



MARYLAND LEAGUE OF CONSERVATION VOTERS

Hot List WEEK of March 12th

The Maryland League of Conservation Voters is pleased to present the "Hot List" - a detailed list of environmental legislation moving through the Maryland General Assembly. Usually, 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 Kristen Harbeson at kharbeson@mdlcv.org or 410-280-9855, extension 202.

Maryland House of Delegates

Appropriations Committee

Title:	HB0160/ SB0185 - <u>Budget Bill (Fiscal Year 2019)</u>
Summary:	We will oppose rollbacks to the legislative legacy of healthy air, clean water, and unpolluted lands. We must remain vigilant in protecting key environmental programs such as Program Open Space or the Chesapeake and Atlantic Coastal Bay Trust Fund or Bay Restoration Fund as well as critical resources needed for enforcement and program implementation at the Departments of Environmental, Agriculture, Transportation, Planning, Natural Resources, and Energy.
Status:	Appropriations - First Reading
Position:	Monitor
Sponsor:	Speaker/President (by request of the Administration)



Title:	HB0505/ SB0763 – <u>Use of Public Funds - Playground and Athletic Field Surfaces - Preferences and Prohibitions</u>
Summary:	This bill would prohibit the use of state funds to construct synthetic athletic fields and playgrounds, and establish a preference for the use of natural surfaces. Synthetic surfaces pose both health and safety risks. These include, but are not limited to, the risks presented by the numerous toxic chemicals these surfaces contain.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate A.Miller/ Senator Manno

Title:	HB0954/ SB0481 – Heritage Structure Rehabilitation Tax Credit - Reserve Fund - Mandated Appropriations
Summary:	This bill will increase the appropriation of the Heritage Structure Rehabilitation Tax Credit program from \$9M to a mandated \$15M annually. By incentivizing development in older, existing communities, the \$6M increase in funding is expected to result in significant reduction in vehicle-miles traveled and landfill waste, as well as open space saved.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate A.Washington/ Senator Ferguson

Economic Matters Committee

Title:	HB0538/SB0651 - Environment - Expanded Polystyrene Food Service Products - Prohibition
Summary:	Prohibits food service businesses and institutions from serving food in Styrofoam packaging – cups, plates, to-go clamshells – or from selling these products in retail. Offers a grace-period of enforcement for businesses to use up existing stock, as well as a one-year waiver if not affordable alternative packaging is available. Ensures agency outreach to businesses to assist in compliance.
Status:	In Committee – Voted unfavorable (Secondary)
Position:	Support
Sponsor:	Delegate Lierman/Senator Kagan



Title:	HB0715 - Public Service Commission - Application for a Certificate of Public Convenience and Necessity - Public Notice and Hearing
Summary:	Maryland’s Public Service Commission (PSC) decision-making on major projects can be exceedingly opaque and make it difficult for members of stakeholder communities to navigate even with projects that directly affect them and their neighbors. This bill modernizes the public notification process by requiring notice via multiple forms of print and social media for all-natural gas infrastructure at the beginning of the process, and keeping records through a searchable and accessible website.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate R. Lewis



Title:	HB1135/ SB1058: Renewable Energy – Offshore Wind Projects – Distance Requirements
Summary:	Requires that offshore wind projects be move to at least 26 nautical miles off the coast of the State. This will undermine the ability to build the wind farms, approved by the public service commission. Off-shore wind projects will bring thousands of jobs to Maryland, and contribute to the State’s renewable energy sources.
Status:	In Committee – Unfavorable
Position:	Oppose
Sponsor:	Delegate Adams/ Senator Hershey



Title:	HB1453/SB0732: Clean Energy Jobs Act of 2018
Summary:	Raises the amount of energy Maryland derives from renewable energy to 50% by the year 2030; dedicates funding to workforce development programs, especially women-owned, minority-owned, and veteran-owned businesses; phases waste incineration out of tier one energy sources and expands incentives for solar and wind-energy projects.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate Frick/Senator Feldman



Title:	HB1632 - Public Service Commission Reform – Health Impacts Assessment
Summary:	Requires the Public Service Commission to consider a Health Impact Assessment (HIA) on proposed natural gas infrastructure development projects, including any major modifications to existing projects.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate R. Lewis



Environment and Transportation Committee

Title:	HB0026/SB0133 – Community Healthy Air Act
Summary:	Requires the Maryland Department of the Environment to conduct a one-time study that identifies air pollutants emitted by large animal feeding operations and assesses any potential public health risks. While industrial chicken houses emit harmful air pollutants, we don't know how much this pollution is affecting the health of neighboring communities or nearby waters, including the Chesapeake Bay
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate R. Lewis/Senator Madaleno

Title:	HB116/ SB500: Pesticides – Use of Chlorpyrifos – Prohibition
Summary:	Prohibits the use of chlorpyrifos – and other insecticides containing chlorpyrifos – in the state beginning on January 1, 2019. Chlorpyrifos is a toxic, nerve agent pesticide proven to cause brain damage in children and known to harm the environment and wildlife. In 2015, after extensive study, the U.S. Environmental Protection Agency recommended that the pesticide be banned for all uses. In 2017, the EPA Administrator overrode these recommendations and reversed the decision to ban the chemical.
Status:	In Committee – Withdrawn
Position:	Support
Sponsor:	Delegate Stein/Senator Nathan-Pulliam

Title:	<u>HB0361/SB314 - Bay Restoration Fund - Fee Exemption, Disbursements, and Financial Assistance (Septic Stewardship Act of 2018)</u>
Summary:	Reduces septic pollution funding under the Bay Restoration Fund through fee-exemptions, fee-shifting, and potentially unlimited maintenance spending; the septic fund of the Bay Restoration Fund is fully allocated every year and Maryland remains behind in obtaining state goals for septic pollution reduction
Status:	In Committee – Already Heard
Position:	Oppose
Sponsor:	Speaker Busch/President Miller – By Request of the Administration

Title:	<u>HB0535/SB407 – Complete Streets Program - Establishment</u>
Summary:	This bill would create a "Complete Streets Program" within the Department of Transportation to provide grants to local governments to encourage their adoption of complete streets policies. These policies seek to make walking and bicycling safer and more attractive which, in turn, can benefit the environment by reducing the number of gas and diesel fueled vehicles on our roads.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate Lierman/ Senator Guzzone

Title:	<u>HB0538/SB0651 - Environment - Expanded Polystyrene Food Service Products - Prohibition</u>
Summary:	Prohibits food service businesses and institutions from serving food in Styrofoam packaging – cups, plates, to-go clamshells – or from selling these products in retail. Offers a grace-period of enforcement for businesses to use up existing stock, as well as a one-year waiver if not affordable alternative packaging is available. Ensures agency outreach to businesses to assist in compliance.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate Lierman/Senator Kagan

Title:	<u>HB719 - On-Site Sewage Disposal Systems - Best Available Technology for Nitrogen Removal - Requirement</u>
Summary:	Requires nitrogen-reducing best available technology for septic systems associated with construction within 1,000 feet of nitrogen-impaired streams
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate Lafferty



Title:	HB0744/SB0850 - Transportation - Complete Streets Policy - Adoption
Summary:	This bill would require implementation of complete streets design features (including sidewalks, crosswalks, protected bicycle lanes, and bus access measures) in constructing state roads and other state transportation projects.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate Lafferty/Senator Mathias

Title:	HB0766/SB0610 - Natural Resources - Forest Conservation Act - Standards and Requirements
Summary:	The Forest Conservation Act, passed in 1991, has the potential to be one of Maryland’s best tools for protecting our state’s forest land, but as it is currently written, the Act does not reflect the policies and priorities recommended by a task force in 2011. This bill identifies and protects Maryland’s best forest by providing a clear definition of ecologically important areas that should be considered a priority for protection, and outlines partnerships and planning criteria for forest retention.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate Healey/Senator Young

Title:	HB1345 - Sewerage Systems - Residential Major Subdivisions in Tier III and Tier IV Areas
Summary:	Authorizes sprawl of major subdivisions on septic systems by repealing or amending several critical provisions of the septic “Tier Map” law
Status:	In Committee – Already Heard
Position:	Oppose
Sponsor:	Delegate Rose

Title:	HB1360 - Environment - Sewage Sludge - Land Application
Summary:	Authorizes winter application of sewage sludge when the ground is frozen and cannot absorb or uptake nutrients
Status:	In Committee – Unfavorable Report
Position:	Oppose
Sponsor:	Delegate Rose



Title:	HB1350/SB1006 - Sea Level Rise Inundation and Coastal Flooding - Construction, Adaptation, Mitigation, and Disclosure
Summary:	This bill supports and augments Maryland's climate change adaptation efforts on our coasts. It requires development of state criteria and plans that would: a) ensure that the design and siting of state and local structures and highway facilities reflect the potential impacts of sea level rise and coastal flooding; b) allow for such structures and facilities to obtain compliance waivers in appropriate circumstances; c) promote adaptation to the intrusion of saltwater into freshwater; and d) assess when to spend state moneys to mitigate sea-level rise and coastal-flooding hazards. The bill also requires that: e) local jurisdictions develop plans to address nuisance flooding; and f) sellers of properties subject to a sea-level rise of two feet inform purchasers of this risk.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate Stein/Senator Pinsky

Title:	HB1456/ SB1128 – Offshore Drilling Liability Act
Summary:	Establishes that “offshore drilling activity” is an ultrahazardous and abnormally dangerous activity, and that a corporation that causes as spill of oil or gas while engaged in offshore drilling is strictly liable for any injury, death, or loss to person or property that is caused by the spill. This act includes ecological or environmental damages.
Status:	In the House – Already Heard (Judiciary)
Position:	Support
Sponsor:	Delegate Barve/ Senator Mathias

Title:	SB0138/ HB0003: Environment – U.S. Climate Alliance – Membership
Summary:	Requires the Governor to include the State as a member of the U.S. Climate Alliance on or before July 18, 2018; Mandates that only the General Assembly may withdraw the State from the U.S. Climate Alliance, and requires the Governor to provide an annual report on the activities of the U.S. Climate Alliance to the General Assembly.
Status:	In House Committee – First Reading Environment and Transportation
Position:	Support
Sponsor:	Senator Conway/Delegate Stein

Health and Government Operations Committee

Title:	HB0026/ SB0133 – Community Healthy Air Act
Summary:	Requires the Maryland Department of the Environment to conduct a one-time study that identifies air pollutants emitted by large animal feeding operations and assesses any potential public health risks. While industrial chicken houses emit harmful air pollutants, we don’t know how much this pollution is affecting the health of neighboring communities or nearby waters, including the Chesapeake Bay
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Delegate R. Lewis/Senator Madaleno

Judiciary Committee

Title:	HB1456/ SB1128 – Offshore Drilling Liability Act
Summary:	Establishes that “offshore drilling activity” is an ultrahazardous and abnormally dangerous activity, and that a corporation that causes a spill of oil or gas while engaged in offshore drilling is strictly liable for any injury, death, or loss to person or property that is caused by the spill. This act includes ecological or environmental damages.
Status:	In the House – Already Heard (Judiciary)
Position:	Support
Sponsor:	Delegate Barve/ Senator Mathias

Ways and Means Committee

Title:	HB0954/ SB0481 – Heritage Structure Rehabilitation Tax Credit - Reserve Fund - Mandated Appropriations
Summary:	This bill will increase the appropriation of the Heritage Structure Rehabilitation Tax Credit program from \$9M to a mandated \$15M annually. By incentivizing development in older, existing communities, the \$6M increase in funding is expected to result in significant reduction in vehicle-miles traveled and landfill waste, as well as greenfield open space saved.
Status:	In the House – Already Heard (Appropriations)
Position:	Support
Sponsor:	Delegate A. Washington/ Senator Ferguson

Maryland Senate

Budget and Tax Committee

Title:	SB0185/ HB0160 - Budget Bill (Fiscal Year 2019)
Summary:	We will oppose rollbacks to the legislative legacy of healthy air, clean water, and unpolluted lands. We must remain vigilant in protecting key environmental programs such as Program Open Space or the Chesapeake and Atlantic Coastal Bay Trust Fund or Bay Restoration Fund as well as critical resources needed for enforcement and program implementation at the Departments of Environmental, Agriculture, Transportation, Planning, Natural Resources, and Energy.
Status:	In Committee - First Reading
Position:	Monitor
Sponsor:	President/ Speaker (by request of the Administration)



Title:	SB0277/ HB0372 – Maryland Metro Funding Act
Summary:	This bill would provide long-term, dedicated funding to the DC metropolitan-area Metro transit system to support important upgrades and improvements for Metro rail. The additional annual funding of at least \$125 million would come from the state's Transportation Trust Fund with no tax increase. It would be contingent on Virginia and DC enacting similar legislation.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Senator Feldman/ Delegate Feldman

Title:	SB0481/ HB0954 – Heritage Structure Rehabilitation Tax Credit - Reserve Fund - Mandated Appropriatio
Summary:	This bill will increase the appropriation of the Heritage Structure Rehabilitation Tax Credit program from \$9M to a mandated \$15M annually. By incentivizing development in older, existing communities, the \$6M increase in funding is expected to result in significant reduction in vehicle-miles traveled and landfill waste, as well as open space saved.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Senator Ferguson/ Delegate A. Washington

Title:	SB0763/ HB0505 – Use of Public Funds - Playground and Athletic Field Surfaces - Preferences and Prohibitions
Summary:	This bill would prohibit the use of state funds to construct synthetic athletic bills and playgrounds, and establish a preference for the use of natural surfaces. Synthetic surfaces pose both health and safety risks. These include, but are not limited to, the risks presented by the numerous toxic chemicals these surfaces contain.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Senator Manno/ Delegate A. Miller

Title:	SB0898/ HB993 - Maryland Pension Climate Change Risk Act
Summary:	This bill requires the Board of Trustees for the State Retirement and Pension System to conduct every four years, consistent with its fiduciary duties, a climate risk assessment of the investments in the pension system. This is important given the potential significant impact that climate change is likely to have on various economic sectors.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Senator Guzzone/ Delegate Korman

Title:	HB0372/ SB0277 – Maryland Metro Funding Act
Summary:	This bill would provide long-term, dedicated funding to the DC metropolitan-area Metro transit system to support important upgrades and improvements for Metro rail. The additional annual funding of at least \$125 million would come from the state's Transportation Trust Fund with no tax increase. It would be contingent on Virginia and DC enacting similar legislation.
Status:	In the Senate Committee – First Reading
Position:	Support
Sponsor:	Delegate Korman/ Senator Feldman

Title:	HB993/SB0898 - Maryland Pension Climate Change Risk Act
Summary:	This bill requires the Board of Trustees for the State Retirement and Pension System to conduct every four years, consistent with its fiduciary duties, a climate risk assessment of the investments in the pension system. This is important given the potential significant impact that climate change is likely to have on various economic sectors.
Status:	In Senate Committee – First Reading
Position:	Support
Sponsor:	Delegate Korman/ Senator Guzzone

Education, Health, and Environmental Affairs Committee

Title:	SB0133/ HB0026 – Community Healthy Air Act
Summary:	Requires the Maryland Department of the Environment to conduct a one-time study that identifies air pollutants emitted by large animal feeding operations and assesses any potential public health risks. While industrial chicken houses emit harmful air pollutants, we don't know how much this pollution is affecting the health of neighboring communities or nearby waters, including the Chesapeake Bay
Status:	In Committee: Already Heard
Position:	Support
Sponsor:	Senator Madaleno/Delegate R. Lewis

Title:	SB407/ HB0535 – Complete Streets Program - Establishment
Summary:	This bill would create a "Complete Streets Program" within the Department of Transportation to provide grants to local governments to encourage their adoption of complete streets policies. These policies seek to make walking and bicycling safer and more attractive which, in turn, can benefit the environment by reducing the number of gas and diesel fueled vehicles on our roads.
Status:	In Committee – Hearing 3/14 at 1:00pm
Position:	Support
Sponsor:	Senator Guzzone/ Delegate Lierman

Title:	SB500/ HB116: Pesticides – Workgroup to Study Chlorpyrifos
Summary:	Establishes a workgroup to study Chlorpyrifos with a reporting date of January 1, 2019. Chlorpyrifos is a toxic, nerve agent pesticide proven to cause brain damage in children and known to harm the environment and wildlife. In 2015, after extensive study, the U.S. Environmental Protection Agency recommended that the pesticide be banned for all uses. In 2017, the EPA Administrator overrode these recommendations and reversed the decision to ban the chemical.
Status:	In the Senate – Favorable with Amendments
Position:	Monitor
Sponsor:	Senator Nathan-Pulliam/ Delegate Stein

Title:	SB0651/ HB0538: Environment - Expanded Polystyrene Food Service Products - Prohibition
Summary:	Prohibits food service businesses and institutions from serving food in Styrofoam packaging – cups, plates, to-go clamshells – or from selling these products in retail. Offers a grace-period of enforcement for businesses to use up existing stock, as well as a one-year waiver if not affordable alternative packaging is available. Ensures agency outreach to businesses to assist in compliance.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Senator Kagan/Delegate Lierman



Title:	SB0610/HB766: Natural Resources - Forest Conservation Act - Standards and Requirements
Summary:	The Forest Conservation Act, passed in 1991, has the potential to be one of Maryland’s best tools for protecting our state’s forest land, but as it is currently written, the Act does not reflect the policies and priorities recommended by a task force in 2011. This bill Identifies and protects Maryland’s best forest by providing a clear definition of ecologically important areas that should be considered a priority for protection, and outlines partnerships and planning criteria for forest retention.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Senator Young/Delegate Healey



Title:	SB0850/ HB0744 - Transportation - Complete Streets Policy - Adoption
Summary:	This bill would require implementation of complete streets design features (including sidewalks, crosswalks, protected bicycle lanes, and bus access measures) in constructing state roads and other state transportation projects.
Status:	In Committee – Hearing 3/14 at 1:00pm
Position:	Support
Sponsor:	Senator Mathias/ Delegate Lafferty

Title:	SB926 - Natural Resources - Oyster Planting - Substrate Material
Summary:	prohibits the use of alternative substrate for oyster restoration activities despite scientific consensus that such substrate is successful and beneficial for oyster restoration activities
Status:	In Committee – Unfavorable Report
Position:	Oppose
Sponsor:	Senator Hershey

Title:	SB1006/ HB1350 - Sea Level Rise Inundation and Coastal Flooding - Construction, Adaptation, Mitigation, and Disclosure
Summary:	This bill supports and augments Maryland's climate change adaption efforts on our coasts. It requires development of state criteria and plans that would: a) ensure that the design and siting of state and local structures and highway facilities reflect the potential impacts of sea level rise and coastal flooding; b) allow for such structures and facilities to obtain compliance waivers in appropriate circumstances; c) promote adaption to the intrusion of saltwater into freshwater; and d) assess when to spend state moneys to mitigate sea-level rise and coastal-flooding hazards. The bill also requires that: e) local jurisdictions develop plans to address nuisance flooding; and f) sellers of properties subject to a sea-level rise of two feet inform purchasers of this risk.
Status:	On Senate Floor – Favorable with Amendments
Position:	Support
Sponsor:	Senator Pinsky/ Delegate Stein

Title:	HB0003/SB0138: Environment – U.S. Climate Alliance – Membership
Summary:	Requires the Governor to include the State as a member of the U.S. Climate Alliance on or before July 18, 2018; mandates that only the General Assembly may withdraw the State from the U.S. Climate Alliance, and requires the Governor to provide an annual report on the activities of the U.S. Climate Alliance to the General Assembly.
Status:	In Senate Committee – First Reading
Position:	Support
Sponsor:	Delegate Stein/Senator Conway

Finance Committee

Title:	SB0651/ HB0538: Environment - Expanded Polystyrene Food Service Products - Prohibition
Summary:	Prohibits food service businesses and institutions from serving food in Styrofoam packaging – cups, plates, to-go clamshells – or from selling these products in retail. Offers a grace-period of enforcement for businesses to use up existing stock, as well as a one-year waiver if not affordable alternative packaging is available. Ensures agency outreach to businesses to assist in compliance.
Status:	In Committee – Already Heard (EHEA)
Position:	Support
Sponsor:	Senator Kagan/Delegate Lierman



Title:	SB732/HB1432: <u>Clean Energy Jobs Act of 2018</u>
Summary:	Raises the amount of energy Maryland derives from renewable energy to 50% by the year 2030; dedicates funding to workforce development programs, especially women-owned, minority-owned, and veteran-owned businesses; phases waste incineration out of tier one energy sources and expands incentives for solar and wind-energy projects.
Status:	In Committee – Already Heard
Position:	Support
Sponsor:	Senator Feldman/Delegate Frick



Title:	SB1058/HB1135: <u>Renewable Energy – Offshore Wind Projects – Distance Requirements</u>
Summary:	Requires that offshore wind projects be move to at least 26 nautical miles off the coast of the State. This will undermine the ability to build the wind farms, approved by the public service commission. Off-shore wind projects will bring thousands of jobs to Maryland, and contribute to the State’s renewable energy sources.
Status:	In Committee – Already Heard
Position:	Oppose
Sponsor:	Senator Hershey/Delegate Adams



Judicial Proceedings Committee

Title:	SB1128/ HB1456 – <u>Offshore Drilling Liability Act</u>
Summary:	Establishes that “offshore drilling activity” is an ultrahazardous and abnormally dangerous activity, and that a corporation that causes as spill of oil or gas while engaged in offshore drilling is strictly liable for any injury, death, or loss to person or property that is caused by the spill. This act includes ecological or environmental damages.
Status:	In Committee – Hearing 3/13 at 1:00pm
Position:	Support
Sponsor:	Senator Mathias/ Delegate Barve

Rules Committee

Title:	SB1125/ HB1168 - <u>Agricultural Land Preservation Easements - Surface Mining</u>
Summary:	This bill allows land conserved under an agricultural land easement to be used for surface mining activities
Status:	In Committee – Withdrawn
Position:	Oppose
Sponsor:	Senator Eckardt/ Delegate Adams

Maryland Green Champions Award

Maryland is fortunate to have a legislature full of supporters for strong environmental legislation. Every year, Maryland LCV rewards these elected officials with high marks on our annual legislative scorecard. These marks, however, don't always allow us to tell the full story of our greatest champions: the Delegates and Senators whose annual scores don't truly reflect their leadership on environmental issues.

This is why Maryland LCV created the Maryland Green Champion Award, to showcase and celebrate the legislators whose leadership rises above and beyond their voting record. This high honor will be awarded each year to Delegates and Senators who meet the following standards:

- 100% score in the previous year
- Lifetime scores since 2003 (or current and previous two legislative terms) above 95%
- Primary sponsor for at least one major LCV legislative priority in previous three years.
- Not supporting LCV opposed legislation on Hot List during that awards legislative session.