

# Water in the 2009 Virginia General Assembly

The 2009 Virginia General Assembly session is scheduled for January 14 to February 28. Beginning in late January, *Virginia Water Central* will post water-related legislation (from information provided by the Virginia Legislative Information System), with occasional updates during the session. Please contact the *Water Central* editor, Alan Raflo (540-231-5463, or [araflo@vt.edu](mailto:araflo@vt.edu)) if you have questions about this service or suggestions for how it might work better for you.

The list starting on the next page comes from the Legislative Information System (LIS) Web site, at <http://leg1.state.va.us>, in the categories indicated by sub-headings below. Bill summaries were also taken from LIS (edited in some cases for space or clarity). Bills are listed under only one category, even if LIS listed them more than once. The categories searched and the bills listed include all those with *direct* water relevance (such as bills in the “Water and Sewer Systems” category) as well as those with a *potential or indirect* relevance to water (such as bills dealing with land conservation and energy-efficiency, two activities that ultimately affect water resources). *Water Central’s* list below does not necessarily include *all* bills that potentially could affect Virginia’s water resources.

Within each category, bills are listed in order of their **bill number**, using the following abbreviations: **HB** = bill started in House of Delegates; **HJ** = joint resolution started in the House; **SB** = bill started in the Senate; and **SJ** = joint resolution started in the Senate.

For a selection of online news articles about water-related legislation in the 2009 General Assembly, please visit the *Virginia Water Central* News Grouper at <http://delicious.com/araflo/09VaGenAssembly>.

## Some Key Dates in the 2009 General Assembly

January 23—All bills and joint resolutions must be filed with clerk by 5:00 p.m.

February 5—Committees responsible for correctional impact, appropriation, debt, revenue, and Virginia Retirement System (VRS) bills to complete work by midnight. Each house to complete work on its own legislation except for its own Budget Bill and bills for appropriation, debt, revenue, or VRS.

February 8—Committees responsible for Budget Bill(s) to complete work by midnight.

February 10—Each house to complete work on its own legislation except Budget Bill.

February 12—Each house to complete work on its own Budget Bill.

February 17—Committees responsible for revenue bills of the other house to complete work by midnight.

February 18—Each house to complete work on the other house’s Budget Bill and revenue bills.

February 23—Last day for any committee action on legislation.

February 24—First conference on Budget Bill to complete work by midnight.

February 26—Budget Bill conference report due by noon; last day to put bills in conference.

February 27—Only conference reports and certain joint resolutions can be considered.

February 28—Adjournment *sine die*.

April 8—Reconvened (“veto”) session.

## Tracking Legislation and Voicing Your Opinion

For current information about the General Assembly (including lists and summaries of all bills, budget information, member information, committee schedules, and more) visit the Legislative Information System Web site at <http://leg1.state.va.us>. You may also check on a bill’s status by phone: for the House of Delegates, (877) 391-3228 (toll-free; in Virginia only), or (804) 698-1500; for the Senate, (888) 892-6948 (toll-free; in Virginia only) or (804) 698-7410.

According to the “Citizen Participation” information at the General Assembly’s Web site (<http://legis.state.va.us>), when the General Assembly is in session the House of Delegates and Senate jointly operate a telephone message center to accept calls from citizens wishing to express an opinion on legislation. The messages are relayed to members’ offices as requested. Phone the Constituent Viewpoint operators toll-free at (800) 889-0229 (outside Richmond) or 698-1990 (Richmond area).

To contact your representatives, find their e-mail addresses and phone numbers online at <http://dele.state.va.us/dele/MemBios.nsf/MWebsiteTL?OpenView> (House of Delegates) or [http://sov.state.va.us/SenatorDB.nsf/\\$\\$Viewtemplate+for+WMembershipHome?OpenForm](http://sov.state.va.us/SenatorDB.nsf/$$Viewtemplate+for+WMembershipHome?OpenForm) (Senate) (as of 1/30/08). Or, if you know the number of your legislative districts, you can also use the following code to

identify your representatives' Capitol phone numbers: for delegates, (804) 698-10 + district number (for example, 698-1003 for the District 3 delegate); for senators, (804) 698-75 + district number (for example, 698-7510 for the District 10 senator).

Various services are available for following legislation during a General Assembly session. Virginia's **Legislative Tracking Service** allows tracking up to five bills in one "profile"; online registration is at [www.virginia.gov/liab/cgi-bin/liab\\_signup.cgi](http://www.virginia.gov/liab/cgi-bin/liab_signup.cgi). To track more than five bills, the **Lobbyist-In-A-Box** subscriber service is available for a fee; visit [www.virginia.gov/liab/infopage.htm](http://www.virginia.gov/liab/infopage.htm). If you have questions about these services, contact the Virginia Division of Legislative Automated Systems at (804) 786-1895.

## Current List of Water Related Bills (as of Feb. 18, 2009)

*The list below adds several bills to the previously posted 2/13/09 version (search for "ADDED 2/18/09" to find the new additions. The bill status of most bills reported below (right-hand column), however, was last checked 2/13/09.*

*Click on the bill numbers to access bill information at the Legislative Information System. PLEASE NOTE: In some cases, when opening a bill page your browser may show first a blank window.*

*Frequently used abbreviations: Senate ACNR = Senate Agriculture, Conservation, and Natural Resources committee; House ACNR = House Agriculture, Chesapeake, and Natural Resources committee; DEQ = Virginia Department of Environmental Quality; VMRC = Virginia Marine Resources Commission.*

### BUDGET

<b>HB1600</b>	<b>Budget Bill.</b> Amendments to the 2008-2010 biennial budget passed by the 2008 General Assembly.	Passed House Appropriations.
<b>SB850</b>	<b>Budget Bill.</b> Amendments to the 2008-2010 biennial budget passed by the 2008 General Assembly.	Passed Senate Finance.

### CONSERVATION

#### Land Conservation Bills

<b>HB 1891</b>	<b>Land preservation tax credit.</b> Reduces from \$100,000 to \$50,000 the amount that may be claimed for taxable years 2009 and 2010. Companion bill is SB 986.	Passed House; passed Senate Finance.
<b>HB 2536</b>	<b>Easements; injury to servient estate.</b>	Failed in House Courts of Justice.
<b>HB 2566</b>	<b>Purchase of land by Department of Forestry; used for nonstate forest purposes.</b> Clarifies that proceeds derived from properties used for nonstate forest purposes acquired or managed by the Department of Forestry are not subject to distribution by the Department to those localities in which the properties are located. Currently, the proceeds derived from all lands acquired by the State Forester are distributed to those localities in which the lands are located, based on a specific formula.	Passed House; in Senate Agriculture, Conservation, and Natural Resources (ACNR).
<b>HB 2598</b>	<b>Conservation and Recreation, Department of; purchasing certain abandoned railroad rights-of-way.</b> Grants the Department of Conservation and Recreation a right of first refusal to purchase certain abandoned railroad rights-of-way.	Failed in House Agriculture, Chesapeake, and Natural Resources (ACNR).
<b>SB 838</b>	<b>Land preservation tax credit; conveyance for public parks or public recreational facilities.</b> Provides that the land preservation tax credit would equal 60 percent of the fair market value of any land	Passed Senate.

	that is donated to a state or local governmental entity for the purpose of a public park or public recreational facility, with certain conditions. All other donations under the land preservation tax credit would not be affected by the bill and would be eligible for a 40 percent tax credit as provided under current law.	
<b>SB 908</b>	<b>Public service corporations and land in conservation easements.</b> Prohibits public service corporations from acquiring by condemnation land (or interest in land) that is subject to conservation easement.	Failed in Senate Courts of Justice; subject matter referred to Secretary of Natural Resources.
<b>SB 986</b>	<b>Land preservation tax credit.</b> Reduces from \$100,000 to \$50,000 the amount that may be claimed for taxable years 2009 and 2010. Companion bill is HB 1891.	Passed Senate; in House Finance.
<b>SB 1024</b>	<b>Open-Space Lands Preservation Trust Fund.</b> Removes requirement to have additional local co-holder of a conservation or open-space easement when grants from the Open-Space Lands Preservation Trust Fund are used to mitigate the costs of the easement.	Passed Senate; in House ACNR.
<b>SB 1115</b>	<b>Land Conservation Fund; public access parkland.</b> Adds “public access parkland” to the uses for which money from the Virginia Land Conservation Fund must be spent in those years when the fund contains more than \$10 million. The Virginia Outdoors Foundation, which administers the Fund, will award grants for public access parkland based on a number of factors	Passed Senate.
<b>SB 1259</b>	<b>Land preservation tax credits.</b> Increases to \$115 million the cap on the aggregate amount of land-preservation tax credits that the state can issue.	Failed in Senate Finance.
<b>SB 1371</b>	<b>Land exchange near Holliday Lake State Park in Appomattox County.</b> Authorizes a land exchange between the Departments of Conservation and Recreation (DCR) and of Forestry (DOF), in order to provide DCR with additional property for the possible future expansion of the park and the protection of its viewshed, and to provide DOF with a location for research and seed sources for native species.	Passed Senate.

### **Other Conservation Bills**

<b>HB 1814</b>	<b>Plastic bags at retail stores.</b> Bans use by retailers at point of sale unless bags are designed and manufactured for reuse. Companion bill is SB 873. Also see related SB 971 and HB 2010.	Failed in House ACNR.
<b>HB 1831</b>	<b>Virginia Recreational Facilities Authority.</b> Delays from 2009 to 2010 the reversion of real property to state.	Passed House; in Senate Courts of Justice.
<b>HB 1856</b>	<b>Residential Property Disclosure Act; disclosure of stormwater detention facilities.</b> Provides that a disclosure statement indicate that a property owner makes no representations with respect to the presence of stormwater-detention facilities on the property and that purchasers should exercise due diligence to determine the presence of any such facilities.	Passed House; in Senate General Laws and Technology.
<b>HB 1918</b>	<b>Coal combustion by-products; use, reuse, or reclamation in a flood plain.</b> Requires a solid waste permit to authorize the placement of unamended coal combustion by-product (fly ash) in a 100-year floodplain. Companion bill is SB 865. See also related HB 2419.	Passed House; in Senate ACNR.
<b>HB 1925</b>	<b>Clean Water Farm Award.</b> Identifies the type of agricultural best management practices farmers can use to be eligible for the award. See	Passed House; in Senate ACNR.

	related SJ 375 (under Miscellaneous).	
<b>HB 1930</b>	<b>Certification of stormwater development property by DCR.</b> Authorizes the Department of Conservation and Recreation to certify stormwater management development properties as being designed, constructed, or reconstructed for preventing stormwater pollution, allowing the local government to tax the property at a different rate from other classifications of real property.	Passed House; in Senate ACNR.
<b>HB 1973</b>	<b>Litter Control and Recycling Fund Grant.</b> Limits awarding of grants to those localities whose litter-prevention and recycling grant applications meet criteria established by the Dept. of Environmental Quality.	Passed House; in Senate ACNR.
<b>HB 1991</b>	<b>Stormwater management programs; establishment by localities.</b> Extends the time that localities have to adopt a local stormwater management program following effective date of state regulations.	Passed House and Senate.
<b>HB 2084</b>	<b>Exemption of certain pollution-control equipment and facilities from local property taxes.</b>	Passed House; in Senate Finance.
<b>HB 2168</b>	<b>Stormwater nutrient offsets.</b> Authorizes stormwater permit-issuing authorities to allow permit holders to comply with nonpoint nutrient runoff water-quality criteria by acquiring nonpoint nutrient offsets that have been certified under the Chesapeake Bay Nutrient Exchange Program. The offsets have to be in the same tributary as the permitted activity and generated in the same or adjacent eight digit hydrologic unit code. Several other conditions are also specified.	Passed House; in Senate ACNR.
<b>HB 2175</b>	<b>Energy projects, small renewable; DEQ to develop permit by rule for construction &amp; operation.</b> Directs the Dept. of Environmental Quality to develop a permit for construction and operation of small renewable energy projects. A project for which such a permit by rule has been issued will be exempt from requirements that the State Corporation Commission permit its construction and operation. Companion bill is SB 1347.	Passed House; in Senate Commerce and Labor.
<b>HB 2177</b>	<b>Rechargeable battery recycling.</b> Authorizes localities to ban 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.	Passed House; in Senate ACNR.
<b>HB 2202</b>	<b>Greenhouse gas emissions; mandatory reporting.</b> Requires the State Air Pollution Control Board to adopt regulations requiring the reporting of greenhouse gas emissions from stationary sources that consume carbon-emitting feedstocks, emit more than a de minimis amount of greenhouse gas, and are already required to report emissions of other air pollutants. Companion bill is SB 1145.	Failed in House ACNR.
<b>HB 2218</b>	<b>Soil and water conservation district director elections; notification.</b> Requires prominent posting of relevant dates for district director elections. Companion bill is SB 1324.	Passed House; in Senate ACNR.
<b>HB 2255</b>	<b>Solid waste disclosure statements; eliminates requirement that applicants provide social security number.</b>	Passed House and Senate.
<b>HB 2351</b>	<b>Natural Resources Commitment Fund.</b> Requires 10 percent of the one-third of the remaining general fund balance designated by the Comptroller for nonrecurring expenses to be deposited into the Commitment Fund. The bill also changes the formula for allocating moneys in the Virginia Natural Resources Commitment Fund: 8 percent to soil and water conservation districts; 55 percent for matching grants	Passed House; in Senate ACNR.

	for BMPs on lands within the Chesapeake Bay watershed; and 37 percent for matching grants outside the Chesapeake Bay watershed. See related SB 1050.	
<b>HB 2469</b>	<b>Waste Management Board; permit issuance process.</b> Makes the process of permit issuance for solid waste management uniform with that of the two other pollution control boards, the Air Pollution Control Board and the State Water Control Board.	Failed in House ACNR.
<b>HB 2525</b>	<b>Small Wind Energy Projects; construction and operating permits.</b>	Incorporated into HB 2175.
<b>HB 2602</b>	<b>Department of Conservation and Recreation; contracts with non-profit organizations.</b> Grants the Dept. of Conservation and Recreation power to establish non-competitively procured contracts with non-profit organizations that wish to conduct revenue-producing activities on Department lands for the benefit of Virginia State Parks or the Natural Area Preserve System. <b>ADDED 2/18/09.</b>	Passed House and Senate.
<b>HB 2649</b>	<b>Recycling reports.</b> Removes the requirement that solid-waste planning units submit an estimate of the amount of solid waste managed or disposed of through recycling. The bill sunsets in two years. <b>ADDED 2/18/09.</b>	Passed House ACNR.
<b>HJ 713</b>	<b>Compact fluorescent light bulbs; Dept. of Environmental Quality to study impact of expanded use.</b> Requests the DEQ to study the environmental impact of the expanded use of compact fluorescent light bulbs in the residential sector, including the impact on landfills, proper disposal or recycling in private residences, and public education opportunities.	Passed House; in Senate Rules.
<b>SB 865</b>	<b>Coal combustion by-products; use, reuse, or reclamation in a floodplain.</b> Requires a solid waste permit to authorize the placement of unamended coal combustion by-product (fly ash) in a 100-year floodplain. Companion bill is HB 1918.	Passed Senate.
<b>SB 873</b>	<b>Plastic bags at retail stores; bans use by retailers at point of sale unless designed &amp; manufactured for reuse.</b> Companion bill is HB 1814. Also see related SB 971 and HB 2010.	Failed in Senate ACNR.
<b>SB 930</b>	<b>Statewide Waste Management Plan.</b> Requires the Dept. of Environmental Quality by 2012 to prepare a statewide waste management plan with goals and minimum recycling rates, strategies to achieve goals and minimum rates, and recommendations for legislative changes needed to implement the goals and minimum rates.	Passed Senate.
<b>SB 971</b>	<b>Plastic bags at retail stores; on-premises recycling.</b> Requires that certain stores provide on-premises recycling for plastic bags, and that larger stores provide reusable bags for sale and take back and recycle used plastic bags. See related HB 1814/SB971 and HB 2010.	Failed in Senate ACNR.
<b>SB 982</b>	<b>Stormwater regulation by localities.</b> Requires localities to provide full or partial waivers of charges to any person who develops, redevelops or retrofits outfalls, discharges, or property so that there is a permanent reduction in post-development stormwater flow and pollutant loading, as long as a stormwater permit has been obtained by either the Dept. of Conservation and Recreation or the Dept. of Environmental Quality when such permit is required. Under current law, localities have the option of providing such waivers and permits are not required.	Passed Senate.
<b>SB 1026</b>	<b>Nonprofit corporation authorized for Foundation for Virginia's Natural Resources.</b> Authorizes the Foundation to establish a nonprofit, nonstock corporation to foster partnerships, finance projects,	Passed Senate; in House ACNR.

	and promote the mission of the Foundation.	
<b>SB 1050</b>	<b>Natural Resources Commitment Fund; governor to budget appropriations therefor.</b> Provides that the governor through the budget process would propose appropriations for funding of the Virginia Natural Resources Commitment Fund; each proposed annual appropriation shall not exceed \$50 million. The bill would also change the formula for distributions from the Fund. See related HB 2351.	Passed Senate.
<b>SB 1114</b>	<b>Stormwater management; emerging technology.</b> Directs the Virginia Soil and Water Conservation Board to adopt regulations for evaluating and including emerging or innovative stormwater-control technologies that reduce nonpoint source pollution.	Passed Senate.
<b>SB 1145</b>	<b>Greenhouse gas emissions; mandatory reporting.</b> Companion Bill is HB 2202 (please see that bill, above, for summary).	Passed Senate.
<b>SB 1198</b>	<b>State parks; expands Golden Passport program for disabled persons.</b> Establishes a Disabled Veteran's Passport program that entitles the bearer to free admission to state parks and reduces fees on park services.	Passed Senate.
<b>SB 1224</b>	<b>Littering; community service.</b> Provides that courts may impose community service in addition to a fine when a person is convicted of illegal littering.	Passed Senate.
<b>SB 1295</b>	<b>Silvicultural activities; state forester allowed to enter and to inspect land to determine if activities are causing pollution.</b>	Passed Senate; in House ACNR.
<b>SB 1317</b>	<b>Electronic meetings by Air Pollution Control Board and State Water Control Board.</b> Requires that any electronic communication meetings by these boards shall be held in compliance with the provisions the Freedom of Information Act; the bill identifies allowable topics of discussion.	Passed Senate; in House General Laws.
<b>SB 1324</b>	<b>Soil and water conservation district director elections; notification.</b> Companion bill is HB 2218 (please see that bill, above, for summary).	Passed Senate; in House Privileges and Elections.
<b>SB 1347</b>	<b>Energy projects, small renewable; DEQ to develop permit by rule for construction and operation.</b> Companion bill is HB 2175 (please see that bill, above, for summary). Incorporates SB 1194.	Passed Senate.
<b>SB 1361</b>	<b>State park funds; transfers all moneys in State Park Operated Concessions Fund to State Park Conservation Resources Fund.</b>	Passed Senate; in House ACNR.
<b>SB 1473</b>	<b>State forest land permits.</b> Authorizes the state forester to require a person to obtain a permit to fish, ride a mountain bike, or ride a horse on lands under the control of the Dept. of Forestry. Currently, the Department requires a permit for hunting or trapping on such lands.	Passed Senate; in House ACNR.
<b>SJ 332</b>	<b>Constitutional amendment; tax exemptions for resource-conserving buildings.</b> 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 that conserves energy or other natural resources in a manner that meets or exceeds performance standards for such purposes.	Passed Senate; in House Privileges and Elections.

## ENERGY CONSERVATION AND RESOURCES

<b>HB 1633</b>	<b>Offshore drilling royalties.</b> Apportions any royalties that the Commonwealth might receive from offshore drilling for natural gas and oil among the Transportation Trust Fund, Renewable Electricity	Passed House; in Senate Finance.
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	Production Grant Fund, Virginia Coastal Energy Research Consortium, and programs developed by the Secretary of Natural Resources to clean up the Chesapeake Bay.	
<b>HB 1707</b>	<b>Energy performance-based contracts; Mines, Minerals and Energy to assist localities.</b> Requires the Dept. of Mines, Minerals and Energy to make a reasonable effort to assist localities, upon request, in considering energy performance-based contracts, and to compile information annually concerning any local energy performance-based contracts of which the Department becomes aware.	Passed House; in Senate General Laws and Technology.
<b>HB 1953</b>	<b>Guidelines for schools on recycling and waste reduction activities.</b> Requires the Board of Education to establish guidelines for local school divisions regarding recycling and waste-reduction activities and to submit an annual report of recycling efforts in public schools.	Failed in House Education.
<b>HB 1994</b>	<b>Renewable portfolio standard program for investor-owned electric utilities.</b> Establishes a goal for investor-owned incumbent electric utilities to have 15 percent of their total electric energy sales in the base year be from renewable energy sources in calendar year 2025.	Passed House; in Senate Commerce and Labor.
<b>HB 2001</b>	<b>Biofuels Production Incentive Grant Program.</b> Distinguishes between advanced biofuels that are made from winter cover crops, cellulose, hemicellulose, lignin oil, and algae and those standard biofuels that may be made from agricultural feedstocks such as corn. The program will award a \$0.125 per gallon grant for advanced biofuels and a \$0.10 per gallon grant for standard biofuels and requires the production of one million gallons per year for eligibility. Companion bill is SB 1186.	Passed House and Senate.
<b>HB 2002</b>	<b>Energy Plan; biofuels from non-food feedstocks.</b> Amends the Virginia Energy Plan to recognize the objective of increasing Virginia's use of sustainably produced biofuels made from traditional agricultural crops and other feedstocks, and to support the delivery infrastructure needed for statewide distribution to consumers. Companion bill is SB 1427.	Passed House; in Senate Commerce and Labor.
<b>HB 2165</b>	<b>Zoning; small-scale production of biofuels in areas zoned agricultural.</b> Allows farmers to engage in the small-scale production (as defined in the bill) of biofuels in areas zoned agricultural without a special exception or special use permit.	Passed House; in Senate Local Government.
<b>HB 2174</b>	<b>Energy savings by state agencies.</b> Establishes a program under which a state agency's operating costs will be held harmless from any reduction in projected operational expenditures that results from energy conservation; state agencies are required to prepare an approved energy-conservation program for each building; energy-conservation guidelines are to be developed by the Dept. of General Services; and that department shall track, calculate, and report the energy expenditures and savings for each agency.	Failed in House General Laws.
<b>HB 2176</b>	<b>Electric energy efficiency standards; Energy Efficiency and Conservation Fund established.</b>	Incorporated into HB 2506.
<b>HB 2235</b>	<b>Clean Energy Manufacturing Incentive Grant Program and Fund; created.</b> Repeals the Solar Photovoltaic Manufacturing Incentive Grant Program and creates a program to provide financial incentives to companies that manufacture or assemble equipment, systems, or products used to produce renewable energy, nuclear energy, or energy-efficiency products. Companion bill is SB 1215.	Passed House Commerce and Labor; failed in House Appropriations.
<b>HB 2374</b>	<b>State income tax; Renewable Energy Job tax credit.</b> Provides an income tax credit to corporations for each renewable energy job (as	Failed in House Finance.

	defined by the bill) that is created and filed. See related SB 1125.	
<b>HB 2387</b>	<b>Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.</b> Requires new or renovated building projects (above a certain size) by public bodies to be done to 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); certain exemptions allowed. Companion bill is SB 1252. See also SB 1127.	Passed House General Laws; failed in House Appropriations.
<b>HB 2404</b>	<b>Virginia Universities Clean Energy Development and Economic Stimulus Foundation created.</b> Creates the Virginia Universities Clean Energy Development and Economic Stimulus Foundation. The foundation, with cooperation and assistance from the University of Virginia and Virginia Tech, is to obtain and administer funding for i.) research and development of alternative fuels, clean energy production, and related technologies; (ii) support of economic development projects in disadvantaged rural areas; and (iii) the provision of assistance in the commercialization of alternative fuels and clean energy technologies. The Tobacco Indemnification and Community Revitalization Commission is authorized to award to the foundation up to five percent of its endowment each year for five years beginning in 2009.	Passed House; in Senate Education and Health.
<b>HB 2417</b>	<b>Covenants regarding solar power; clarifies that community associations may amend to relax restrictions.</b>	Passed House; in Senate General Laws and Technology.
<b>HB 2418</b>	<b>Solar energy in subdivision ordinances.</b> Strikes language requiring that provisions for establishing and maintaining access to solar energy be applicable to a new subdivision only when so requested by the subdivider.	Failed in House Counties, Cities, and Towns.
<b>HB 2506</b>	<b>Energy efficiency programs; investor-owned electric utilities to recover costs.</b> Authorizes investor-owned electric utilities to recover, through a rate-adjustment clause, the costs of designing and operating energy-efficiency programs that produce measured and verified reductions in electricity use.	Passed House; in Senate Commerce and Labor.
<b>HB 2531</b>	<b>Electricity; demand-side management, energy conservation, energy efficiency, and demand reduction.</b> Directs the State Corporation Commission (SCC) 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 measure also requires the SCC to approve a demand-side management program that is proposed by a certain generating electric utility or a qualified nonutility provider if certain conditions are satisfied. The Dept. of Environmental Quality is required to adopt regulations that exempt certain customers from the major and minor new source review regulations during verifiable peak shaving periods, to create a class or classes of general permits that would create the same exemptions, or both. The measure also directs the Air Pollution Control Board to adopt a general permit or permits for the use of emergency back-up generation. Companion bill is SB 1348.	Passed House; in Senate Commerce and Labor.
<b>HB 2562</b>	<b>Retail Sales and Use Tax; renewable energy exemptions.</b> Exempts from the retail sales and use tax solar photovoltaic systems, solar thermal systems, and wind-powered electrical generators purchased for residential real property. Companion bill is SB 1216.	Failed in House Finance.
<b>HB 2572</b>	<b>State income tax credit for energy-efficient equipment</b>	Failed in House

	<b>purchases by individuals (up to 50 percent of purchase).</b> See nearly identical HB 2573. Also see related SB 1141 and SB 1231.	Finance.
<b>HB 2573</b>	<b>State income tax credit for energy-efficient equipment purchases by individuals or corporations (up to 25 percent of purchase).</b>	Failed in House Finance.
<b>HJ 621</b>	<b>Ethanol production; requests U.S. EPA waiver.</b> Requests the U.S. Environmental Protection Agency to grant a temporary waiver from the Renewable Fuel Standard under the Energy Independence and Security Act of 2007.	Failed in House ACNR.
<b>HJ 718</b>	<b>Utility-scale energy; study of generation from offshore winds and investment.</b> Creates a joint subcommittee to study utility-scale energy generation from offshore winds and the feasibility of commercial investment in such projects.	Failed in House Rules.
<b>SB 973</b>	<b>Virginia Resources Authority loans for renewable energy.</b> Authorizes the Virginia Resources Authority (VRA) to finance renewable energy projects and permits localities to make loans for renewable energy purposes using funds obtained through VRA's assistance.	Failed in House ACNR.
<b>SB 1065</b>	<b>Wind energy drying devices; no community association shall prohibit an owner from installing, etc.</b>	Passed Senate; in House Commerce and Labor.
<b>SB 1124</b>	<b>Commercial clean energy production tax credit.</b> Establishes an income tax credit for electricity that is produced using solar photovoltaic technology or wind power at a commercial clean energy production facility in the Commonwealth.	Failed in Senate Finance.
<b>SB 1125</b>	<b>State income tax credit for green jobs.</b> Provides an income tax credit to taxpayers in the amount of \$1,000 per year, for up to three years, for each "green job" (employment in an industry related to renewable alternative energies). See related HB 2374.	Failed in Senate Finance.
<b>SB 1127</b>	<b>State energy efficiency programs.</b> Requires the Division of Purchase and Supply of the Department of General Services to ensure that, by 2020 and thereafter, 20 percent of the electricity purchased by or for the departments, agencies, or institutions of the Commonwealth is sustainable energy. Also requires state agency building projects above a certain size to be built to energy-performance standards of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) or equivalent energy performance-standards that provide for the use of Virginia forest products, unless granted an exemption by the Director of the Department of General Services (see related HB 2387). Also authorizes the governor to permit any state agency to enter into a contract through the use of competitive negotiation, rather than through the requirements of the Commonwealth's public procurement laws, if it finds that the contract will improve energy efficiency or result in reduced energy expenditures.	Failed in Senate General Laws and Technology.
<b>SB 1141</b>	<b>State income tax credit for renewable energy.</b> Provides a tax credit for individuals and corporations for renewable energy property. Credits cannot exceed \$1,000,000 for individuals and \$1,000,000 for corporations in any year. Renewable energy property means solar photovoltaic systems, solar thermal systems, and wind-powered electrical generators. The bill is contingent on supplemental appropriations that may be used for such credit being included in a federal stimulus package adopted by March 27, 2009.	Passed Senate; in House Finance.
<b>SB 1146</b>	<b>Biodiesel and green diesel; two-percent requirement.</b> Requires	Passed Senate; in

	state public bodies to procure only diesel fuel containing, at a minimum, two percent, by volume, biodiesel fuel or green diesel fuel. Based on a finding of sufficient availability of biodiesel or green diesel, the Governor may increase the requirement up to 20 percent by volume.	House Commerce and Labor.
<b>SB 1186</b>	<b>Biofuels Production Incentive Grant Program.</b> Companion bill is HB 2001 (please see that bill, above, for summary).	Passed Senate; in House ACNR.
<b>SB 1212</b>	<b>Clean energy financing.</b> Grants localities the authority to create a clean energy financing program	Passed Senate; in House Commerce and Labor.
<b>SB 1215</b>	<b>Clean Energy Manufacturing Incentive Grant Fund, created.</b> Companion bill is HB 2235 (please see that bill, above, for summary).	Passed Senate; in House Commerce and Labor.
<b>SB 1216</b>	<b>Retail Sales and Use Tax; renewable energy exemptions.</b> Companion bill is HB 2562 (please see that bill for summary).	Passed Senate; in House Finance.
<b>SB 1231</b>	<b>State income tax credit for energy-efficient equipment purchases by individuals (up to five percent).</b> See related HB 2572, HB 2573, and SB 1141.	Failed in Senate Finance.
<b>SB 1248</b>	<b>Electric energy efficiency standards.</b> Establishes a statewide goal of reducing the consumption of electric energy, 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 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 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. The State Corporation Commission (SCC) shall establish for each utility a 10-percent reduced consumption goal. <b>See LIS summary for more details.</b> SB 1296, which failed, called for the same percentage reduction in energy use.	Passed Senate; in House Commerce and Labor.
<b>SB 1252</b>	<b>Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.</b> Companion bill is HB 2387 (please see that bill, above, for summary).	Passed Senate; in House General Laws.
<b>SB 1296</b>	<b>Energy efficiency and demand response goals.</b> 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 percent compared to the consumption level currently projected for such year. See related SB 1248.	Failed in Senate Commerce and Labor.
<b>SB 1345</b>	<b>Energy efficiency in state government.</b> 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. Also requires building according to 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) (see related HB 2387 and SB 1252). Also requires that water systems in new buildings provide water savings of at least 25 percent over the baseline standard established in the federal Energy Policy Act of 1992.	Passed Senate; in House Commerce and Labor.
<b>SB 1346</b>	<b>Virginia Coastal Energy Research Consortium.</b> Makes certain	Passed Senate; in

	technical corrections to the membership of the Consortium. Also broadens one of the responsibilities of the Consortium from researching “the feasibility of recovering fuel gases from methane hydrates and increasing the Commonwealth's reliance on other forms of coastal energy” to “the feasibility of increasing the Commonwealth's reliance on all domestic forms of coastal energy.”	House Commerce and Labor.
<b>SB 1348</b>	<b>Electricity; demand-side management, energy conservation, energy efficiency, and demand reduction.</b> Companion bill is HB 2531 (please see that bill, above, for summary).	Passed Senate; in House Commerce and Labor.
<b>SB 1349</b>	<b>Mid-Atlantic Offshore Wind Energy Infrastructure Development Compact.</b> Establishes this compact among Virginia, Delaware, Maryland, New Jersey, and New York to promote and coordinate wind-energy efforts.	Passed Senate; in House Commerce and Labor.
<b>SB 1350</b>	<b>Marine Resources Commission; offshore renewable resources.</b> Provides the Virginia Marine Resources Commission (VMRC) with authority to lease subaqueous lands for the purpose of generating electrical energy from wave or tidal action, currents, offshore winds, or thermal or salinity gradients and transmit energy from such sources to shore; requires that any leases require a royalty. with all royalties collected to go to the Virginia Coastal Energy Research Consortium. The VMRC is also directed to determine whether sufficient and appropriate subaqueous lands exist to support a commercial offshore wind farm and, if such land exists, offer it for development in a lease auction.	Passed Senate; in House Commerce and Labor.
<b>SB 1357</b>	<b>Clean fuel vehicle job creation tax credit; adds cellulosic biofuels.</b> Expands the clean fuel vehicle job creation tax credit to include jobs created associated with the production of cellulosic biofuels, the conversion of vehicles from traditional fuels to cellulosic biofuels, and the manufacture of components for vehicles that utilize cellulosic biofuels.	Passed Senate; in House Finance.
<b>SB 1427</b>	<b>Energy Plan; use of sustainable biofuels from non-food feedstocks.</b> Companion bill is HB 2002 (please see that bill, above, for summary).	Passed Senate.
<b>SB 1440</b>	<b>Integrated resource planning; electrical consumption.</b> Requires electric utilities (investor-owner and cooperatives) to have a plan for reducing customers' electricity consumption by 2025 to a level that is 19 percent less than the forecasted 2025 consumption level. If a utility fails to comply with a benchmark, it is required to pay an alternate compliance payment. Funds collected from alternate compliance payments are to be deposited in a special fund named the Virginia Energy Efficiency and Integrated Resource Plan Compliance Fund and used to finance grants and loans to persons other than utilities for energy -efficiency and conservation programs. See related SB 1447.	Failed in Senate Commerce and Labor.
<b>SB 1447</b>	<b>Energy efficiency by electric utilities; Virginia Energy Efficiency Commission established.</b> Besides the provisions include in SB 1440 (see above), this bill requires the State Corporation Commission to develop regulations that provide access to the electrical grid by distributed generators with combined heat and power systems, and creates the Virginia Energy Efficiency Commission as an advisory Commission in the executive branch to evaluate the success of energy efficiency programs, to verify the achievements of such programs, and to identify new cost-effective opportunities for new energy efficiency programs.	Failed in Senate Commerce and Labor.

<b>SB 1452</b>	<b>Energy efficiency programs.</b> Imposes a \$1 per month surcharge on rates for retail customers of investor-owned electric utilities and distribution electric cooperatives, to be deposited in the Energy Efficiency Fund. The fund's program administrator is charged with developing energy efficiency plans and, if approved by the SCC, implementing such plans. The SCC shall approve a proposed energy-efficiency plan if it is consistent with energy objectives of the Virginia Energy Plan.	Failed in Senate Commerce and Labor; subject referred to the Commission on Energy and the Environment.
<b>SJ 345</b>	<b>Recycling receptacles; state and local governmental entities to increase usage thereof.</b>	Passed Senate; in House Rules.
<b>SJ 396</b>	<b>Global warming and energy problems.</b> Recognizes the need to use scientific principles in developing a plan to remedy global warming and energy problems, and requests that the General Assembly use such principles when considering energy and environmental legislation. <b>ADDED 2/18/09.</b>	Failed in Senate Rules.

## FISHERIES AND HABITAT OF TIDAL WATERS

<b>HB 1623</b>	<b>Agritourism and marine tourism activity liability.</b> Uses similar language from the 2006 Agritourism Activity Liability Act for marine tourism activities conducted by commercial fishermen.	Passed House; in Senate ACNR.
<b>HB 1719</b>	<b>Fees for hunting and fishing licenses.</b> Clarifies the current authority of the Virginia Marine Resources Commission (VMRC) and the Board of the Dept. of Game and Inland Fisheries to increase certain fees for hunting, fishing, and trapping licenses.	Passed House and Senate.
<b>HB 1961</b>	<b>Special conservation police officers.</b> Requires any special conservation officer who is appointed after October 1, 2009, to obtain a valid registration as a Special Conservator of the Peace from the Department of Criminal Justice Services.	Passed House; in Senate ACNR.
<b>HB 2213</b>	<b>Easement in Baylor Grounds.</b> Removes from the VMRC the authority to grant a 100-foot-wide easement to Virginia Natural Gas across a portion of Baylor Survey Ground No. 3, for a natural gas pipeline.	Passed House; in Senate Courts of Justice.
<b>HB 2223</b>	<b>Recreational saltwater license.</b> Authorizes the VMRC to charge nonresidents a higher fee.	Passed House; in Senate ACNR.
<b>HB 2248</b>	<b>Marine Resources Commission location.</b> Removes the requirement that the VMRC have a permanent office in the City of Newport News and more broadly requires that the office be located on the Virginia Peninsula.	Passed House; passed Senate with amendment and returned to House.
<b>HB 2256</b>	<b>Fixed fishing devices.</b> Requires the VMRC to adopt regulations that set the distance between any net and the side or end of any fixed fishing device. Currently, the distance is established by statute.	Passed House and Senate.
<b>HB 2412</b>	<b>Conveyance of subaqueous lands.</b> Authorizes the VMRC to sell and convey certain parcels of subaqueous land to the City of Virginia Beach on behalf of the Commonwealth.	Failed in House ACNR.
<b>HB 2507</b>	<b>Refunds for saltwater fishing licenses.</b> Requires the VMRC to refund saltwater fishing licenses on a prorated basis if the Commission stops selling the license due to fishery-management purposes.	Passed House; in Senate ACNR.
<b>SB 1086</b>	<b>Nonresident harvester's license.</b> Increases to \$850 the fee for nonresident commercial harvester's licenses required by the VMRC for those fishing in tidal waters and by the Dept. of Game and Inland	Failed in Senate ACNR.

	Fisheries for those fishing in Back Bay; also changes the formula for allocating the proceeds of the license sales.	
<b>SB 1087</b>	<b>Marine Resources Commission membership.</b> Increases the membership of the VMRC from nine to eleven members and requires that three of the members shall have, at the time of their appointment, earned their livelihood as a commercial fisherman on Virginia's waters for at least five years.	Passed Senate; in House ACNR.
<b>SB 1104</b>	<b>Income tax credit for temporary protective enclosures for oysters.</b>	Failed in Senate ACNR.
<b>SB 1111</b>	<b>Blue Crab season in specific area.</b> Authorizes the VMRC to establish periods of time when Blue Crabs may be caught for resale in a specific location in the Chesapeake Bay (currently it is unlawful to take or catch crabs for resale in this area from June 1 through September 15).	Passed Senate; in House ACNR.
<b>SB 1479</b>	<b>Easements and rights-of-way on Elizabeth River.</b> Authorizes the VMRC to grant easements and rights-of-way across the beds of the Elizabeth River, including a portion of the Baylor Survey, to the Dept. of Transportation for the improvement of the Midtown Tunnel.	Passed Senate; in House Courts of Justice.
<b>SJ 311</b>	<b>Blue crabs; Congress of U.S. urged to examine equitability of allocation of licenses to harvest.</b> Expresses the concern of the General Assembly to ensure that one state does not inordinately bear the sacrifices necessary to ensure the success of conservation measures for the Blue Crab fishery.	Failed in Senate Rules.
<b>SJ 397</b>	<b>Registry of saltwater anglers.</b> Requests the VMRC to examine the creation of a comprehensive registry of state saltwater anglers and to determine whether changes are needed in the Commonwealth's saltwater recreational fishing license program to conform to National Angler Registry requirements. <b>ADDED 2/18/09.</b>	Passed Senate; in House ACNR.
<b>SJ 411</b>	<b>Non-native oysters in the Chesapeake Bay.</b> Encourages the U.S. Army Corps of Engineers to support the introduction of genetically sterile non-native oysters as part of its Bay oyster-management. <b>ADDED 2/18/09.</b>	Failed in Senate.

## GAME, INLAND FISHERIES, AND BOATING

<b>HB 1901</b>	<b>Cavalier Wildlife Management Area.</b> Authorizes the Board of Game and Inland Fisheries to convey approximately seven acres within this area to Beaverdam Properties.	Passed House; in Senate Courts of Justice.
<b>HB 2111</b>	<b>Workers' Compensation infectious disease presumption for Virginia Port Authority.</b> Adds sworn Virginia Port Authority police officers to those public safety employees who are entitled to the presumption that certain infectious diseases are occupational diseases compensable under the Workers' Compensation Act.	Passed House; in Senate Commerce and Labor.
<b>HB 2242</b>	<b>Accident reports by watercraft passengers.</b> Requires persons 16 years of age or older who are in a vessel at the time of any accident in which a person is injured or killed and who have knowledge of the accident to ensure that a report is made within 24 hours to a law-enforcement officer.	Failed in House ACNR.
<b>HB 2281</b>	<b>Wildlife Violator Compact.</b> Authorizes the Dept. of Game and Inland Fisheries to adopt regulations necessary to be a party to the Interstate	Passed House; in Senate Privileges and

	Wildlife Violator Compact.	Elections.
<b>HB 2636</b>	<b>Special hunting and fishing license for youth groups.</b> Authorizes the issuance of a special group hunting and fishing license to a nonprofit wildlife education organization that takes youth on hunting and fishing excursions as part of its effort to educate young people on Virginia's wildlife. <b>ADDED 2/18/09.</b>	Passed House and Senate.
<b>HJ 627</b>	<b>Children's life jacket requirements.</b> Requests the Board and Department of Game and Inland Fisheries to consult and coordinate with the boating community and recreational boating safety professional organizations regarding the need for a statewide children's life jacket requirement.	Failed in House ACNR.
<b>HJ 703</b>	<b>Waterfowl hunting study.</b> Establishes a six-member legislative subcommittee to study waterfowl hunting in urban and suburban areas. See related SJ 332.	Failed in House Rules.
<b>HJ 721</b>	<b>Waterfowl hunting study.</b> Same provision as to HJ 703 (please see that bill, above, for summary).	Failed in House Rules.
<b>SB 820</b>	<b>Local motorboat registration fee.</b> Authorizes localities to impose a local motorboat registration fee on motorboats subject to the locality's tangible personal property tax, for a registration period of 36 months.	Failed in Senate ACNR.
<b>SB 880</b>	<b>Department of Game and Inland Fisheries: exceptions to disclosure of official records.</b> Provides that records of the Department shall be subject to the disclosure provisions of the Freedom of Information Act, except that personal information of individual applicants or holders of any hunting, fishing, boating, or trapping license issued by the Department shall be withheld from public disclosure if such individuals have requested that the Department not disclose such information. Statistical summaries or other records that do not identify individual applicants or licensees shall be disclosed. The bill provides, however, that such information may be released in accordance with a proper judicial order; to any law-enforcement agency, officer, or authorized agent thereof acting in the performance of official law-enforcement duties; or to a person who is the subject of the record.	Failed in Senate General Laws and Technology; subject referred to Freedom of Information Act Advisory Council.
<b>SB 882</b>	<b>Regulation of parking on public highways.</b> Adds Stafford County to the list of counties and towns that may by ordinance regulate the parking of watercraft, boat trailers, motor homes, and camping trailers; also replaces several circumlocutions with the names of the localities to which those circumlocutions apply.	Passed Senate; in House Transportation.
<b>SJ 322</b>	<b>Waterfowl hunting study.</b> Directs the Crime Commission to study waterfowl hunting in certain urban and suburban areas. See related HJ 703.	Passed Senate; in House Rules.

## WASTE DISPOSAL

<b>HB 1872</b>	<b>Hampton Roads area refuse collection and disposal system authority.</b> Sets forth the requirements for any solid waste authority for the cities of Norfolk, Virginia Beach, Portsmouth, Chesapeake, and Franklin, and the counties of Isle of Wight, Southampton, and Suffolk.	Passed House; in Senate Local Government.
<b>HB 2419</b>	<b>Fossil fuel combustion products permit.</b> Requires a solid waste permit when using unamended coal-combustion waste (fly ash) as land cover for recreational facilities or for land contouring. See related HB 1918/SB 865.	Failed in House ACNR.
<b>HB 2576</b>	<b>Electricity generated from solid waste.</b> Expands the definition of a	Passed House; in

	“qualifying project” under the Public-Private Education Facilities and Infrastructure Act of 2002 to include any solid waste management facility that produces electric energy derived from solid waste.	Senate Commerce and Labor.
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## WATER AND SEWER SYSTEMS

<b>HB 1681</b>	<b>Construction of wells.</b> Requires a site plan, but not a survey plat, to be included in an application for a permit to construct a private well; also clarifies that it is the landowner's responsibility to ensure that the well is located on his or her property.	Passed House; passed Senate Education and Health.
<b>HB 1788</b>	<b>Alternative on-site sewage systems.</b> Provides that localities may not prohibit the use of such systems when central sewer system systems are not available. Companion bill is SB 1276.	Passed House; in Senate Local Government.
<b>HB 1840</b>	<b>Gas and Oil Act; distance limitations of wells.</b> Exempts wells from minimum distance limitations if the proposed drilling application includes a plan for plugging the well in advance of mining that would allow for the mine-through of the well. Permits to drill coalbed methane gas wells must also include a notice of stimulation if the proposed method of stimulation of the coal seam requires an amount of proppant greater than 10,000 pounds per foot of coal in the coal seam.	Failed in House ACNR.
<b>HB 2074</b>	<b>Wastewater treatment plants: exception to total maximum daily load allocations for certain plants.</b> Establishes an expedited process for the State Water Control Board to review petitions (submitted through July 10, 2010) from certain wastewater-treatment facilities to maintain nutrient allocations based upon a higher design flow and determine whether to grant the facilities an extension to December 31, 2015, to obtain a certificate at a higher design flow (current deadline is December 31, 2010). Whether the facilities are granted or denied the extension, each facility would still have to comply with their currently applicable nutrient allocations by January 1, 2011, whether obtaining point source nutrient credits or by some other means. Companion bill is SB 1022.	Passed House; in Senate ACNR.
<b>HB 2162</b>	<b>Town of Timberville; provides for advisory referendum on water fluoridation.</b>	Passed House Privileges and Elections.
<b>HB 2188</b>	<b>Onsite sewage systems: survey plat requirement.</b> Directs the Board of Health to establish procedures for requiring a survey plat with any application for an onsite sewage or alternative discharging sewage system, and procedures for waiving such requirement.	Passed House; in Senate Education and Health.
<b>HB 2247</b>	<b>Water and waste authorities; liens.</b> Provides that a lien may apply for delinquent rates or charges applicable to “three or fewer months” rather than “three or fewer delinquent billing periods not exceeding thirty days each” in order to accommodate authorities that bill on a quarterly basis.	Passed House; in Senate Local Government.
<b>HB 2270</b>	<b>Private residential wells; minimum storage capacity and yield requirements.</b> Requires the Board of Health to include in its regulations minimum storage-capacity and yield requirements for residential drinking wells, and requires that the certified well-systems provider shall certify the storage capacity and yield of the well at the time of well completion.	Passed House; passed Senate Education and Health.
<b>HB 2323</b>	<b>Fauquier County Water and Sanitation Authority/Vint Hill wastewater treatment plant.</b> Grants exemption to maintain current	Incorporated into HB 2074.

	nutrient waste-load allocations for 10 years.	
<b>HB 2558</b>	<b>Land-application of biosolids permits.</b> Clarifies that if a biosolids permit is amended to increase the land-application acreage by 50 percent or more than was permitted in the initial permit, the application is to be treated as a new application requiring public notice and a public meeting.	Passed House and Senate.
<b>HB 2591</b>	<b>Sampling of sewage sludge: unannounced inspections by DEQ.</b> Requires the Dept. of Environmental Quality (DEQ), during an unannounced inspection of land on which biosolids are being applied, to collect samples of the biosolids; to develop a protocol for the sampling procedure; and to have an analysis of possible health-related constituents in the sample if there is a documented health complaint.	Failed in House ACNR.
<b>HB 2646</b>	<b>Eligibility for betterment loans.</b> Directs the Board of Health and the Director of the DEQ to develop procedures for qualifying the owners of failing septic tanks, underground storage tanks, and contaminated dry cleaning stores, for betterment loans to be provided by private lenders. A betterment loan is defined as “a loan...to repair, replace, or upgrade an onsite sewage system or an alternative discharging sewage system for the purpose of reducing threats to public health and ground and surface waters....” <b>ADDED 2/18/09.</b>	Passed House; in Senate Education and Health.
<b>SB 1022</b>	<b>Wastewater treatment plants: exception to total maximum daily load allocations for certain plants.</b> Companion Bill is HB 2074 (please see that bill for summary).	Passed Senate; in House ACNR.
<b>SB 1128</b>	<b>Construction of wells; geothermal heating systems.</b> Requires the Board of Health to develop regulations for the issuance of an express geothermal permit allowing the construction of wells used solely for closed-loop geothermal heating systems.	Passed Senate; in House Health, Welfare and Institutions.
<b>SB 1276</b>	<b>Alternative on-site sewage systems; restriction on local authority to prohibit.</b> Companion bill is HB 1788 (please see that bill for summary).	Passed Senate; in House Health, Welfare and Institutions.
<b>SB 1337</b>	<b>Coal and gas road improvement tax; water/sewer projects.</b> Provides that revenues generated by the coal and gas road improvement tax and designated for local water or sewer projects shall be distributed to the local industrial development authority or economic development authority or the local public service authority rather than to the local governing body; also provides that such revenues may be used for the administrative expenses of the locality’s coal and gas improvement fund advisory committee.	Passed Senate; in House Finance.
<b>SB 1460</b>	<b>Replacement of water by gas well operators.</b> Requires the operator of any gas well—whether conventional or coalbed methane well—to replace any water supply contaminated or interrupted by an operation that is within 750 feet of a water well; also requires surface landowners to allow gas well operators to take samples water from water wells. Currently, these requirements apply only to coalbed methane wells and not to conventional gas wells.	Passed Senate; in House ACNR.
<b>SB 1471</b>	<b>Stormwater control and water or waste systems; allows governor to disclaim rights of State.</b> Authorizes the governor, upon request of a user of state lands and with the concurrence of the attorney general, to disclaim any rights, title, and interest of the Commonwealth in and to lands used for stormwater-control systems or water or waste systems if he finds that there is no greater public need or purpose than such use, or that public use and necessity have been established.	Passed Senate; in House Courts of Justice.
<b>SB 1509</b>	<b>Septic systems; nitrogen-reducing technology.</b> Clarifies that the	Passed Senate; passed

	Dept. of Conservation and Recreation may award grants from the Water Quality Improvement Fund for the replacement or modification of residential onsite sewage systems to include nitrogen-removal capabilities. The Board of Health may also set nitrogen-reducing performance requirements for alternative onsite and alternative discharging sewage systems that protect public health and the quality of groundwater and surface water. <b>ADDED 2/18/09.</b>	House ACNR.
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## WATERS OF THE STATE, PORTS AND HARBORS

<b>HB 1595</b>	<b>Middle Peninsula Chesapeake Bay Public Access Authority; authorized to develop wetlands mitigation.</b> Authorizes the Middle Peninsula Chesapeake Bay Public Access Authority to receive and expend funds in order to restore or create tidal wetlands within the region that the Authority serves; any wetlands credits results from the restoration or creation of such projects can only be used by the Authority's member jurisdictions.	Passed House; in Senate Local Government.
<b>HB 1611</b>	<b>Veterans Memorial Bridge designation on I-64.</b> Designates the Interstate Route 64 bridges over the Jackson River at approximately mile marker 19 in Alleghany County as "Veterans Memorial Bridge.:"	Passed House; in Senate Transportation.
<b>HB 1713</b>	<b>Holland-Councill Memorial Bridge designation on U.S. 58.</b> Designates the U.S. Route 58 Business bridge over the Blackwater River in Isle of Wight County as "Holland-Councill Memorial Bridge." Companion bill is SB 802.	Passed House; passed Senate Transportation.
<b>HB 1739</b>	<b>Virginia ports; change in ownership.</b> Requires approval of both the governor and the General Assembly before any change in ownership of the Virginia ports is permitted.	Failed in House Rules.
<b>HB 1774</b>	<b>Tidal creeks; establishes no-discharge zones for vessels operating in designated areas.</b> Establishes the tidal creeks of the Commonwealth as no-discharge zones for treated or untreated waste from vessels. A no-discharge zone would only be established on those tidal creeks where the U.S. Environmental Protection Agency has determined that sufficient facilities exist for the removal of sewage.	Passed House; in Senate ACNR.
<b>HB 1775</b>	<b>Invasive species; Secretary of Natural Resources to develop management plan to prevent.</b> Charges the Secretary of Natural Resources (and, in a Senate amendment, the Secretary of Agriculture and Forestry) with the responsibility of developing an invasive species management plan and establish an invasive species advisory group.	Passed House and Senate; Senate amendments before House.
<b>HB 1855</b>	<b>Conveyance of subaqueous lands in Fairfax County.</b> Asserts that the conveyance of certain property now located in Alexandria by Thomas Lord Fairfax in April 1765 to John West, Jr., shall be deemed a valid and proper conveyance by the Commonwealth of any rights, title, and interest that the Commonwealth may have had in such property.	Failed in House ACNR.
<b>HB 1931</b>	<b>Water Facilities Revolving Loan Fund.</b> Authorizes the Virginia Resources Authority to provide to the Va. DEQ a portion of the fees the Authority receives for administering this loan, to cover some of the DEQ's costs for administering the construction assistance loan program.	Passed House; in Senate ACNR.
<b>HB 1936</b>	<b>Virginia Resources Authority; definition of eligible projects includes site acquisition and development.</b> Clarifies that "projects" eligible for Authority financing may include site-acquisition or site-development work for economic and community development projects for any local government. Companion bill is SB 1476. See also	Passed House and Senate.

	related SB 989.	
<b>HB 2043</b>	<b>Virginia Port Authority; disclosure of certain marketing information.</b> Provides that records of expenses paid to any officer or employee of the Authority or any entity that are incurred for business development or marketing of Virginia ports shall be open to public disclosure in accordance with the Freedom of Information Act. Exempted would be records that would identify specific business development or marketing activities if disclosure of such information would be harmful to the competitive position of the Authority.	Failed in House General Laws.
<b>HB 2056</b>	<b>Advanced shipbuilding training grant program.</b> Establishes a grant program relating to advanced shipbuilding activities involving nuclear warships for the U.S. Navy. Grants would be paid to an eligible shipbuilder based in Newport News that (i) makes a capital investment of at least \$300 million; (ii) creates at least 1,000 new full-time jobs; and (iii) maintains an accredited apprenticeship program. A maximum of \$50 million in grants would be paid beginning in FY 2012-13 and ending in FY 2021-22. Companion bill is SB 1321.	Passed House; in Senate Commerce and Labor.
<b>HB 2283</b>	<b>Virginia members of Ohio Valley Water Sanitation Commission.</b> Replaces one of the three Virginia commissioners with the Director of the Dept. of Conservation and Recreation.	Passed House; in Senate Privileges and Elections.
<b>HB 2401</b>	<b>Fallen Heroes Memorial Bridge designations.</b> Designates the following bridges: the U.S. Route 29 bridge over the Rapidan River between Greene and Madison Counties as the “Fallen Heroes Memorial Bridge in honor of Corporal Adam J. Fargo and Private First Class Edwin A. Andino”; the U.S. Route 340 bridge over the South Fork of the Shenandoah River at the Warren County/Page County line as the “Larry E. Smedley Veterans Memorial Bridge”; and the U.S. Route 340/Virginia Route 522 bridge over the North Fork of the Shenandoah River in Warren County as the “Wesley L. Fox Veterans Memorial Bridge.”	Passed House; in Senate Transportation.
<b>HB 2413</b>	<b>Craney Island Disposal Area in Portsmouth; constructing marine terminal with dredge material.</b> Gives General Assembly authorization for the construction of a marine terminal on the eastern side of Craney Island Disposal Area using dredge material to extend the disposal area eastward, as defined in the U.S. Army Corps of Engineers Feasibility Study approved on October 24, 2006, and authorized by Congress in the Water Resources Development Act of 2007. See related HJ 712.	Passed House and Senate.
<b>HB 2540</b>	<b>Virginia Resources Authority; additional powers.</b> Adds the following to the Authority’s powers: To form corporations, foundations, joint ventures, partnerships, trusts, or other legal entities or any combination thereof, on its own behalf or in conjunction with public or private entities; to acquire (by means other than eminent domain), own, encumber, pledge, sell, transfer, or otherwise dispose of interests in any such legal entity; to authorize any such legal entity to borrow money, issue bonds and notes, and exercise any other power permitted under Virginia law; and to provide financing and other funding to any such legal entity; to assist in coordinating federal, state, regional, and local public and private sector efforts, economic stimuli, and resources; and to support and provide educational and outreach programs to local governments on all aspects of the financing of projects, including financing through public-public and public-private joint and cooperative ventures.	Passed House; passed Senate ACNR; in Senate Finance.
<b>HB 2550</b>	<b>Economic development; incentive financing for major</b>	Passed House; in

	<b>employment and investment projects.</b> Authorizes the Virginia Public Building Authority and the Virginia Resources Authority to finance economic development initiatives for major employment and investment projects (MEI projects, defined in the bill) performed by state and local government entities.	Senate Finance.
<b>HJ 689</b>	<b>Public's use of state waters.</b> Requests the Department of Game and Inland Fisheries and the Marine Resources Commission to clarify the public's right to float, fish, and navigate the waters of the Commonwealth.	Passed House; in Senate Rules.
<b>HJ 712</b>	<b>Craney Island Eastward Expansion Project; U.S. Congress urged to appropriate its funds to construct.</b> Expresses the sense of the General Assembly in favor of the completion of the Craney Island Eastward Expansion Project and urges Congress to appropriate its share of funds for construction. See related HB 2413.	Failed in House Rules.
<b>SB 802</b>	<b>Holland-Councill Memorial Bridge on U.S. 58.</b> Companion bill is HB 1713 (please see that bill for summary).	Passed Senate; in House Transportation.
<b>SB 957</b>	<b>Rivanna Scenic River designation expansion.</b> Expands the Rivanna Scenic River designation about 10 miles to include the section from the South Fork Rivanna River reservoir to the junction of the Rivanna with the James River.	Passed Senate; in House ACNR.
<b>SB 984</b>	<b>Chesapeake Bay Preservation Act; stormwater regulations.</b> Requires the Chesapeake Bay Local Assistance Board to adopt regulations treating swimming pools and any other impoundments of surface waters (including fountains and retention ponds) as permeable surfaces for the purposes of stormwater management.	Failed in Senate ACNR.
<b>SB 989</b>	<b>Virginia Resources Authority: definition of power related to local government buildings.</b> Clarifies that the Authority's power to finance "construction of local government buildings" includes financing "administrative and operations systems and other local government equipment and infrastructure." See related HB 1936/SB 1476.	Passed Senate; in House ACNR.
<b>SB 1036</b>	<b>Rappahannock River Basin Commission; membership.</b> Removes the requirement that non-legislative citizen members serving as directors on the Rappahannock River Basin Commission must be <i>elected</i> members of the local governing bodies or the local soil and water conservation districts; the change would allow <i>appointed</i> members of the local governing body or soil and water conservation districts to serve as a Basin Commission director.	Passed Senate; in House Rules.
<b>SB 1321</b>	<b>Advanced shipbuilding training grant program; established.</b> Companion bill is HB 2056 (please see that bill for summary).	Passed Senate; in House Appropriations.
<b>SB 1405</b>	<b>Richard Daley Mahone Memorial Bridge on Va. 143 and John McLaughlin Memorial Bridge on Va. 64.</b> Designates the Virginia Route 143 bridge over Queens Creek in Williamsburg as the "Richard Daley Mahone Memorial Bridge" and the Virginia Route 64 that crosses Interstate 64 in New Kent County the "John McLaughlin Memorial Bridge."	Passed Senate; in House Transportation.
<b>SB 1451</b>	<b>Virginia Resources Authority's debt capacity.</b> Increases from \$900 million to \$1.5 billion the Authority's debt ceiling allowed without prior approval of the General Assembly.	Passed Senate; in House Appropriations.
<b>SB 1476</b>	<b>Virginia Resources Authority; definition of eligible projects includes site acquisition and development.</b> Companion bill is HB 1936 (please see that bill for summary).	Passed Senate; in House ACNR.
<b>SB 1484</b>	<b>Lake Anna; lake level contingency plan.</b> Requires that any lake	Failed in Senate ACNR.

	level contingency plan developed for Lake Anna include documentation of the impact reductions in water flow will have on recreational uses, and that an applicant for a Virginia Pollutant Discharge Elimination System permit to discharge into the lake must conduct an assessment of recreational use.	
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## FROM MISCELLANEOUS CATEGORIES

<b>HB 1828</b>	<b>Green roof construction: localities and water authorities allowed to offer rate incentives.</b>	Passed House; in Senate Local Government.
<b>HB 2010</b>	<b>Paper and plastic bags at retail stores.</b> Imposes a fee on non-durable bags used by purchasers. See related HB 1814/SB 873 and SB 971.	Failed in House Finance.
<b>HB 2055</b>	<b>Transfer of development rights: extensive changes.</b> Makes extensive changes to provisions initially passed in 2006 for the purpose of making the transfer of development rights process more useable for property owners and localities. The changes are a recommendation of the Joint Subcommittee Studying Transfer of Development Rights. Please see the LIS summary for details.	Passed House; in Senate Local Government.
<b>HB 2088</b>	<b>Department of Rail and Public Transportation grants; recreation and safety regarding new railroad projects.</b> As introduced, the bill set requirements for the department, prior to making, to consider safety and recreational issues, prior to making grants to publicly held railroads. The substitute bill passed by the House requires the Rail and Public Transportation Department, the Department of Game and Inland Fisheries, and the Department of Conservation and Recreation to develop a process to coordinate and evaluate public recreational access and safety issues related to certain new railroad projects.	Passed House; in Senate Rules.
<b>HB 2663</b>	<b>Water and waste authorities; board membership.</b> Allows appointment of industrial or economic development authority directors to the board of water and waste authorities. <b>ADDED 2/18/09.</b>	Passed House; passed Senate Local Government.
<b>SJ 290</b>	<b>Constitutional amendment (first resolution); taking of private property for public uses.</b> Establishes limitations on takings of private property: except for property taken for public service companies or railroads, property may not be taken if the primary purpose of the taking is private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment, and no more property shall be taken than is necessary to achieve the stated public use.	Failed in Senate Privileges and Elections.
<b>SJ 375</b>	<b>Clean Water Farm Award and the Bay Friendly Farm Award.</b> Commends 10 of the 37 farms selected as winners of the Clean Water Farm Award and the Bay Friendly Farm Award to represent the Commonwealth's 10 major river basins and to recognize the exemplary effort of such farms in implementing nutrient management plans and best management practices. See related HB 1925 (under Conservation).	Passed Senate and House.