



# 2012 ENVIRONMENTAL LEGISLATIVE WRAP-UP

April 11, 2012

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Dear Conservation Voter,

The 2012 General Assembly Session started with the potential to be one of the best sessions for the environment in history, with several strong conservation bills introduced by Governor O'Malley and legislative leaders. With your support, Maryland LCV and our colleagues worked tirelessly, everyday of the 90-day session urging action through our advocacy and with constant reminders from YOU on why you elected them with your visits, calls, and emails. As you'll read inside, session ended at midnight on Monday, April 9th with both celebration and disappointment.

A significant package of legislation to improve water quality, create jobs, protect public health, reduce flooding, and improve our communities passed. While none of the bills passed were as strong as initially introduced, we're proud of the tremendous campaign the environmental community ran and of the leadership our elected officials took to ensure all of our waters will be fishable and swimmable once again.

The General Assembly Session also started strong with an offshore wind bill backed by Governor Martin O'Malley—Maryland Offshore Wind Energy Act of 2012 (SB 237/ HB 441). The bill passed the House of Delegates with a vote of 88–47 and received a strong majority support in numerous statewide polls. We know you share our heartbreak that even with enormous advocacy and grassroots pressure, the bill died when a final vote could not be found to break a 5-5 tie in the Senate Finance Committee.

Unfortunately another casualty was the Community Clean Up and Greening Act (HB1247/SB511), commonly known as the "Bag Fee bill." The Bag Fee died in committee weeks before the end of the legislative session.

We look forward to celebrating our victories with you and fighting once again as we look ahead to next session as well as to the 2014 legislative elections, when citizens can ensure that legislators are rewarded or held accountable for their actions.

Karla Raettig  
 Executive Director

## 2012 GENERAL ASSEMBLY WINNERS & LOSERS

Green Infrastructure Budget	Stormwater
Offshore Wind Energy	Septics
Bag Bill	Bay Restoration Fund
Marcellus Shale	Other Important Bills

At midnight on April 9, the 2012 session of the Maryland General Assembly adjourned. With your help, the Maryland League of Conservation Voters worked to keep the environment front and center for lawmakers. Here are some highlights and lowlights of the 2012 legislative session:

## Bag Bill

SB 511 Sen. Frosh/HB 1247, Del. Washington

This bill would have established a five-cent fee for plastic and paper carryout bags with the proceeds split among the retailers, the Chesapeake Bay Trust, and the counties. Most proceeds would go to the counties for environmental cleanup, restoration of impaired waterways, and public education. Funds would also be used to distribute free reusable bags to Marylanders, particularly elderly and low income residents. Additionally, all plastic and paper carryout bags would have to be recyclable. This bill died in a house committee.



## BRF

SB 240 (President Miller (By Request of Governor O'Malley)

Maryland's Bay Restoration Fund, created to upgrade the state's major sewage treatment plants, as well as to upgrade septic systems and plant cover crops, will not bring in enough money in future years to finish the job. This bill doubles the fee from \$2.50 to \$5.00 a month. This bill passed with overwhelming support.



## Budget

SB 150& SB 152/HB 85 HB87

The economy once again dominate the legislative session in Annapolis and in the end legislators failed to pass a balance budget. We will watchdog the legislature as they prepare for a special session, but at the time of this writing our understanding of what the final budget will be is:



Chesapeake Bay Trust Fund - \$25 million

Energy Efficiency – full funding

Program Open Space: \$70 million (full funding)

Agency Enforcement - protected

## Offshore Wind Energy

HB 1054 Speaker Busch (Request of Gov. O'Malley)

This bill, would have established a market-friendly process to incentivize offshore wind development, while including strong provisions to protect consumers, to promote in-state jobs, and to ensure positive net benefits to the state. support. This bill passed the House with overwhelming support , but died when a a vote to break a 5-5 tie could not be found in the Senate Finance Committee.



## Septics

HB 445 Speaker Busch (Request of Gov. O'Malley)

SB 236 President Miller (Request of Gov. O'Malley)

This legislation aims to limit the proliferation of major developments served by on-site sewage disposal (or septic) systems. The bill creates four tiers for inclusion in local comprehensive plans to guide growth on central sewer and septic systems. Instead of banning septic systems – with optional new tiers to aid local, comprehensive planning – it assists local communities in moving septic growth away from areas where it will contribute to sprawl and pollution. While we support the bill that passed, it was weakened significantly and now excludes state approval or tiers.



Maryland's "pollution diet" requires us to reduce stormwater runoff, which remains the primary source of pollution, growing in many Maryland counties, for which we have no dedicated revenue source to fund upgrades or pollution reductions. This legislation requires the largest local jurisdictions create dedicated stormwater utility fees to raise the necessary funds to meet local stormwater needs. In an exciting rush, the bill passed it's final step with just seven minutes to spare!



## Other Environmentally Important Bills



**Marcellus Shale:** SB 636 (Sen. Frosh) /HB 1123 (Del. Mizeur) passed and establishes guidelines for impact areas around drilling sites where the driller is responsible for damage. SB 798 (Sen. Frosh) / HB 1204 (Del. Mizeur) This bill would have established a fee on leased acres to pay for study; but failed to received a vote in the Senate Committee.



**Arsenic in Chicken Feed:** SB 207 (Sen. Pinsky) / HB 167 (Del. Hucker) This bill prohibits the use, sale, or distribution of poultry feed that contains roxarsone or any other feed additive that contains arsenic.



**Bottle Recycling:** SB 875 (Sen. Ferguson) / HB1115 (Del. Olszewski) would have required the Maryland Department of the Environment to recommend a bottle deposit program to the Governor and the Maryland General Assembly. This bill failed to receive a vote in either committee.



**Nutrient Management:** SB 594 (Sen. Frosh, Sen. Pinsky) would have delineated a set of specific land application restrictions on manure, poultry litter, and sewage sludge to improve water quality. The bill never received a vote in committee.



**Energy Consumer Protections:** SB 968 (Sen. Carter Conway)/ HB 1331 (Del. Carr) Requires vendors of single-family homes to provide prospective buyers with information about utility consumption at the time of listing and authorizes vendors to make home energy rating score available. While the bill passed the Senate, it sadly was the next bill up on the screen in the House as the clock ran out at midnight.



**Pesticides:** SB 888 (Sen. Montgomery) would have helped prevent intentional misuse of pesticides, in order to protect public health and our waterways and to increase our homeland security. The bill was withdrawn by the sponsor and advocates with the hope of passage next year.



**Solar Energy:** SB 791 (Sen. Garagiola) changes the Renewable Energy Portfolio Standard (RPS) to a more gradual inclusion of residential solar energy generation than the current RPS. The bill passed.



**Environmental Law Clinic:** SB 945 (Sen. Colburn) / HB 1349 (Del. McDermott), was opposed by the environmental community and died without votes in committee. This would have required the University of Maryland Baltimore to pay an amount not to exceed \$500,000 to reimburse the Hudson Farm for legal expenses incurred as a defendant in a lawsuit in which the University of Maryland School of Law Environmental Law Clinic is representing the plaintiff.

# What can you do to help?

## Visit our website at [www.mdlcv.org](http://www.mdlcv.org) to:



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**Sign up for email news updates and information on how you can speak up to protect Maryland's air, land and water.**



**Make a gift to the Maryland League of Conservation Voters and help us "Keep Score for the Environment"!**



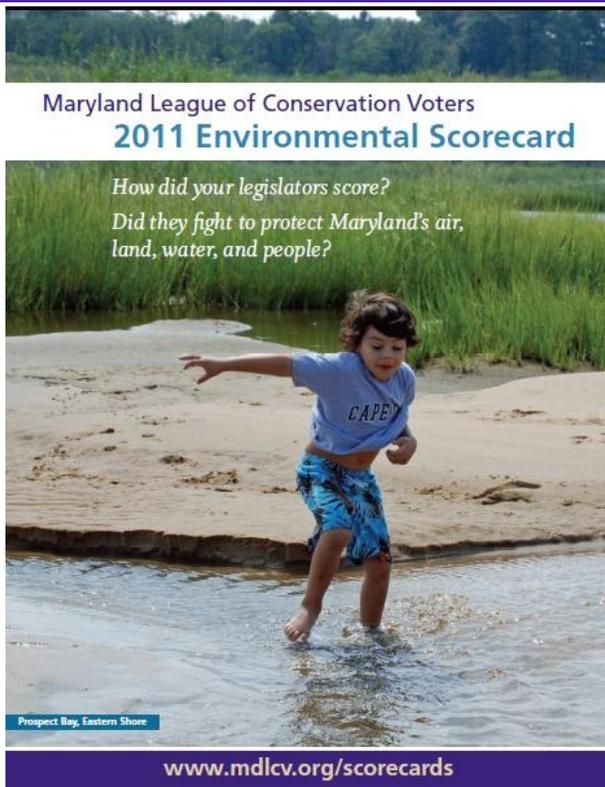
**Learn about upcoming events in your area.**



**Volunteer with the Maryland League of Conservation Voters and make a greater difference.**

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.

## Watch for the release of the Maryland LCV Environmental Scorecard in June !



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