

## COG staff summary of status of 2011 Virginia and Maryland General Assembly legislation addressing Chesapeake Bay restoration issues

as of Jan. 20, 2011

**Virginia** General Assembly convened Jan. 12.

Key dates include:

Jan. 21 - Last Day to Introduce Legislation

Feb. 8 - Crossover

Feb. 26 - Adjournment

**HB 2047 (Ebbin) Paper and plastic bag fee.** Would impose a fee of \$0.05 on most paper and plastic bags. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2047>  
(See also **HB 2341 (Morrissey)** and **HB 1498 Ware**.)

**HB 2071 (Ingram) Stormwater utility fees; exemptions.** Provides for an exemption from stormwater utility fees for certain religious and nonprofit uses. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2071>

**SB 1100 (Hanger) Water Quality Improvement Fund; nutrient offsets.** Would create the Nutrient Offset Fund as part of the Nutrient Credit Exchange Program and require the state to use the fund to purchase nutrient offsets with a priority given to offsets produced by facilities that generate electricity from animal waste. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1100>

**SJ334 (Whipple) Study; expansion of the Chesapeake Bay Watershed Nutrient Credit Exchange Program; report.** Provides for a study of the expansion of the state's Nutrient Credit Exchange Program by the Secretary of Natural Resources. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SJ334>

Various bills, including **HB 1751, HB 1831, HB 2348, SB 922 and SB 1055**, addressing turfgrass fertilizer restrictions. The bills variously propose to ban or restrict the phosphorus content of lawn fertilizer, ban winter application of such fertilizer, ban its application to impervious surfaces, among other things.

**HB 1500 / SB 800 Budget Bill 2010-2012. Items 351 L and 357, under Secretary of Natural Resources.**

Under the Governor's proposed amendments to the 2010-2012 budget, approximately \$37 million would be appropriated to the state's Water Quality Improvement Fund, of which approximately \$33 million would be earmarked for use in addressing nonpoint source pollution.

Budget Amendment requests

- Sen. Whipple has proposed appropriating \$100 million from the state's General Fund to the WQIF to be used solely for enhanced nutrient removal at wastewater plants.

*Staff note: The WQIF is currently \$100 million short of being able to pay all of the state's cost-share obligations for ENR implementation at WWTPs.*

- Del. Pollard has proposed that local governments not be able to use taxpayer or ratepayer-derived funds to bring or support litigation against the Commonwealth if such litigation seeks to overturn the federal Chesapeake Bay Total Daily Maximum Load developed by the U.S. Environmental Protection Agency, Virginia's applicable Chesapeake Bay Watershed Implementation Plan, or any local implementation plan related thereto.

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The 2011 **Maryland** General Assembly convened Jan. 12.

Key dates include:

March 7 -- deadline for bill introduction without special measures.

April 11 – adjournment.

*Staff note: As many bills have not yet been introduced, it was not yet possible to document bills of potential interest to the committee.*