farming (3 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>SB 215: High Performance Building Act Sponsor: Senator Frosh Committee Hearing: Already Heard <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>SB 282: Qualified Submerged Energy Lines Sponsor: President Miller (By Request of Governor O'Malley) Committee Hearing: Already Heard in Finance; Re-assigned jointly to Education, Health and Environmental Affairs <i>SUPPORT</i></p> <p>This bill would help facilitate development of offshore wind energy off the coast of Maryland.</p>
	<p>SB 285: Sustainable Communities Act Sponsor: President Miller (By Request of Governor O'Malley) Committee Action: Already Heard <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>SB 353: Brominated Flame Retardants - Decabrominated Diphenyl Ether (DecaBDE) Sponsor: Senator Lenett Committee Hearing: Already Heard <i>SUPPORT WITH AMENDMENTS</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>SB 455: Maryland Efficiency Standards Act – Televisions Sponsor: Senator Pinsky Committee Hearing: Already Heard <i>SUPPORT</i></p> <p>Saves energy and reduces global warming pollution by establishing minimum efficiency standards for televisions sold in Maryland.</p>

	<p>SB 504: Lead Paint Dust Testing Bill Sponsor: Senator Gladden Committee Action: Third Reading Failed 22-23 <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>SB 513: No-Discharge Designation for Maryland Waters Sponsor: Senator Carter Conway (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>SB 566: Direct Wine Shipping Sponsors: Senators Raskin and Pugh <i>SUPPORT</i> Committee Hearing: Already Heard 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>SB 569: Biomass and Biofuels – In-State Production Incentives Sponsors: Senator Middleton Committee Hearing: Already Heard <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>SB 952: Residential Home Sales Sponsor: Senator Carter Conway Committee Hearing: Unfavorable Report by Judicial Proceedings <i>SUPPORT</i> 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>SB 720: Clean Energy Loans Sponsor: Senator Middleton Committee Hearing: Already Heard <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>SB 803: Chesapeake and Atlantic Coastal Bays Critical Area - Judicial Review Sponsor: Senator Pipkin Committee Hearing: Already Heard <i>SUPPORT</i> Expands citizens’ access to courts or “standing” in cases regarding specified sewage sludge utilization permits in the Chesapeake and Atlantic Coastal Bays Critical Area.</p>

	<p>SB 859: Arsenic in Chicken Feed Sponsor: Senator Pinsky <i>SUPPORT</i> Committee Hearing: Already Heard Prohibits a person from using, selling, or distributing poultry feed that contains roxarsone or any other additive that contains arsenic.</p>
	<p>SB 1092: Snowstorm and Related Climate Change Preparation Act Sponsor: Senator Rosapepe <i>SUPPORT</i> Committee Hearing: Already Heard 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>SB 407: Maryland Open Government Act Sponsor: Senator King Committee Hearing: Already Heard <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>
--	--

BILLS THROUGH THE HOUSE CHAMBER

	<p>HB 33/SB 213: Child Care Articles and Toys Containing Bisphenol-A (“BPA”) Sponsor: Senator Frosh HB 33: House Passed 137– 0, Second Reading Passed in Senate SB 213: Senate Passed 46-0, Passed House 137-0 <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>HB 89/SB 3: Wetlands and Waterways Program Fees Sponsor: Senator Klausmeier HB 89: Passed House 138-0, Favorable Report by Education, Health, and Environmental Affairs SB 3: Passed Senate 42-0, Favorable Report by Environmental Matters <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>HB 103/SB235: Mobile Home Parks - Plans for Dislocated Residents Sponsor: Senator Robey HB 103: Passed House 115-25, Second Reading Passed with Amendments in Senate SB 235: Passed Senate 31-13, Favorable Report with Amendments by Environmental Matters SUPPORT 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>HB 282: Bicycle and Pedestrian Access Sponsor: Delegate Peña-Melnyk Passed House 138-0, Hearing April 6 at 1 pm in Budget and Taxation Ensures a balance between funding for specified transportation projects for pedestrians and bicycle riders and specified highway construction projects</p>
	<p>HB 469/SB 281: Tax Credit For Electric Vehicles Sponsor: President Miller (By Request of Governor O'Malley) HB 469: Passed House 140-0, Already Heard by Budget and Taxation SB 281: Passed Senate 47-0, Hearing April 6 at 1pm in Ways and Means SUPPORT Allows a tax credit for qualified plug-in electric drive vehicles to encourage use of clean vehicles.</p>
	<p>HB 527: Abandoned Vessels Sponsor: Delegate V. Clagett Passed House 139-1, Hearing April 6 at 1pm in Education, Health, and Environmental Matters SUPPORT Makes it easier for citizens and the Department of Natural Resources to remove abandoned boats.</p>
	<p>HB 710/SB 229: Blue Ribbon Commission on Maryland Transportation Funding Sponsor: Senator Garagiola HB 710: Passed House 117-23, Second Reading Passed in Senate SB 229: Passed Senate 47-0, Hearing April 6 at 1 pm in Ways and Means SUPPORT Establish a Blue Ribbon Commission to review, evaluate and make recommendations on Maryland Transportation Funding.</p>
	<p>HB 801: Net Energy Metering Credits Sponsor: Delegate McHale Passed House 140-0, Hearing April 1 at 1pm in Finance SUPPORT HB 801 allows for customers to submit a written request for payment of surplus energy credits generated.</p>
	<p>HB 852: Net Energy Metering Credit Transfers for Municipalities Sponsor: Delegate George Passed House 139-0, Hearing April 1 at 1pm in Finance SUPPORT HB 852 allows municipalities to transfer renewable energy credits for future projects.</p>
	<p>HB 903/ SB 775: Road Salt Management Programs Sponsor: Delegate Kramer HB 903: Passed House 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 fresh water streams. This bill requires jurisdictions responsible for highway maintenance to establish and implement a best practices road salt management program.</p>

	<p>HB 943/SB 311: Chesapeake Conservation Corps Sponsors: Senators Miller and Klausmeier HB 943: Passed House 110-29, Assigned to Education, Health, and Environmental Affairs SB 311: Passed Senate 33-14, Hearing April 7 at 1pm in Environmental Matters <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>HB 1161: Special Taxing Districts - State Hospital Redevelopment Sponsor: Delegate Jones Passed House 139-0, Already Heard in Budget and Taxation <i>OPPOSE</i> Extends tax benefits and directs limited public dollars to benefit specific private development projects.</p>
	<p>HB 1169: Agricultural Energy Production Act of 2010 Sponsor: Delegate Bartlett Passed House 137-1, Hearing April 6 at 1pm in Finance <i>SUPPORT</i> 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 1191/SB 342: Natural Resources - Oyster Poaching – Hearing Sponsor: Delegate McIntosh HB 1191: Passed House 140-0, Assigned to Education, Health and Environmental Affairs SB 342: Passed Senate 44-0, Hearing April 7 at 1pm in Environmental Matters <i>OPPOSE AS AMENDED</i> 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>HB 1467/SB 653: Keep Coal Ash Out of Our Water Sponsor: Senator Lenett Passed House 138-1, Assigned to Education, Health, and Environmental Matters <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>

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.

www.mdldcv.org