

# State Legislation Review

January 2012

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Note: Bills Listed contain hyperlinks to further information

## Contents

State Legislation Review.....	1
VIRGINIA.....	3
Recycling.....	3
HB 124 (Morrissey) Plastic bags; imposes a tax of 20 cents on those used by purchasers. ....	3
Energy.....	3
HB 27 (Marshall) Residential energy efficiency standards; exempt certain homes from federal cap and trade legislation.....	3
HB 66 (Marshall) Incandescent light bulbs; creates procedure by which manufacturer may obtain a license from SCC.....	4
HB 69 Renewable energy portfolio standard; required participation of electric utility in program, etc. ....	4
HB 70 Energy conservation; establishes statewide goal of reducing consumption of electric energy. ....	5
HB 103 (Loupassi) Consumer utility tax, local; exemption of certain electric utilities. ....	5
HB 105 (Loupassi) Machinery and equipment recyclable materials; tax credit for those used by certain manufacturers.....	5
HB 129 (Kilgore) Electric utilities; purchases from net metering sellers.....	6
HB 312 (Ware) Utility energy efficiency programs. ....	6
HB 446 (Toscano) Termination of certain coal tax credits.....	6
HB 645 (Cosgrove) Renewable energy; expands definition to include landfill gas.....	7
HB 657 (Rust) Renewable energy portfolio standard program.....	7
HB 660 (Surovell) Solar photovoltaic power production projects; VDOT to lease space within highway rights-of-way. ....	7
HB 672 (Surovell) Community Solar Gardens; Created.....	8
HB 787 (Lopez) Retail Sales and Use Tax; exemption on renewable energy equipment. ....	8
HB 789 (Lopez) Electrical utility facilities; consideration of stability of fuel prices. ....	8
Title.....	9
HB 789 - Lopez - Electrical utility facilities; consideration of stability of fuel prices.....	9
HB 883 - Sickles - Income tax, state; credit for solar energy equipment systems. ....	9
HB 894 - Ware, R.L. - Electric and natural gas utilities; energy efficiency programs. ....	9
HB 911 - Minchew - Renewable energy; requires SCC to establish a program of community net metering. ....	10
HB 1017 - Poindexter - Renewable energy portfolio standard program; eliminates Performance Incentive provision.....	10
HB 1028 - Englin - Electrical utility facilities; State Corporation Commission to consider public health impacts. ....	11
HB 1102 - Miller - Renewable energy portfolio standard program; credits for investments. ....	11
HB 1166 - McClellan - Renewable portfolio standard program; reporting to State Corporation Commission. ....	12
HB 1170 - Kory - Income tax, state and corporate; credit for service renewable energy property. ....	12
The bill also grants an income tax credit for taxable years beginning on or after Jan 1, 2012, to corporations for placing into service renewable energy property. ....	12
HB 1177 - Watson - Virginia Energy Plan; adds to list of State's energy objectives. ....	12
HJ 114 - Surovell - Study; state renewable energy utility; report. ....	13

SB 381 - McEachin - Electric utilities; integrated resource plans.....	13
SB 382 - McEachin - Renewable portfolio standard program; reporting to State Corporation Commission. .....	13
SB 539 - Puller - Forward energy pricing; authorizes any public body to use mechanisms for budget risk reduction.....	14
SB 582 - Edwards - Net energy metering; SCC shall approve utility's proposed standby charge methodology.....	14
DISTRICT OF COLUMBIA .....	15
B19-643 Pesticide Education and Control Amendment Act of 2012 .....	15
B19-0608 Sustainable Bottle Amendment Act of 2011 .....	15
MARYLAND .....	15
Prince George's County Delegation .....	15
PG 402-12 Prince George's County – Authority to Impose Fees for Use of Disposable Bags.....	15
Electric Vehicles.....	16
HB 108 Vehicle Laws—Stopping, Standing and Parking – Plug-In Vehicles .....	16
Energy.....	16
HB24 (McMillan) Maryland-Mined Coal Tax Credit-Repeal .....	16
SB40 (Astle) Sales and Use Tax - Machinery and Equipment—Energy Star Windows and Doors .....	16
HB 158 (Beidle & Vitale) Property Tax- High Performance Building Tax Credit – National Green Building Standards .....	16
SB 222 High Performance Buildings Act – Applicability to Recipients of State Aid .....	17
SB 237 (Administration) Maryland Offshore Wind Energy Act of 2012 .....	17
Recycling.....	17
HB1 (Lafferty) Environment-Recycling-Apartment Buildings and Condominiums .....	17
SB 0164 (Conway) Maryland Plastic Bag Recycling Act.....	17
HB 169 (Lafferty) Environment- At-Store Recycling- Plastic Carryout Bags.....	18

## VIRGINIA

### Recycling

[HB 124 \(Morrissey\) Plastic bags; imposes a tax of 20 cents on those used by purchasers.](#)

Summary as introduced
<p><b>Plastic bag tax.</b> Imposes a tax of 20 cents (\$0.20) on plastic bags used by purchasers to carry tangible personal property purchased in grocery stores, convenience stores, or drug stores. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning, and prescription drugs are exempt from the tax. Retailers are allowed to retain five cents (\$0.05) of the 20-cent (\$0.20) tax or seven cents (\$0.07) if the retailer has a customer bag credit program. Failure to collect and remit the tax will result in fines of \$250, \$500, and \$1,000 for the first, second, and third and subsequent offenses, respectively.</p>
Timeline
<p>1/04/12 Pre-filed and referred to Committee on Finance            1/12/12 Assigned to Subcommittee #3            1/20/11 Subcommittee recommends laying on the table by voice vote</p>

### Energy

[HB 27 \(Marshall\) Residential energy efficiency standards; exempt certain homes from federal cap and trade legislation](#)

Summary as passed in House
<p><b>Residential energy efficiency standards.</b> Exempts any residential building or manufactured home in Virginia from being subject to federal legislation relating to residential energy efficiency standards if such buildings comply with the Statewide Uniform Building Code. Except to the extent required by the Statewide Building Code, the owner of such building or home cannot be required by the federal government to (i) have an energy efficiency analysis conducted on his residence, (ii) have his residence meet federal energy efficiency standards, (iii) participate in a building performance labeling program, (iv) make modifications to the residence in accordance with federal legislation, and (v) post a label showing the energy efficiency of his home prior to its sale. The bill also prohibits a state agency from assisting any federal agency in the implementation of global warming or climate change legislation.</p>
Timeline
<p>12/8/12 Pre-filed and Referred to Committee on General Laws            1/11/12 Offered            1/19/12 Reported from General Laws with amendments (15Y; 7N)            1/23/12 Read for first time.</p>
Local Patrons
<p>Marshall (introduced) (R L/PW-13)</p>

**[HB 66 \(Marshall\) Incandescent light bulbs; creates procedure by which manufacturer may obtain a license from SCC.](#)**

<b>Summary as introduced</b>
<b>Incandescent light bulb manufacturing.</b> Establishes a procedure by which a manufacturer of incandescent light bulbs (ILBs) in Virginia may obtain a license from the State Corporation Commission. Licensed manufacturers are required to distribute their light bulbs only within the Commonwealth. The license of any licensed manufacturer is subject to revocation or suspension if it violates such requirement or engages in other prohibited conduct. The Office of the Attorney General is authorized to represent, or assist in the representation of, any licensee in any action instituted by the federal government, or by any person acting pursuant to color of federal law, in which it is alleged that the licensee has violated any provision of federal law regulating the manufacture or sale of ILBs.
<b>Timeline</b>
12/19/11 Pre-filed and referred to Committee on Commerce and Labor 1/11/12 Offered 1/17/12 Assigned to Commerce and Labor Subcommittee #2
<b>Local Patrons</b>
Marshall (introduced) (R L/PW-13)

**[HB 69 Renewable energy portfolio standard; required participation of electric utility in program, etc.](#)**

<b>Summary as introduced</b>
<b>Renewable energy portfolio standard.</b> Requires each investor-owned electric utility and distribution cooperative to participate in a renewable energy portfolio standard program commencing with calendar year 2013. Under the program, each utility is required to generate renewable energy or to purchase renewable energy certificates, or both, in amounts that start in 2013 at three percent of the total electric energy sold in the base year of 2007 and that increase to 20 percent of such amount in 2020 and thereafter. Failure to meet the required percentages will result in the assessment of alternative compliance payments, which are to be paid into the newly created Virginia Sustainable Energy Fund. The measure provides that an investor-owned electric utility that was authorized to receive a performance incentive as a consequence of its participation in the renewable portfolio standard program as it existed prior to the effective date of this act shall continue to receive the incentive until the utility's next biennial rate review proceeding.
<b>Timeline</b>
12/19/11 Pre-filed and referred to Committee on Commerce and Labor 1/11/12 Offered 1/17/12 Assigned Committee on Commerce and Labor Special Subcommittee on Energy
<b>Local Patrons</b>
Englin (Introduced) (D Ar/Al/F-45)

**[HB 70 Energy conservation; establishes statewide goal of reducing consumption of electric energy.](#)**

<b>Summary as introduced</b>
<b>Energy conservation and efficiency goal.</b> Establishes a statewide goal of reducing the consumption of electric energy within the Commonwealth, through energy conservation and efficiency actions taken by government, electric utilities, and retail customers, by 2025 to a level that is 19 percent less than the quantity of electricity that would reasonably be projected to be consumed in the Commonwealth in 2025 in the absence of such actions. The measure specifies percentages of the reductions in consumption that are to be attained through elements including energy performance improvements resulting from enhancements to the Statewide Building Code and appliance efficiency standards, improved energy performance of publicly-owned buildings, energy performance improvements in the industrial sector, and combined heat and power. Investor-owned utilities are required to address their energy efficiency and demand response management programs in their annual conservation reports. The measure also requires electric cooperatives to file assessments of impediments to their implementation of certain rate initiatives.
<b>Timeline</b>
12/19/11 Pre-filed and referred to Committee on Commerce and Labor 1/17/12 Assigned Committee on Commerce and Labor Special Subcommittee on Energy
<b>Local Patrons</b>
Englin (Introduced) (D Ar/AI/F-45)

**[HB 103 \(Loupassi\) Consumer utility tax, local; exemption of certain electric utilities.](#)**

<b>Summary as introduced</b>
<b>Consumer utility tax; electric utilities.</b> Exempts electric utilities from the local consumer utility tax on natural gas service provided to operate a natural gas fueled electricity generation facility. Provides that beginning January 1, 2012, machinery and equipment used in a manufacturing facility or plant unit that produces methane gas for sale through anaerobic digestion would be eligible for the tax credit.
<b>Timeline</b>
12/29/11 Pre-filed and referred to House Committee on Finance 1/19/12 Passed House (99Y; 1A), Referred to Senate Committee on Finance

**[HB 105 \(Loupassi\) Machinery and equipment recyclable materials; tax credit for those used by certain manufacturers.](#)**

<b>Summary as introduced</b>
<b>Machinery and equipment recyclable materials tax credit.</b> Provides that beginning January 1, 2012, machinery and equipment used in a manufacturing facility or plant unit that produces methane gas for sale through anaerobic digestion would be eligible for the tax credit.
<b>Timeline</b>
12/29/11 Pre-filed and referred to Committee on Finance 1/12/12 Assigned to House Finance Subcommittee #3 1/20/12 Subcommittee recommends passing by voice vote

**[HB 129 \(Kilgore\) Electric utilities; purchases from net metering sellers.](#)**

<b>Summary as introduced</b>
<b>Electric utilities; retail competition; purchases from net metering sellers.</b> Authorizes individual retail customers who are eligible customer-generators under Virginia's net energy metering program to purchase electricity provided 100 percent from renewable energy exclusively for their own consumption from a net metering seller. A net metering seller is a person, other than a utility or licensed supplier, that owns or operates a renewable energy electricity generation source on premises that is owned, leased, or otherwise controlled by an eligible customer-generator and sells the electricity generated from the renewable generation source exclusively to the eligible customer-generator under a power purchase agreement. This exception to the incumbent electric utility's exclusive service territory applies even if the utility offers an approved tariff for electric energy provided 100 percent from renewable energy.
<b>Timeline</b>
1/04/12 Pre-filed and referred to Committee on Commerce and Labor 1/11/12 Offered

**[HB 312 \(Ware\) Utility energy efficiency programs.](#)**

<b>Summary as Introduced</b>
<b>Utility energy efficiency programs.</b> Provides that an energy efficiency program proposed by an electric utility is in the public interest if the net present value of the benefits exceeds the net present value of the costs as determined by any three of four benefit cost tests. The four tests to be considered are the Total Resource Cost Test, the Utility Cost Test (also referred to as the Program Administrator Test), the Participant Test, and the Ratepayer Impact Measure Test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or elderly customers. The current standard for what constitutes a cost-effective conservation and energy efficiency program conducted by a natural gas utility is revised to conform to these new provisions for electric utilities. Finally, the measure expands the definition of "energy efficiency program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices.
<b>Timeline</b>
1/10/12 Prefiled and referred to Committee on Commerce and Labor 1/11/12 Offered 1/17/12 Assigned to Special Subcommittee on Energy

**[HB 446 \(Toscano\) Termination of certain coal tax credits](#)**

<b>Summary as Introduced</b>
<b>Termination of certain coal tax credits.</b> Repeals the Virginia coal employment and production incentive tax credit and the coalfield employment enhancement tax credit.
<b>Timeline</b>
1/04/12 Pre-filed and referred to Committee on Finance 1/11/12 Offered 1/20/12 Assigned Finance Subcommittee #2

**[HB 645 \(Cosgrove\) Renewable energy; expands definition to include landfill gas.](#)**

<b>Summary as Introduced</b>
<b>Renewable energy.</b> Expands the definition of renewable energy to include landfill gas. The measure also provides that the RPS Goals under the renewable energy portfolio standard program may be composed of renewable thermal energy equivalents. A renewable thermal energy equivalent is the thermal energy output from a renewable-fueled combined heat and power generation facility that is (i) constructed, or renovated and improved, after January 1, 2012, (ii) located in the Commonwealth, and (iii) utilized in industrial processes other than the combined heat and power generation facility, where thermal energy is expressed as an equivalent number of megawatt hours.
<b>Timeline</b>
1/11/12 Offered; Referred to Committee on Commerce and Labor, Special Subcommittee on Energy 1/19/12 Stricken from docket by Commerce and Labor by voice vote

**[HB 657 \(Rust\) Renewable energy portfolio standard program](#)**

<b>Summary as Introduced</b>
<b>Electric utilities; renewable energy portfolio standard program.</b> Adjusts the mix of energy sources that qualify as satisfying the requirements of the renewable energy portfolio standard program. The measure limits the amount of renewable energy generated outside Virginia or its coastal waters that can qualify for the program. Wind or solar power generated outside Virginia in the interconnection region of the regional transmission entity of which the participating utility is a member will not be eligible if it is purchased through a power purchase agreement entered into after July 1, 2012. The measure allows renewable energy certificates issued by an affiliate of the regional transmission entity to be used to meet the RPS Goals if the energy is from sources with an in-service date of or after July 1, 2007. Nuclear energy is ineligible for credit in meeting certain RPS Goals. The measure requires utilities to permanently retire one renewable energy certificate for each megawatt hour or renewable energy certificate claimed for compliance with RPS Goals. The measure requires that after 2017 at least 20 percent of the energy or certificates in a utility's compliance demonstration be attributable to a combination of energy derived from sunlight, onshore wind, or offshore wind; the minimum percentage increases in 2023 to 40 percent. Finally, the measure removes a provision that allowed a utility to apply excess renewable energy sales in any period to the requirements for any future RPS Goal.
<b>Timeline</b>
1/11/12 Prefiled and Referred to the Committee on Commerce and Labor 1/17/12 Assigned to Special Subcommittee on energy

**[HB 660 \(Surovell\) Solar photovoltaic power production projects; VDOT to lease space within highway rights-of-way.](#)**

<b>Summary as introduced</b>
Lease of highway space for solar electric production. Allows VDOT to lease space within highway rights-of-way for solar photovoltaic power production projects.
<b>Timeline</b>
1/20/12 Assigned House Transportation Subcommittee #1

**[HB 672 \(Surovell\) Community Solar Gardens; Created.](#)**

<b>Summary as introduced</b>
<b>Distributed electric generation; community solar gardens.</b> Authorizes the establishment of community solar gardens, which are required to be owned by a subscriber organization that has at least 10 subscribers. Subscribers will receive credits on their utility bills from energy generated at the solar facility in proportion to the size of their subscription. The output and renewable energy credits from a solar garden shall be purchased by the utility in the form of net metering credits allocated to the subscribers. To the extent that a subscriber's net metering credit exceeds the subscriber's electric bill in any billing period, the credit will be applied against future bills. If the electricity output of the community solar garden is not fully subscribed, the utility is required to purchase the unsubscribed renewable energy at a rate equal to the utility's average hourly incremental cost of electricity supply over the immediately preceding calendar year.
<b>Timeline</b>
1/11/12 Referred to Committee on Commerce and Labor 1/17/12 Referred to Special Subcommittee on Energy

**[HB 787 \(Lopez\) Retail Sales and Use Tax; exemption on renewable energy equipment.](#)**

<b>Summary as introduced</b>
<b>Sales and use tax exemption; renewable energy equipment.</b> Provides refunds of sales and use tax paid on the purchase of certain renewable energy equipment.
<b>Timeline</b>
1/11/12 Pre-filed and referred to Committee on Finance

**[HB 789 \(Lopez\) Electrical utility facilities; consideration of stability of fuel prices.](#)**

<b>Summary as introduced</b>
<b>SElectrical utility facilities; consideration of stability of fuel prices.</b> Requires the State Corporation Commission, when required to approve the construction of any electrical utility facility, to consider the long-term price stability of any fuels used in the generation of energy from the facility.
<b>Timeline</b>
1/11/12 Referred to Committee on Commerce and Labor 1/19/12 Referred to Special Subcommittee on Energy



<b>Additional Virginia General Assembly Energy-Related Legislation</b>			
<b>Title</b>	<b>Committee</b>	<b>Recent Action</b>	<b>Date</b>
<a href="#"><u>HB 789 - Lopez - Electrical utility facilities; consideration of stability of fuel prices.</u></a>	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: Special Subcommittee on Energy	1/19/2012
Notes: Requires the State Corporation Commission, when required to approve the construction of any electrical utility facility, to consider the long-term price stability of any fuels used in the generation of energy from the facility.			
<a href="#"><u>HB 883 - Sickles - Income tax, state; credit for solar energy equipment systems.</u></a>	(H) Committee on Finance	(H) Referred to Committee on Finance	1/11/2012
Notes: Provides a personal and corporate income tax credit beginning January 1, 2012, for the purchase and installation of equipment that (i) generates electricity from solar energy or (ii) uses solar energy to heat or cool a structure or provide hot water. The amount of the credit would be 10 percent of the cost of purchasing and installing eligible solar energy equipment systems, capped at \$1,000 per year. Any unused tax credit could be carried over for five years until all the tax credit is taken. The solar energy equipment system must provide a minimum of 10 percent of the energy needs of the structure in which it is installed, and must be approved by the Department of Mines, Minerals and Energy.			
<a href="#"><u>HB 894 - Ware, R.L. - Electric and natural gas utilities; energy efficiency programs.</u></a>	(H) Committee on Commerce and Labor	(H) Reported from Commerce and Labor (21-Y 0-N)	1/19/2012
Notes: Provides that an energy efficiency program proposed by an electric utility is in the public interest if the net present value of the benefits exceeds the net present value of the costs as determined by any three of four benefit cost tests. The four tests to be considered are the Total Resource Cost Test, the Utility Cost Test (also referred to as the Program Administrator Test), the Participant Test, and the Ratepayer Impact Measure Test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or elderly customers. The current standard for what constitutes a cost-effective conservation and energy efficiency program conducted by a natural gas utility is revised to conform to these new provisions for electric utilities. Finally, the measure expands the definition of "energy efficiency program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices.			

<a href="#"><u>HB 911 - Minchew - Renewable energy; requires SCC to establish a program of community net metering.</u></a>	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: Special Subcommittee on Energy	1/17/2012
<p>Notes: Requires the State Corporation Commission to establish a program of community net metering, which will allow a group of residential, commercial, industrial, and other customers to establish an "eligible community customer" to act collectively to generate renewable energy for their own use. Members of an eligible community customer may 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. If electricity generated by the generation facility or facilities within the eligible community customer group in a year exceeds the net electricity consumption by members of the group, the utility shall reduce the eligible community customer's bill for the next monthly billing period by the amount of the excess. An eligible community customer will be exempt from the requirement that he install two-way metering equipment if the electrical generating system from which the eligible community customer obtains electricity is not physically attached to or an integral part of the building or structure where he consumes electricity, provided metering equipment measures the excess electricity from the generation facility. The measure also requires the Commission to establish a process for issuing or recognizing renewable energy certificates. The process will provide for the issuance, monitoring, transferring, and use of renewable energy certificates.</p>			
<a href="#"><u>HB 1017 - Poindexter - Renewable energy portfolio standard program; eliminates Performance Incentive provision.</u></a>	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: Special Subcommittee on Energy	1/17/2012
<p>Notes: Eliminates the Performance Incentive provision in the renewable energy portfolio standard program that entitles any investor-owned electric utility to a 50 basis point increase in its authorized combined rate of return on common equity if it meets the program's RPS Goals. The measure retains provisions that allow a utility to recover its costs associated with meeting the RPS Goals, but provides that a utility that exceeds the RPS Goals shall not recover the incremental costs associated with exceeding the RPS Goals unless it demonstrates that the decision to exceed the RPS Goals was reasonable and prudent.</p>			

<a href="#"><u>HB 1028 - Englin - Electrical utility facilities: State Corporation Commission to consider public health impacts.</u></a>	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: Special Subcommittee on Energy	1/17/2012
Notes: Requires the State Corporation Commission, when considering requests for approval to construct electrical utility facilities, to consider the public health impacts of the electrical utility facility that have been identified in the applicant's most recent integrated resource plan. The measure also requires an electric utility's integrated resource plan to take into consideration public health impacts.			
<a href="#"><u>HB 1102 - Miller - Renewable energy portfolio standard program; credits for investments.</u></a>	(H) Committee on Commerce and Labor	(H) Reported from Commerce and Labor (22-Y 0-N)	1/19/2012
Notes: Allows any investor-owned electric utility that participates in the renewable energy portfolio standard program to meet up to 20 percent of an RPS Goal through certificates evidencing the utility's expenses in conducting research and development activities related to renewable or alternative energy sources. To qualify, such expenses shall either (i) be designed to enhance the participating utility's understanding of emerging energy technologies and their potential impact on and value to the utility's system and customers within the Commonwealth; (ii) promote economic development within the Commonwealth; (iii) supplement customer-driven alternative energy or energy efficiency initiatives; (iv) supplement alternative energy and energy efficiency initiatives at state or local governmental facilities in the Commonwealth; or (v) be designed to mitigate the environmental impacts of renewable energy projects. The State Corporation Commission shall issue certificates to utilities making qualified investments based on the prices for renewable energy certificates in the interconnection region of the regional transmission entity of which the utility is a member. Qualified investments are stated to be reasonable and prudent operating expenses of a participating utility. A participating utility is not authorized to recover the costs associated with qualified investments through rate adjustment clauses and is not authorized to earn a return on its qualified investments.			

<a href="#"><u>HB 1166 - McClellan - Renewable portfolio standard program: reporting to State Corporation Commission.</u></a>	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: Special Subcommittee on Energy	1/19/2012
Notes: Requires each utility participating in the renewable portfolio standard program to identify, in its annual report to the State Corporation Commission, the states where the renewable energy was generated, the decades in which the renewable energy generating units were placed in service, and the fuel types used to generate the renewable energy.			
<a href="#"><u>HB 1170 - Kory - Income tax, state and corporate; credit for service renewable energy property.</u></a>	(H) Committee on Finance	(H) Referred to Committee on Finance	1/17/2012
Notes: Grants an income tax credit for taxable years beginning on or after Jan 1, 2012, to individuals for using renewable energy property. Individuals placing into service solar panels would be allowed a tax credit: \$1.25 per watt for the first 2,000 watts; \$0.75 per watt for 2,001 through 8,000 watts; and \$0.25 per watt for 8,001 through 20,000 watts, not to exceed \$10,000 per system. The bill would allow up to \$2,000 in tax credit for a solar hot water system and 10% of the installed cost of a geothermal heat pump, not to exceed \$3,000. Individuals would also be allowed tax credit equal to 50% of the cost of a residential energy audit performed on their primary residence, not to exceed \$250, provided the individual implemented all energy efficiency improvements recommended in the auditor's report. Tax credits for individuals under the bill would be capped at \$3 million each fiscal year.			
<a href="#"><u>The bill also grants an income tax credit for taxable years beginning on or after Jan 1, 2012, to corporations for placing into service renewable energy property.</u></a>			
Beginning Jan 1, 2012, the bill reduces from 85% to 75% the redemption percentage for unused coalfield employment enhancement tax credits that would be paid to taxpayers who earned the credit. The 10% difference would not be paid, but accrue to the GF to offset any fiscal impact from tax credits established under the bill.			
<a href="#"><u>HB 1177 - Watson - Virginia Energy Plan: adds to list of State's energy objectives.</u></a>	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: Special Subcommittee on Energy	1/19/2012
Notes: Adds to the list of the Commonwealth's energy objectives the following: (i) ensuring an adequate and sustainable energy supply and a Virginia-based energy production capacity and (ii) minimizing energy cost volatility and the Commonwealth's long-term exposure to volatility and increases in world energy prices.			

<a href="#"><u>HJ 114 - Surovell - Study; state renewable energy utility; report.</u></a>	(H) Committee on Rules	(H) Assigned Rules sub: Studies	1/20/2012
Notes: Establishes a joint subcommittee to study the feasibility of establishing a state renewable energy utility. The joint subcommittee is directed to examine the report of Delaware's Sustainable Energy Task Force, examine the feasibility of authorizing a state renewable energy utility to issue tax-exempt bonds to fund renewable energy improvements at state buildings, and determine what lessons can be learned from Delaware's experience in establishing and operating its sustainable energy utility.			
<a href="#"><u>SB 381 - McEachin - Electric utilities; integrated resource plans.</u></a>	(S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	1/11/2012
Notes: Provides that an electric utility's integrated resource plan should identify a portfolio of electric generation supply resources that is most likely to provide the electric generation supply needed to meet forecasted demand, net of any reductions from demand side programs, so that over the long term the utility will continue to provide reliable service at reasonable prices that take into consideration public health impacts.			
<a href="#"><u>SB 382 - McEachin - Renewable portfolio standard program; reporting to State Corporation Commission.</u></a>	(S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	1/11/2012
Notes: Requires each utility participating in the renewable portfolio standard program to identify, in its annual report to the State Corporation Commission, the states where the renewable energy was generated, the decades in which the renewable energy generating units were placed in service, and the fuel types used to generate the renewable energy.			

<p><b><u><a href="#">SB 539 - Puller - Forward energy pricing; authorizes any public body to use mechanisms for budget risk reduction.</a></u></b></p>	<p>(S) Committee on General Laws and Technology</p>	<p>(S) Referred to Committee on General Laws and Technology</p>	<p>1/13/2012</p>
<p>Notes: Authorizes any public body to use forward pricing mechanisms for budget risk reduction. Forward pricing mechanisms are contracts or financial instruments that obligate the public body to buy or sell a specified quantity of energy at a future date at a set price or provide the option to buy or sell the contract or financial instrument. Forward pricing mechanism transactions may be made only if (i) the quantity of energy affected by the mechanism does not exceed the estimated energy use for the public body for the same period, (ii) the period of the mechanism does not exceed 48 months, (iii) a separate account is established for operational energy for the public body, (iv) the public body develops written policies and procedures, and (v) the public body establishes an oversight process.</p>			
<p><b><u><a href="#">SB 582 - Edwards - Net energy metering; SCC shall approve utility's proposed standby charge methodology.</a></u></b></p>	<p>(S) Committee on Commerce and Labor</p>	<p>(S) Referred to Committee on Commerce and Labor</p>	<p>1/18/2012</p>
<p>Notes: Requires the State Corporation Commission, when determining whether to approve a utility's proposed standby charge methodology, to find that (i) the methodology utilized by the supplier is generally accepted in the industry for making such determinations, (ii) the methodology proposed by the supplier calculates costs based upon sample statistics derived solely from the class of residential eligible customer-generators, and (iii) the quantity of the class of residential eligible customer-generators represents a sufficient base to form reasonable statistical conclusions. These criteria are in addition to the existing requirement that the standby charges collected from eligible customer-generators allow the supplier to recover only the portion of the supplier's infrastructure costs that are properly associated with serving eligible customer-generators. The measure also provides that the supplier's infrastructure costs include, in addition to the direct costs associated with the supplier's infrastructure, an offset for any benefits derived from any net energy metering provided by eligible customer-generators to the supplier. Finally, the measure requires the Commission to deny a utility's application for standby charges if its methodology fails to consider all four of the criteria.</p>			

## DISTRICT OF COLUMBIA

### [B19-643 Pesticide Education and Control Amendment Act of 2012](#)

<b>Summary as Introduced</b>
To further restrict the application of restricted use pesticides on public use property, near waterways, at schools, at day care centers, and on District Property, to establish publicly available courses on pesticides at the University of the District of Columbia, to require an annual report on pesticide usage, to require pesticide applicators to submit usage data, to increase the pesticide product registration fee, and to amend the Pesticides Operations Act of 1977 to increase penalties.
<b>Timeline</b>
1/4/2012 Introduced and referred to Committee on Environment, Public Works and Transportation
<b>Committee on Environment, Public Works and Transportation</b>
Cheh (introduced) (D-W3), Alexander (Co-sponsored), (D-W7) Graham (Co-sponsored), (D-W1) Wells (D-W6), Bowser (D-W4)

### [B19-0608 Sustainable Bottle Amendment Act of 2011](#)

<b>Summary as Introduced</b>
To amend the District of Columbia Alcoholic Beverage Control Act to define a resealable container known as a growler, and authorize certain licensees to sell beer in growlers for off premises consumption.
<b>Timeline</b>
12/6/2011 Introduced and referred to Committee on Human Services
<b>Local Patron</b>
Wells (introduced) (D-W6)

## MARYLAND

### Prince George’s County Delegation

#### [PG 402-12 Prince George’s County – Authority to Impose Fees for Use of Disposable Bags](#)

<b>Summary as Submitted</b>
For the purpose of authorizing Prince George's County to impose, by law, a fee on certain retail establishments for use of disposable bags under certain circumstances; defining certain terms; and generally relating to the authority for Prince George's County to impose a fee for use of disposable bags.
<b>Timeline</b>
<b>Local Patrons</b>
Pinsky (D PG-22) Frush (D PG-21)

## Electric Vehicles

### [HB 108 Vehicle Laws—Stopping, Standing and Parking - Plug-In Vehicles](#)

<b>Summary as Introduced</b>
FOR the purpose of prohibiting a person from stopping, standing, or parking a vehicle that is not a plug-in vehicle in a space that is marked for the use of plug-in vehicles and provides access to a plug-in vehicle recharging station; defining a certain term; and generally relating to a prohibition against stopping, standing, or parking nonplug-in vehicles in certain spaces.
<b>Timeline</b>
1/11/2012 Introduced and Assigned to Environmental Matters Committee

## Energy

### [HB24 \(McMillan\) Maryland-Mined Coal Tax Credit-Repeal](#)

<b>Summary as Introduced</b>
Repealing specified tax credits allowed against the public service company franchise tax and State income tax for the purchase of Maryland-mined coal; providing for the application of the Act to tax years after 2011; etc. EFFECTIVE JULY 1, 2012
<b>Timeline</b>
11/3/11 Pre-filed; Assigned to Ways and Means Committee 1/11/12 First reading

### [SB40 \(Astle\) Sales and Use Tax - Machinery and Equipment—Energy Star Windows and Doors](#)

<b>Summary as Introduced</b>
Exempting from the sales and use tax sales of machinery and equipment to be used directly and predominantly to produce Energy Star windows or Energy Star entry doors for residential real property and utilities used to operate the machinery or equipment; etc.
<b>Timeline</b>
11/9/2011 Pre-filed 1/11/2012 First Reading Budget and Taxation Committee

### [HB 158 \(Beidle & Vitale\) Property Tax- High Performance Building Tax Credit - National Green Building Standards](#)

<b>Summary as Introduced</b>
Altering the definition of "high performance building" for purposes of the high performance building tax credit to include a building that achieves at least a silver rating according to the International Code Council's 700 National Green Building Standards.
<b>Timeline</b>
1/23/12 First Reading Ways and Means Committee



**[SB 222 High Performance Buildings Act – Applicability to Recipients of State Aid](#)**

<b>Summary as Introduced</b>
Making the High Performance Buildings Act applicable to specified capital projects that are funded or financed, to a specified extent, by a grant of State aid to specified grantees; requiring the Department of Housing and Community Development to require specified recipients of State funds to employ specified standards under specified circumstances; defining terms; etc.
<b>Timeline</b>
1/20/12 First Reading Budget and Taxation Committee

**[SB 237 \(Administration\) Maryland Offshore Wind Energy Act of 2012](#)**

<b>Summary as Introduced</b>
Altering the Maryland renewable energy portfolio standard program to include a specified amount of energy derived from offshore wind energy; prohibiting the portion of the renewable energy portfolio that represents offshore wind energy from applying to retail electricity sales by a supplier in excess of a specified amount of industrial process load; etc.
<b>Timeline</b>
1/20/12 First Reading Finance

**Recycling**

**[HB1 \(Lafferty\) Environment-Recycling-Apartment Buildings and Condominiums](#)**

<b>Summary as Introduced</b>
Requiring owners or managers of apartment buildings or condominiums that contain 10 or more units to provide residents with the opportunity for recycling on or before October 1, 2013; requiring specified owners or managers, beginning on March 1, 2014, to report annually on recycling activities to the county in which the property is located; requiring that the recycling required under the Act be done in accordance with county recycling plans; specifying a civil penalty for a violation of the Act; etc.
<b>Timeline</b>
9/5/2012 Pre-filed 1/11/2012 Introduced and Assigned to Environmental Matters Committee

**[SB 0164 \(Conway\) Maryland Plastic Bag Recycling Act](#)**

<b>Summary as introduced</b>
Prohibiting a plastic carryout bag manufacturer from providing, selling, or offering for sale plastic carryout bags for use or distribution in the State unless specified language is printed or displayed on the bags and the manufacturer has registered with the Department of the Environment in a specified manner; requiring a plastic carryout bag manufacturer to register every 2 years by submitting to the Department a specified registration form, fee, and plan; terminating the Act after September 30, 2020; etc.
<b>Timeline</b>
1/19/12 First Reading Education Health and Environmental Affairs 2/7/12 Hearing at 1pm

**[HB 169 \(Lafferty\) Environment- At-Store Recycling- Plastic Carryout Bags](#)**

<b>Summary as introduced</b>
Requiring the operator of specified stores to establish an at-store recycling program for plastic carryout bags; requiring specified stores to print or display specified language on plastic carryout bags; requiring specified stores to provide collection bins for the recycling of plastic carryout bags; etc.
<b>Timeline</b>
1/24/12 First Reading Environmental Matters