

MARYLAND

A. IMPROVE ENERGY EFFICIENCY IN BUILDINGS

1. **HB 226/SB 243 State Capital Projects - High Performance Buildings - Green Globe Rating**
(Delegates Beitzel, Bates et al)
Altering the definition of "high performance building" to include a building that achieves at least a two globe rating according to the Green Globes Program as adopted by the Green Building Initiative.
House Action: First Reading Health and Government Operations & Appropriations; Hearing on 2/12/09
Senate Action: Referred to Budget and Taxation; Hearing on 2/11

2. **HB 541/SB 686 High Performance Buildings Act - Applicable to Community College Capital Projects**
(Delegates Bronrott, Morhaim et al)
Making the High Performance Buildings Act applicable to community college capital projects that receive State funds; and making the Act applicable to specified capital projects that have not initiated a Request for Proposal on or before 7/1/09.
House Action: First Reading Appropriations
Senate Action: None

3. **SB 625 Maryland Building Performance Standards**
(Senators Frosh, Conway, et al)
Energy Conservation and Efficiency - Requiring the Dept. of Housing and Community Development to adopt the International Energy Conservation Code as part of the Maryland Building Performance Standards; altering the time at which the Department is required to adopt each subsequent version of the Standards to 9 months after issuance; authorizing the Department to adopt specified modifications of the building code as part of the Standards; etc.
Senate Action: First Reading Education Health and Environmental Affairs
House Action: None

4. **HB 707 Maryland Energy Conservation Building Standards Improvement Act** (Delegates Barve, Bronrott et al)
Requiring the Department of Housing and Community Development to adopt the International Energy Conservation Code as part of the Maryland Building Performance Standards; altering the time by which the Department is required to adopt each subsequent version of the Standards from 12 to 9 months after issuance; authorizing the Department to adopt specified modifications of the building code as part of the Standards; etc.
House Action: Environmental Matters
Senate Action: None

B. REDUCE DEMAND FOR ENERGY

5. **SB 473 Environment - Recycling - Public School Plans**
(Lenett, Garagiola et al) Requiring a county recycling plan to address the collection, processing, marketing, and disposition of recyclable materials from county public schools; requiring a county to submit a revised recycling plan by October 1, 2010.
Senate Action: First Reading Education Health and Environmental Affairs
House Action: None

6. **HB 1072 Electricity - Smart Grid Initiative**
(McHale)
Establishing a pilot program on smart grid deployment under the authority of the Public Service Commission; stating findings of the General Assembly; providing for the purposes of the pilot program; requiring the Commission to conduct proceedings concerning the pilot program; requiring the initial deployment of smart grid technology under the pilot program to begin on or before a specified date; authorizing an electric company to recover specified costs under specified circumstances; etc.
House Action: Referred to Economic Matters; 2/13 First reading.

C. PROMOTE CLEAN ENERGY SOURCES

7. **HB 700 Renewable Energy Portfolio Standard - Renewable Energy Credits - Solar Hot Water Systems**
(Delegates Hecht, Barkley et al)
Providing that a person who owns and operates a specified solar hot water system shall receive a specified renewable energy credit under specified circumstances; authorizing a specified renewable energy credit to be transferred and applied to a specified renewable portfolio standard under specified circumstances; authorizing an electricity supplier to use specified renewable energy credits to meet a specified renewable energy portfolio standard under specified circumstances; etc.
House Action: Economic Matters
Senate Action: None

8. **HB 699 Wind Energy - Tax Incentives**
(Delegates Hecht, Aumann et al) Exempting from the sales and use tax the sale of specified wind energy equipment; exempting from the State and local property tax specified wind energy property; requiring that specified wind energy property be assessed at no more than a specified value; defining terms; etc.
House Action: Ways and Means
Senate Action: None

9. **SB 188 Maryland Strategic Energy Investment Fund - Allocation of Funds - Low-Income Renewable Energy Programs**
(Senators Pugh, Exum)
Authorizing the use of specified moneys in the Maryland Strategic Energy Investment Fund for low-income renewable energy programs.
Senate Action: Finance; Hearing on 2/24/09
House Action: None

10. **SB 678 Task Force to Study Alternative Energy Generation in Maryland**
(Gladden)
Establishing a Task Force to Study Alternative Energy Generation in Maryland; establishing the membership and staffing of the Task Force; providing for the election of a chair of the Task Force; prohibiting a member of the Task Force from receiving compensation, but authorizing specified reimbursement for specified expenses; requiring the Task Force to study and make recommendations regarding specified issues; providing for the termination of the Act; etc.
Senate Action: First Reading Finance
House Action: None

11. **HB 1060 Residential Solar Energy Act of 2009**
(Hecht et al)
Requiring an electricity supplier, for specified calendar years, to meet a specified renewable energy portfolio standard for solar energy by accumulating a specified percentage of solar renewable energy credits each year from small solar generators; authorizing the Public Service Commission to waive a specified requirement if an electricity supplier is unable to meet the requirement under specified circumstances; etc.
House Action: Referred to Economic Matters; Hearing 2/25.

12. **SB 867 The Renewable First Act**
(Lenett and Rosapepe)
Declaring specified findings and policies of the General Assembly; stating specified energy policy goals for the State; declaring that it is the policy of the State that specified policy goals should be prioritized in a specified manner; requiring a specified person to submit a specified statement when applying for a certificate of public convenience and necessity; requiring a specified person to submit a specified statement when applying for permission to construct a specified generating station under specified circumstances; etc.
House Action: First Reading Finance

D. REDUCE GHG EMISSIONS

13. **HB 315/SB 278 Greenhouse Gas Reduction Act of 2009**
(Barve)/(Pinsky) Requires the State to reduce statewide greenhouse gas emissions by 25% from 2006 levels by 2020; requiring the State to develop and adopt a specified plan, adopt specified regulations, and implement specified programs to reduce greenhouse gas emissions; altering specified requirements; providing for the termination of a specified provision of the Act.
House Action: Referred to Environmental Matters & Economic Matters
Senate Action: None

14. **SB 549 Sustainable Forestry Act of 2009**
(Dyson)
Declaring policy statements and findings relating to forests; revising provisions of law relating to the protection of forestry practices from specified private actions; establishing a Sustainable Forestry Council; altering the uses of specified funds; requiring the Secretary of Natural Resources to consider specified priorities when allocating the State's share of Program Open Space funds; authorizing the transfer of specified responsibilities from the Department of the Environment to the Department; etc.
Senate Action: Education Health and Environmental Affairs
House Action: None

15. **Climate Action Plan - Regional Greenhouse Gas Initiative (RGGI)**
December 17, 2008: RGGI member states conduct second allowance auction;
September 25, 2008: RGGI member states conduct initial allowance auction;
March 18, 2009: CO2 Allowance Auction 3

16. **HB 891 Motor Vehicle Excise Tax**
(Ross et al)
Tax Credit for Electric Vehicles Allowing a tax credit against the motor vehicle excise tax for qualified electric vehicles; repealing an obsolete tax credit against the motor vehicle excise tax for qualified hybrid vehicles and electric vehicles; and providing for a delayed effective date.
House Action: Referred to Ways and Means

17. **HB 910 Maryland Strategic Energy Investment Fund - Energy Efficiency and Conservation Programs - Seniors**
(McComas et al)
Requiring the Maryland Energy Administration to consider the needs of low-income and moderate-income seniors when using money from the Maryland Strategic Energy Investment Fund to develop and implement specified energy efficiency and conservation programs.
House Action: Referred to Economic Matters; Hearing 2/25.

18. HB 1210 Plastic Bags

(Carr)

Requires a store to charge and collect a specified fee for each carryout bag it provides to a customer.

House Action: First reading Environmental Matters

19. HB 176 On-Site Sewage Disposal System

(Laferty et al)

Bay Restoration Action of 2009 prohibits the installation of an on-site sewage disposal system unless the system utilizes nitrogen removal technology; requires the Department of the Environment to assist homeowners in paying for specified costs; and establishes a penalty for a specified violation.

House Action: Hearing 2/4.

E. RELATED LEGISLATION

20. HB 268 Welfare to Work - Job Skills Enhancement Program - Green

Jobs

(Delegates Rosenberg, Oaks, Haynes, and James)

Requiring that the Secretary of Budget and Management develop and implement a plan for hiring current and former Family Investment Program recipients; requiring that the job skills enhancement program include job training for employment in energy efficiency and renewable energy industries; authorizing the Secretary of Human Resources to access specified federal stimulus dollars for job training; requiring that procurement subcontracts are appropriate for the execution of hiring agreements; etc.

House Action: Appropriations & Economic Matters; Hearing on 2/17/09

Senate Action: None

21. SB 403 Prince George's County - Green Businesses - Tax Credits

(Harrington, Muse, and Peters)

Authorizing the governing body of Prince George's County to grant, by law, a tax credit against the county property tax imposed on specified property owned or leased by a green business; authorizing the governing body of Prince George's County to provide, by law, for eligibility criteria, certification criteria, rules and procedures, the amount and duration of the credit, and other provisions necessary; etc.

House Action: First Reading Budget and Taxation

Senate Action: None

22. HB 294/SB 273 Smart, Green and Growing-Local Government Planning - Planning Visions

(The Speaker)

Revising the State Economic Growth, Resource Protection, and Planning Policy and visions; requiring local jurisdictions to submit a specified report

every 2 years on or before July 1 to the Department of Planning; requiring the Department to publish a specified report every 2 years on or before January 1; authorizing specified local jurisdictions to establish a program for the transfer of development rights within a priority funding area for specified purposes; etc.

House Action: Hearing on 2/18

Senate Action: None

23. HB 295/SB 276 Smart, Green and Growing-Annual Report-Smart Growth Measures and Indicators and Implementation of Planning Visions

(The Speaker)/(The President)

Requires specified local planning commissions to include information about smart growth measures and indicators in a specified report

House Action: Hearing on 2/18

Senate Action: None

24. HB 297/SB 280 Smart, Green, and Growing: Smart and Sustainable Growth Act of 2009

(The Speaker)/(The President)

Defining a specified term applicable to the exercise by a local jurisdiction of land use, water and sewer plan review, growth allocation, and annexation powers to require consistency with a local comprehensive plan under specified circumstances; altering the applicability of specified land use provisions to specified local jurisdictions; etc.

House Action: Hearing on 2/18

Senate Action: None

25. HB 814/SB 856 Green Workforce

(Feldman et al)

Establishes a Green Jobs Workforce Training Program

House Action: First reading Economic Matters

Senate Action: First reading Finance

26. HB 1190 WMATA Compact Amendment

(Gutierrez)

Amends the Washington Metropolitan Area Transit Authority Compact in order to comply with federal requirements.

House Action: First reading Environmental Matters

VIRGINIA

A. *IMPROVE ENERGY EFFICIENCY IN BUILDINGS*

1. **SB 1345 Energy Efficiency in State Government**

(Wagner)

Establishes a goal of reducing the annual cost of nonrenewable energy purchases by each executive branch agency and institution by at least 20 percent of fiscal year 2008 expenditures by fiscal year 2012. Such agencies and institutions are required to implement energy efficiency measures that have a payback period of five years or less, as general fund appropriations become available to the state agency. The measure also requires executive branch agencies and institutions to ensure that the design and construction of state-owned buildings, and the renovation of such buildings valued at more than 50 percent of the assessed building value, comply with the energy performance standards at least as stringent as the USGBC LEED rating system, including the use of Virginia forest products with alternate certifications.

Senate Action: Referred to Committee on General Laws and Technology

2. **SJ 332 Constitutional Amendment**

(Petersen)

Authorizes the General Assembly to directly exempt from property taxes, or to enact legislation that would permit localities to exempt from property taxes, any building constructed of materials or in a manner designed to abate or prevent pollution and to use energy and natural resources efficiently.

Senate Action: Agreed to by Senate (37-Y 2-N 1-A)

3. **HB 2387/SB 1252 Green Public Buildings Act**

(Ebbin)/(Petersen)

Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50% of the value of the building, to build to either the Green Globes Green Building Initiative green building rating standard or the United States Green Building Council Leadership in Energy and Environment Design green building rating standard (LEED).

House Action: Referred to Committee on General Laws

Senate Action: Referred to Committee on General Laws and Technology

4. **HB 1975 Green Roofs**

(Ware)

Authorizes counties, cities, and towns to grant incentives or provide regulatory flexibility to encourage the use of green roofs in the construction, repair, or remodeling of residential and commercial buildings. The incentives or regulatory flexibility could include (i) a reduction in permit fees when

green roofs are used, (ii) a streamlined process for the approval of building permits when green roofs are used, or (iii) a reduction in any gross receipts tax on green roof contractors as defined by the local ordinance.

House Action: Referred to Committee on Finance

5. **HB 1828 Green Roof Construction**
(Fralin)

Allows localities and water authorities to offer rate incentives for green roof construction.

House Action: Engrossed by House - committee substitute HB1828H1

B. REDUCE DEMAND FOR ENERGY

6. **HB 2009 Incandescent Light Bulbs**
(Ebbin)

Bans sale or distribution of incandescent light bulbs in the Commonwealth; effective 7/1/2010, of any general purpose incandescent light bulb. The Board of Agriculture and Consumer Services is authorized to adopt regulations to exempt types of light bulbs from the ban if it finds that the ban creates a significant hardship on the user.

House Action: Subcommittee recommends laying on the table by voice vote

7. **HB 1705 Community Net Metering**
(Poisson)

Requires that the SCC establish a community net metering program which will allow consumers to collectively act to generate renewable energy. Eligible community customers develop a net metered system that provides that excess generation by some members of the group will be used to offset consumption by other members within the group. The generating capacity of an eligible community customer's facility shall not exceed two megawatts at a single site.

House Action: Energy Subcommittee recommends incorporating into HB2155 by voice vote

8. **SB 1296 Energy Efficiency & Demand Response Goal**
(Reynolds)

Establishes a goal that every investor-owned utility in the Commonwealth reduce the consumption by their retail customers in the Commonwealth, through implementation of energy efficiency programs, in 2025 by 19% compared to the consumption level currently projected for such year. The measure also establishes a goal that such utilities reduce their maximum peak demand in 2025 through their implementation of load-shifting and similar demand response programs to a level that is 26% less than the currently projected maximum peak demand for such year. The measure allows utilities to recover costs of designing and operating demand response and energy

efficiency programs through a rate adjustment clause, and requires utilities to develop tariffs offering real-time variable rates.

Senate Action: Assigned Commerce and Labor; Sub: Utilities

9. **HB 2155 Electric Utility Service; Net energy Metering**
(Toscano)

Requires an electric utility that purchases excess electricity generated by an eligible customer-generator under the net energy metering program pay for such electric power at a rate that is at least equal to the retail tariff rate that the customer-generator is charged for the electricity it buys from the utility. The maximum generation capacity for a nonresidential customer-generator is increased from 500 kw to 2 MW.

House Action: Energy Subcommittee recommends reporting with amendment(s)

10. **HB 2000 Electric Utility Rate Structures, Advancing Conservation and Efficiency**
(Vanderhye)

Directs the State Corporation Commission to encourage investor-owned electric utilities to file tariffs with rate structures that reflect time of day and seasonal cost differentials.

House Action: Subcommittee recommends incorporating into HB2531 by voice vote

11. **HB 2531 Energy Conservation and Efficiency**
(Kilgore)

Directs the SCC to conduct a proceeding to determine achievable, cost-effective energy conservation and demand response targets that can be accomplished through demand-side management portfolios administered by generating electric utilities. The SCC is required to report to the Governor and the General Assembly by 11/15/09.

House Action: Energy Subcommittee recommends reporting with amendment(s)

12. **HB 2506 Energy Efficiency Programs**
(Pollard)

Authorizes investor-owned electric utilities to recover, through a rate adjustment clause, the costs of designing and operating energy efficiency programs that have the effect of decreasing the total amount of energy used over time and of delaying the need for construction of new generation facilities.

House Action: Subcommittee recommends reporting with amendment(s)

13. **SB 1447 Energy Efficiency Commission**

(McEachin)

Requires investor-owned electric utilities and electric cooperatives to implement energy efficiency programs. Utilities are eligible to recover costs of approved programs that achieve quantifiable, observable savings where the scope of the program is sufficient to reduce demand from retail customers by amounts needed to attain a targeted 19% consumption reduction goal by 2025; the Commission is established as an advisory Commission in the executive branch.

Senate Action: Assigned to Commerce & Labor; Sub: Utilities

14. **HB 2176 Energy Efficiency and Conservation Fund**

(Plum)

Establishes an energy efficiency standard under which investor-owned electric utilities are required to reduce the consumption by their retail customers in the Commonwealth, through implementation of energy efficiency and conservation programs, in 2025 by 19% compared to the consumption level currently projected for such year. Between 2010 and 2025, utilities are required to meet interim benchmarks established by the SCC.

House Action: Energy Subcommittee recommends reporting with amendment(s)

15. **HB 2177 Rechargeable Battery Recycling**

(Plum)

Authorizes localities to ban the disposal of certain rechargeable batteries in any waste-to-energy or solid waste disposal facility within its jurisdiction, provided the locality has implemented a recycling program that is capable of handling all rechargeable batteries generated within its jurisdiction.

House Action: Referred to Committee on Agriculture, Conservation and Natural Resources

16. **HB 1707 Energy Performance-based Contracts**

(Oder)

Requires the DMME to assist localities, upon request, in executing an energy performance-based contract; also requires DMME to compile information annually concerning the progress of energy efficiency and energy conservation achieved.

House Action: Reported from General Laws with amendments and read for first time 2/4/09

17. **HB 2012 Appliances; Bans Sale or Distribution in State of Any Clothes Washer, Dehumidifer, etc.**

(Ebbin)

Bans sale or distribution in the Commonwealth of residential style appliances (washer and dryer, dishwasher) that is not energy star certified.

House Action: Subcommittee recommends laying on the table by voice vote

18. **HB 2572 Income Tax, State; Energy-efficient Equipment Tax Credit (Caputo)**
Provides an income tax deduction for taxable years beginning on or after 1/1/10, to individuals who purchase energy-efficient equipment, on or after 1/1/2009, used for heating, cooling, and providing electricity to their residences. The amount of the deduction equals 50% of equipment expenditures, but not more than \$7,500 total.
House Action: Referred to Committee on Finance
19. **HB 2573 Income Tax, State; Energy-efficient Equipment Tax Credit (Caputo)**
Grants an income tax credit for taxable years beginning on or after 1/1/2010, to taxpayers (individuals and corporations) who purchase energy-efficient equipment for heating, cooling, and electricity generation for their commercial property used in a business. The amount of the credit equals 25% of equipment expenditures, but may not be more than \$7,500 total.
House Action: Referred to Committee on Finance

C. PROMOTE CLEAN ENERGY SOURCES

20. **HB 2562/SB 1216 Retail Sales and Use Tax (Bouchard)/(Deeds)**
Exempts from the retail sales and use tax solar photovoltaic systems, solar thermal systems, and wind-powered electrical generators purchased for installation in or on residential real property.
House Action: Subcommittee 2 recommends laying on the table by voice vote
Senate Action: Read third time and passed Senate (39-Y 0-N)
21. **HB 1994 Renewable Portfolio Standards Program (Bulova)**
Establishes a goal for investor owned incumbent utilities to have renewable energy sources constitute 15% of their total electricity sales by 2025; Currently, a utility may participate in the voluntary renewable energy portfolio standard program if it demonstrates that it has a reasonable expectation of achieving 12% of its base year electric energy sales from certain renewable energy sources during calendar year 2022.
House Action: Energy Subcommittee recommends reporting with amendment(s)
22. **HB 2105/SB 1339 Electric utility regulation (McClellan)/(Herring)**
Directs the SCC to take into account, when considering requests for a certificate, permit, or approval for a generation facility, whether the facility is consistent with the utility's integrated resource plan.

House Action: Subcommittee passed by for the day (2/4/2009)

Senate Action: Assigned to Commerce and Labor; Sub: Utilities

23. **HB 2094/SB 1141 Income Tax, State; Provides Tax Credit for Certain Individuals & Corporations For Renewable Energy (Pollard)/(Lucas)**

Provides a tax credit for individuals and corporations for renewable energy property placed in service for taxable years beginning on and after 1/1/2009. Credits are approved on a first-come, first-served basis and cannot exceed \$1,000,000 for individuals and \$1,000,000 for corporations in any year. Renewable energy property means photovoltaic property, solar water heating property, and wind-powered electrical generator property.

House Action: Referred to Committee on Finance

Senate Action: Recommitted to Finance

24. **HB 2235/SB 1215 Clean Energy Manufacturing Incentive Grant Program and Fund (Valentine)/ (Deeds)**

Creates a program to provide financial incentives to companies that manufacture or assemble equipment used to produce renewable energy, nuclear energy or energy efficient products

House Action: Assigned to Appropriations; Sub: Economic Development, Agriculture and Natural Resources(Cox)

Senate Action: Referred to Finance

25. **HB 2562/SB 1216 Retail Sales and Use Tax (Bouchard)/(Deeds)**

Exempts from the retail sales and use tax solar photovoltaic systems, solar thermal systems, and wind-powered electrical generators purchased for installation in or on residential real property.

House Action: Subcommittee 2 recommends laying on the table by voice vote

Senate Action: Read third time and passed Senate (39-Y 0-N)

26. **HB 2374 Income Tax, State; Renewable Energy Job Tax Credit (Englin)**

Provides an income tax credit to corporations for each “Renewable Energy Job” created and filled; amount of the credit for each job is (i) 2% of each salary less than \$50,000 a yr. and (ii) \$1,000 for each salary of \$50,000 and more a yr; credit available for taxable years beginning on or after 1/1/2009, but before 1/1/2014.

House Action: Referred to Committee on Finance

27. **SB 1212 Clean Energy Financing Program**

(Deeds)

Grants localities the authority to create a clean energy financing program.

Senate Action: Referred to Commerce & Labor

D. REDUCE GHG EMISSIONS

28. **HB 2202 Greenhouse Gas Emissions**

(Vanderhye)

Requires that the State Air Pollution Control Board adopt regulations requiring the reporting of greenhouse gas emissions from stationary sources that consume carbon-emitting feedstocks. Beginning in 2010, the VA DOT is required to provide DEQ with data necessary to maintain a greenhouse gas emissions inventory for roads throughout the Commonwealth. The Board is also authorized to establish a voluntary program allowing persons to register voluntary reductions in direct or indirect emissions of greenhouse gases.

House Action: Tabled in Agriculture, Chesapeake and Natural Resources by voice vote

29. **HB 2084 Real and Personal Property Taxes**

(Purkey)

Exempts certain pollution control equipment and facilities from local property taxes.

House Action: Reported from Finance (22-Y 0-N); read second time, engrossed

30. **HB 1814 Plastic Bags**

(Morrissey)

Bans the use of plastic carryout bags by retailers at the point of sale unless such bags are (i) durable plastic bags with handles; (ii) at least 2.25 mils thick; and (iii) specifically designed and manufactured for multiple

House Action: Referred to Committee on Agriculture, Chesapeake and Natural Resources

31. **SB 1127 State Energy Efficiency Program**

(Peterson)

Requires the Division of Purchase and Supply of the Department of General Services to ensure that, by 2020 and thereafter, 20% of the electricity purchased by or for the departments, agencies, or institutions of the Commonwealth is sustainable energy.

Senate Action: Referred to Committee on General Laws and Technology