

# 2015 Virginia General Assembly Climate & Energy Scorecard



# SIERRA CLUB



# Table of Contents

2	Introduction
3	Keeping Score
4	Making the Grade
5	Where Credit is Due: 2015 Legislative Leaders
6	Importance of Bill Patrons
7	Scorecard Vote Key
11	Senate Scorecard
13	House Scorecard

## 2015 Scorecard Acknowledgements

**Content:** Susan Stillman, Legislative Chair  
Corrina Beall, Legislative Coordinator  
Tim Whitcombe, Communications Volunteer  
Kyran Belfield, Legislative Intern

**Photography:** Josh Lopez, Bob Mical

A close-up photograph of a person's hands holding a large red sign. The sign has white and black text that reads "It's time to cut carbon". The person is wearing a pink shirt and a silver chain bracelet. The background is blurred, showing other people and buildings.

# Introduction

The 2015 General Assembly Session saw outsized attention paid to federal policy around global climate change. The Clean Power Plan, President Obama's signature carbon pollution reduction policy, was the subject of much debate in the Capitol and in numerous bills and resolutions.

The Clean Power Plan sets the first ever limits on carbon pollution from power plants, and sends a clear signal to other nations that the U.S. is serious about climate action and is taking steps to make major reductions in the carbon pollution that fuels climate change. The President has used his authority, clearly granted under the Clean Air Act, to demonstrate leadership, to inspire innovation, and to protect public health from the impacts of climate change. Now it is time for Virginia to act.

Governor Terry McAuliffe and his administration are faced with the opportunity to be leaders on the biggest environmental and energy challenge of our time. This is a turning point: the actions we take now will define our legacy and Virginia's future.

Ten bills and resolutions were introduced during the 2015 Legislative Session that had direct bearing on how Virginia will respond to the Clean Power Plan. Will we seize this opportunity to mitigate the dangerous effects of global climate change, or will obstructionists in the Virginia General Assembly hijack the Clean Power Plan?

Of those ten bills and resolutions, nine were attacks on the Clean Power Plan. Many were written or inspired by the American Legislative Exchange Council (ALEC). Thanks to engaged citizens like you, lawmakers in Richmond received tens of thousands of phone calls, e-mails and letters asking them to reject these shortsighted pieces of legislation. And for the most part, they listened: all but one of these bills were killed.

The one piece of legislation critical of the Clean Power Plan that did pass? A joint resolution (SJ 273) directing the Department of Environmental Quality to study whether the health benefits of the Clean Power Plan are really any different from those already expected from compliance with other air quality regulations. While the passage of this resolution sponsored by Sen. Frank Wagner (R-Virginia Beach)

does not prevent Virginia from complying with EPA's new rule, this study could be an opportunity for the Department of Environmental Quality to highlight the health benefits of the Clean Power Plan.

As much talk as there was during the 2015 Session around the Clean Power Plan, only one constructive solution was proposed that would steer Virginia in the right direction to meet and exceed our carbon reduction targets. Bipartisan legislation introduced by State Sen. Donald McEachin (D-Henrico) and Del. Ron Villanueva (R-Virginia Beach) would have directed Virginia to join the Regional Greenhouse Gas Initiative (RGGI), a multi-state program that caps and lowers carbon pollution and creates a funding stream for states. Not only would passage of this legislation put Virginia on track to meet our Clean Power Plan goals, but it would generate revenue that could be used to address the effects of climate change, like rising sea levels that threaten our coastal communities. Although this legislation did not pass this session, the dialogue and support it has received throughout Virginia has been encouraging and we will actively work for its passage in 2016.

The Clean Power Plan relies on actions that have popular support: cutting pollution and scaling up clean energy. It will drive innovation, spur investment in clean energy, and protect public health from the dangers of climate change. Embracing the CPP gets Virginia on track to be in control of our energy future and create clean energy jobs.

The 2015 Legislative Session set the stage for how implementation of the Clean Power Plan is likely to play out in Virginia. The Sierra Club Virginia Chapter will be there all the way to support our climate and clean energy champions in the legislature, and hold accountable those who obstruct action on mitigating and adapting to a changing climate.



Susan Stillman  
Legislative Chair  
Virginia Chapter Sierra Club





# Keeping Score

The second annual Climate and Energy Scorecard's publication is more critical than ever as we count down to state implementation of the federal Clean Power Plan. Outsized attention was paid this year to climate change in the Virginia General Assembly, and your legislators voted on an unprecedented number of climate change and clean energy bills in 2015!

In Virginia, opportunities to participate in the law-making process are limited. Our annual General Assembly Sessions are markedly shorter than those in other states. Thousands of bills are filed and voted on in rapid succession during that 45 day window.



Some bills are voted on with little or no prior notice on a public docket, giving interested citizens limited opportunity to weigh in. The Club's goal with this Scorecard is to increase transparency in the

legislative process so voters can distinguish between the rhetoric and the reality of a lawmaker's record.

Check out your Senator's and Delegate's grades and let them know what you think. Thank them for supporting good environmental policies, or let them know that they can do better. Send a letter or an e-mail, make a phone call or schedule a visit with your legislator—it doesn't matter how you contact them, just let them know you saw their grades. Find your elected officials online, at [www.viriniageneralassembly.gov](http://www.viriniageneralassembly.gov).

### Send a Letter:

Your Senator's Name  
Senate of Virginia  
P.O. Box 396  
Richmond, VA 23218

Your Delegate's Name  
General Assembly Building  
P.O. Box 406  
Richmond, VA 23218



# Making the Grade

Each lawmaker is graded on several key votes over the course of the 2015 Virginia General Assembly Session. The Club scores representative votes on legislation relating to climate change and energy policy that most clearly illustrate a distinction between those lawmakers who supported the pro-environmental position and those who did not. Some of these votes were made in Committee, but most were voted on by the full House or Senate.

For each vote supporting the Sierra Club position, a legislator receives one point. If he or she was also the patron of an environmental bill, that legislator receives extra credit equaling one additional point. Extra credit cannot exceed one point, regardless of how many environmental bills a legislator may have introduced. Cumulative points are then divided by the total number of opportunities to vote on environmental bills either in Committee or on the Floor. This percentage is printed in the Scorecard. Each legislator is assigned a grade on the basis of his or her "score."

Hundreds of bills that impact our environment are introduced in the legislature each year, but our Scorecard reflects only a handful of key votes on climate change and energy policy. This Scorecard is one tool to understand your elected official's performance. Much of what goes on during the General Assembly Session is left off the record: amendments stripping out the substance of a bill or changing its impact, and some bills are killed without a vote.

## *Want to be part of the action?*

If taking proactive steps to talk to your legislator *before* the votes are cast and the Scorecards are printed sounds like it could be for you, consider joining the Club's team of Citizen Lobbyists.

For more information about becoming a Citizen Lobbyist, visit us online at [www.vasierraclub.org/takeaction/lobby-corps/](http://www.vasierraclub.org/takeaction/lobby-corps/).



# Where Credit is Due: Legislators Who Acted to Advance Climate and Clean Energy Policy & Environmental Protection

For the third year running, the Sierra Club Virginia Chapter is recognizing the contributions of some of our leading Senators and Delegates for their legislative efforts on behalf of the environment. This year, the Club applauds ten Virginia legislators who advanced clean energy and climate change policy or acted to protect our air, water and land during the 2015 General Assembly Session.

**Senator John Watkins (R-10)** introduced successful legislation that will bring low-cost financing, called PACE, to energy efficiency and renewable energy projects at the commercial level. Property Assessed Clean Energy (PACE) financing is administered by local governments, which collect payments via property tax bills. Since the energy savings more than pay for the increased property tax assessments, PACE programs have been hugely successful in other states. The Department of Mines, Minerals and Energy will develop underwriting guidelines.

Sea level rise has become one of the most challenging public policy issues facing coastal Virginia. The increased warming, expanding and rising of ocean waters due to climate change, combined with the area's sinking land, will cause an additional 1.5 feet of sea level rise in the next 20 to 50 years and as much as 7.5 feet by century's end, according to the Virginia Institute of Marine Sciences. Lawmakers from both parties have acknowledged the need for action to combat sea level rise, but action is not possible without a dedicated



source of funding. The Virginia Coastal Protection Act (SB 1428/ HB 2205), introduced by **Delegate Ron Villanueva (R-21)** and **Senator Donald McEachin (D-9)**, was priority legislation for Sierra Club during the 2015 Legislative Session. This bipartisan bill would generate urgently needed funds to help Tidewater citizens and localities adapt to rising sea levels, while also reducing emissions of the heat-trapping pollution driving climate change impacts across the Commonwealth. This dedicated stream of state funding to help vulnerable coastal families and localities fight climate change would be secured by joining the highly successful and well established Regional Greenhouse Gas Initiative, or RGGI.

**Senator Jennifer Wexton (D-33)** is recognized for her leadership in strengthening requirements for reporting hazardous spills. Senate Bill 1154 would have required toxic spills be reported to the Department of Environmental Quality (DEQ) within 12 hours of the incident. This bill would also have modernized requirements to report potentially hazardous spills to local media outlets, including newspapers, television and radio. Over the past year, Virginia has experienced various spills that have jeopardized our drinking water and our rivers. Sen. Wexton responded to the coal ash crisis at the Dan River and the Lynchburg oil spill by introducing this common-sense measure.

Clean, renewable forms of energy are experiencing unprecedented growth in the U.S. and solar is leading

the way. By embracing simple, common-sense changes to existing law, Virginia can reduce its carbon footprint while closing the investment gap for clean energy. One easy fix was carried across the finish line by **Senator Rosalyn Dance (D-16)** and **Delegate Jen McClellan (D-71)**. They are recognized for successful legislation (HB 1950/ SB 1395) that doubles the net-metering project cap for non-residential customers from the existing 500 kilowatt (kW) limit to a more competitive 1 megawatt (MW) limit. Raising the cap positions Virginia to be more competitive with our neighboring states—North Carolina's cap is 1 MW, while Maryland has a 2 MW cap. Raising the cap attracts new, larger projects across the state, growing our local economy and incentivizing new investments in clean energy.

**Delegate Alfonso Lopez (D-49)** kicked off the first Caucus of its kind this year: a bipartisan group who share common goals for developing a more competitive, efficient and sustainable energy economy. The Virginia Environment and Renewable Energy Caucus (VERE) provides an opportunity for legislators to meet with Administration officials, industry experts, and environmental advocates to discuss how to work together to preserve the environment for future generations while strengthening our economy through sustainable, clean energy investments. Del. Lopez continues to be a fighter for the environment in the Virginia General Assembly. In 2015 alone, Del. Lopez introduced 5 bills in collaboration with partners including the Sierra Club that would grow Virginia's clean energy economy.

**Delegate David Toscano (D-57)** led a spirited charge against Virginia's coal tax credits, introducing House Bill 2181 and publishing a hard-hitting op-ed in the Richmond Times-Dispatch. This should have been the year to end more than two decades of corporate

welfare for companies whose business model involves the destruction of Virginia's mountains. All the facts line up against Virginia's coal subsidies: the decline of coal employment since the 1990s, the waste of half a billion dollars that could have gone towards diversifying the southwest Virginia economy, and the unfair advantage it gives coal over 21st century clean energy technologies that promise real job growth. Rather than end the coal tax credits, the General Assembly voted to extend them. Governor McAuliffe vetoed this extension of the tax credit for electric utilities that burn Virginia coal.

**Delegate Chris Jones (R-76)** introduced legislation to reform transportation funding and championed reforms to Virginia's public-private transportation law. As Chairman of the House Appropriations Committee, Del. Jones convened a hearing in April 2014 that exposed the flaws both of the Route 460 public-private transportation project and the state's public-private transportation partnership process. In 2015, Delegate Jones sponsored legislation to increase oversight and transparency in the public-private transportation partnership process. He also sponsored a bill that changes transportation funding formulas to focus on outcomes rather than traditional highway construction programs. Both bills have been enacted into law.

**Delegate Rip Sullivan (D-48)** entered the House of Delegates this year with a bang! He introduced numerous clean energy bills in his first Session, including HB 1622 (net metering), HB 1728 (renewable energy tax credit), HB 1730 (energy efficiency goals required for utilities), HB 1731 (Department of Natural Resources to report on pollution) and HB 1729 (community solar gardens). Del. Sullivan's candor in confronting the climate deniers in Richmond is a refreshing departure from "the Virginia Way."

# The Importance of Bill Patrons

The Club appreciates Legislators who introduce bills to advance clean energy and climate policy in Virginia. These patrons receive "extra credit" on the Scorecard.

Senator John Edwards (D-21) SB 764;  
Expanding Net Energy Metering

Delegate Matthew James (D-80) HB 1843;  
Green Jobs Tax Credit

Senator Emmett Hanger (R-24) SB 1166;  
Access to Gas Companies' Public Records

Delegate Rob Krupicka (D-45) HB 1877;  
Expiration of Coal Tax Credits

Senator Mamie Locke (D-2)  
SB 1079; Flood Protection  
Plan

Delegate Alfonso Lopez  
(D-49) HB 1912; Expanding  
Energy Net Metering

Senator Rosalyn Dance (D-16)  
SB 1395; Raising the Cap on  
Commercial Net Metering

Delegate Daniel Marshall  
(R-14) HB 1446; Commercial  
PACE

Senator Donald McEachin (D-9)  
SB 1428; Virginia Coastal  
Protection Act

Delegate Jennifer McClellan  
(D-71) HB 1950; Raising the  
Cap on Commercial Net  
Metering

Senator John Miller (D-1) SB  
1443; Plan to Combat Sea  
Level Rise

Delegate Randy Minchew  
(R-10) HB 1636; Expanding  
Energy Net Metering

Senator Richard Stuart (R-28)  
SB 1099; Virginia Solar Energy  
Development Authority

Delegate Rip Sullivan (D-48)  
HB 1622; Expanding Energy  
Net Metering

Delegate Richard Bell (R-20)  
HB 1696; Access to Gas  
Companies' Public Records

Delegate David Toscano (D-57)  
HB 2181; Coal Tax Credits

Delegate David Bulova (D-37) HB 1725;  
Virginia Solar Energy Development Authority

Delegate Ron Villanueva (R-21) HB 2205;  
Virginia Coastal Protection Act

Delegate Tim Hugo (R-40) HB 2267; Virginia  
Solar Energy Development Authority

Delegate David Yancey (R-94) HB 2237;  
Recovery of Costs of Solar Energy Facilities





# Scorecard Vote Key

## Climate Change

### ✗ SB 740 – Legislative Veto of Clean Power Plan

Senator Charles Carrico (R-40)

When the Environmental Protection Agency (EPA) released its Clean Power Plan in June 2014, environmentalists celebrated America's first serious response to global climate disruption and the first-ever limit on the greenhouse gas pollutant, carbon dioxide. In reaction, Virginia legislators introduced nine bills that would have mandated delays and protected the fossil fuel status quo. Senate Bill 740 was just one of the nine which would have obstructed or undermined the EPA's authority and hobbled Virginia's ability to implement the Clean Power Plan.

This bill, had it passed, would have instructed our Department of Environmental Quality (DEQ) to hold hearings and examine witnesses in the development of its compliance plan. DEQ would also have been required to get approval from the General Assembly for the plan before it could submit it to the EPA for approval—effectively giving the General Assembly a legislative veto. If either chamber of the Legislature opposed the plan, DEQ would have to do it over again—until the time allowed for state compliance ran out.

Virginia legislators did not invent the attack-challenge-delay approach that is the common thread of these nine anti-EPA bills. The strategy came from the American Legislative Exchange Council (ALEC), the conservative “bill mill” heavily funded by fossil fuel interests.

SB 740 was passed by indefinitely (killed) in Senate Agriculture, Conservation and Natural Resources Committee on an 8-7 vote.

### ✗ SB 1365 – Amendment to Legislative Veto of Clean Power Plan

Senator John Watkins (R-10)

Senate Bill 1365 started its life in the Virginia General

Assembly as another American Legislative Exchange Council (ALEC) attack on the Clean Power Plan, with an identical companion bill in the House carried by Delegate O'Quinn. However, in Committee, Senator Watkins walked back his legislation to simply instruct the Department of Environmental Quality (DEQ) on what factors to consider in developing the plan, and to require DEQ to consult with the State Corporation Commission as well as General Assembly members. The benign substitute bill passed Committee unanimously, and it appeared to be smooth sailing for SB 1365 until unexpected drama unfolded on the Floor of the House.

Upon reaching the Floor after Crossover, the companion bill's patron Del. O'Quinn attempted a coup by introducing substitute language that would interject ALEC hyperbole and transformed the bill once again into an offensive blitz on the EPA and the Clean Power Plan. The vote scored here, in this Scorecard, is the Senate's vote on the hostile House amendment offered by Del. O'Quinn.

SB 1363 was pulled off the Senate calendar (killed) by its patron after hostile changes were made in the House.

### ✗ HJ 608 – Opposition to Clean Power Plan

Delegate Terry Kilgore (R-1)

House Joint Resolution 608 was a simple declaration of opposition to the Environmental Protection Agency's (EPA) Clean Power Plan. Yet another attempt to obstruct the authority of Virginia's agencies to develop a responsible plan to comply with the EPA. Furthermore, passage of this resolution would have been entirely political, as we won't know what the final rule says until July of 2015—six full months after this resolution was voted on.

HJ 608 passed the House Floor 63-33. After Crossover, it was not taken up for a vote in the Senate Committee on Rules. The resolution died from neglect: it was left in Committee.

### ✗ SJ 273 – EPA Double Counting of Health Benefits

Senator Frank Wagner (R-7)

Senate Joint Resolution 273 directs the Department of Environmental Quality (DEQ) to study whether the health benefits of the Clean Power Plan differ from benefits already expected from compliance with other air quality regulations. The reason, according to the bill, is that “if the EPA is claiming the same health benefits under two different sets of regulations, its effort to attribute future pollution reductions to the proposed Plan amounts to ‘double counting.’” Rather than propose constructive steps or solutions, this Resolution is yet another attack on the EPA and the Clean Power Plan.

SJ 273 passed both chambers; it passed the Senate on an unrecorded voice vote, and the House on a vote of 69-30.

### ✓ SB 1428 & HB 2205 – Virginia Coastal Protection Act

Senator Donald McEachin (D-9)

Delegate Ron Villanueva (R-21)

Sea level rise has become one of the most challenging public policy issues facing coastal Virginia. The increased warming, expanding and rising of ocean waters due to climate change, combined with the area's sinking land, will cause an additional 1.5 feet of sea level rise in the next 20 to 50 years, and as much as 7.5 feet by century's end according to the Virginia Institute of Marine Sciences. Lawmakers from both parties have acknowledged the need for action to combat sea level rise, but action is not possible without a dedicated source of funding.

Companion bills Senate Bill 1428 and House Bill 2205 would have generated urgently needed funds to help Tidewater citizens and localities adapt to rising sea levels, while also reducing emissions of the heat-trapping pollution driving climate change impacts across the Commonwealth. This dedicated stream of state funding to help vulnerable coastal families and localities fight



climate change would have been secured by joining the highly successful and well established Regional Greenhouse Gas Initiative, or RGGI.

RGGI is a cooperative effort of nine East Coast states that caps and reduces greenhouse gas pollution. Since the program's inception in 2008, RGGI states have reduced their carbon footprint 2.7 times faster than non-RGGI states. In the same time period, electricity prices have dropped by 8 percent in participating states, compared to a 6 percent rise throughout the rest of the nation. Under RGGI, power plants purchase allowances for every ton of carbon they emit and the sale of carbon allowances gets reinvested back to the states.

Under SB 1428/ HB 2205, half of Virginia's projected \$200 million in annual auction revenues would have been dedicated to funding coastal adaptation efforts, 35 percent would have funded energy efficiency and renewable energy projects, and 10 percent would have funded workforce development, education, and economic assistance in Southwest Virginia.

SB 1428 was passed by indefinitely (killed) in Senate Agriculture, Conservation and Natural Resources Committee on an 8-7 party-line vote. HB 2205 was laid on the table (killed) by an unrecorded voice vote in House Commerce and Labor Special Subcommittee on Energy.

✓ **SB 1443 – Plan to Combat Sea Level Rise**

Senator John Miller (D-1)

Senate Bill 1443 codifies the obligation of the Hampton Roads Planning District, which includes vulnerable coastal communities including Gloucester, York, Poquoson, Newport News, Hampton, Smithfield, Isle of



Wight County, Suffolk, Portsmouth, Norfolk, Chesapeake and Virginia Beach, to include strategies to address sea-level rise in all future comprehensive plans. A mitigation plan must be agreed upon as a condition to continue participation in the Federal Emergency Management Agency's National Flood Insurance Program. This requirement provides real incentives for local

governments to cooperate regionally to identify solutions for a problem that defies any one city's or county's ability to take it on alone.

SB 1443 passed the Senate 22-16. The House voted 90-9 to pass the bill.

**Dirty & Clean Energy**

✗ **SB 869 – Carbon Monoxide Emissions**

Senator John Cosgrove (R-14)

Senate Bill 869 exempts carbon monoxide emissions of certain diesel-powered incinerators from permitting regulations of the State Air Pollution Control Board. An incinerator with exempted emissions must be installed prior to July 1, 2015, owned by a

locality, and used exclusively for the incineration of animal carcasses collected from public rights-of-way. The provisions of the bill expire on July 1, 2019.

SB 869 passed the Senate Floor 27-12. The House voted to pass the bill 70-26 on the Floor.

✓ **SB 1099 & HB 2267 – Virginia Solar Energy Development Authority**

Senator Richard Stuart (R-28)

Delegate Tim Hugo (R-40)

Senate Bill 1099 and House Bill 2267 are companion bills that establish a Virginia Solar Energy Development

Authority to facilitate, coordinate and support the development of the solar energy industry and solar-powered electric energy facilities in the Commonwealth. The Authority is directed to develop programs to increase the availability of financing for solar energy projects, facilitate the increase of solar energy generation systems on public and private sector facilities in the Commonwealth, promote the growth of the Virginia solar industry, and provide a hub for collaboration between entities to partner on solar energy projects. The Authority will be composed of 11 members, six of whom will be appointed by the Governor, three will be appointed by the Speaker of the House, and two will be appointed by the Senate Committee on Rules. Members may be representatives of solar businesses, solar customers, renewable energy financiers, state and local government solar customers, and solar research academics. The Authority is charged with, among other tasks, (i) identifying existing state and regulatory or administrative barriers to the development of the solar energy industry; (ii) collaborating with entities such as higher education institutions to increase the training and development of the workforce needed by the solar industry in Virginia, including industry-recognized credentials and certifications; (iii) applying to the U.S. Department of Energy for loan guarantees for such projects; and (iv) performing any other activities as may seem appropriate to increase solar energy generation in Virginia and the associated jobs and economic development and competitiveness benefits.

SB 1099 passed the Senate 36-1. The House voted to pass the bill 79-17. HB 2267 passed the House 80-19. The Senate voted to pass the bill 38-1.

✓ **SB 1166 – Access to Gas Companies' Public Records**

Senator Emmett Hanger (R-24)

Senate Bill 1166 would open the records of any public service corporation to the public in accordance with the

Freedom of Information Act (FOIA) if that company is granted the power of eminent domain.

SB 1166 was passed by indefinitely (killed) in Senate Commerce and Labor Committee on an 8-3 vote.

### ✓ **SB 1395 – Raising the Cap on Commercial Net Metering**

Senator Rosalyn Dance (D-16)

This simple, common-sense bill was introduced during the 2015 General Assembly Session to make a small change in existing law that would expand opportunities for non-residential customers to offset their carbon footprint by installing solar. The use of clean, renewable forms of energy is increasing nationally, however Virginia is slow to grow due to its restrictive solar policies. Senate Bill 1395 will double the net-metering project cap for non-residential customers from the existing 500 kilowatt (kW) limit to a more competitive 1 megawatt (MW) limit. Raising the cap will allow Virginia to be more competitive with our neighboring states—North Carolina’s cap is 1 MW, while Maryland has a 2 MW cap. Raising the cap will attract new, larger projects across the state, growing our local economy and incentivizing new investments in clean energy.

SB 1395 passed the Senate 37-0. The House voted 93-5 to pass the bill.

### ✓ **HB 1446 - Property Assessed Clean Energy (PACE)**

Delegate Danny Marshall (R-14)

Property Assessed Clean Energy, or PACE, is a loan program for commercial property owners to finance energy efficiency and renewable energy improvements, including chillers, boilers, controls, solar, lighting, windows and much more. PACE financing will be administered by local governments, who collect payments via property tax bills. House Bill 1446 enables localities to hire third party administrators to operate PACE programs and charge fees to PACE borrowers to cover administrative costs. Now that this piece of legislation has become law, commercial and multifamily buildings (except condos) are eligible for PACE financed energy efficiency and renewable energy improvements.

HB 1446 passed the House 95-4. The Senate voted 37-1 to pass the bill.

### ✗ **HB 1879 – Coalfield Employment Enhancement and Coal Tax Credits**

Delegate Terry Kilgore (R-1)

The passage of House Bill 1879 would have extended the sunset date of Virginia’s coal tax credits through 2019. It’s been 20 years since Virginia first began subsidizing coal mining via these tax credits, bleeding the state treasury of more than \$500 million in all. And it’s been three years since the Joint Legislative Audit and Review Committee (JLARC) issued a critique of the various Virginia tax credits that included an especially harsh assessment of the handouts to coal companies. This year, the Virginia Legislature voted to extend the tax credits yet again. During the Veto Session, amendments that would have scaled back the credits were voted down. HB 1879 was vetoed by Governor McAuliffe in April. Tax credits are now set to expire on January 1, 2017—but several members of the General Assembly have already vowed to reintroduce bills next year to keep the taxpayer largesse flowing.

### ✓ **HB 2237 – Recovery of Costs of Solar Energy Facilities**

Delegate David Yancey (R-94)

Passage of HB 2237 allows Dominion or Appalachian Power utilities to recover the costs of building or buying solar facilities in the state of Virginia of at least 1 MW, plus an enhanced rate of return on equity, through a rate adjustment clause. Most importantly, construction or purchase of such facilities, and the planning and development activities for solar energy facilities of at least 1 MW in size, and up to an aggregate of 500 MW, are deemed “in the public interest,” a phrase that will help utilities when they seek approval for these projects at the State Corporation Commission. The 1 MW size minimum was set to be above the limit for net-metered solar projects—this is language that will benefit utility owned and operated solar power, not distributed generation.

HB 2237 passed the House 88-10. The Senate voted to pass this bill 36-3.







Clean is healthy air

INVE

# Senate Scorecard

Party	District	Senator	Score	Grade	HB 1879 Coal Tax Credit	SB 740 Legislative Veto: Clean Power Plan	SB 1428 Virginia Coastal Protection Act	SB 1166 Access to Gas Companies' Records	HB 2237 Recovery of Solar Facilities' Cost	SB 1365 Clean Power Plan Bill Amendment	HB 2267 Virginia Solar Development Authority	SB 1443 Sea Level Rise Plan	Patron Credit
D	5	Alexander	83%	B	✓			x	✓	✓	✓	✓	
D	39	Barker	100%	A+	✓				✓	✓	✓	✓	
R	13	Black	14%	F	x	x	x		x	✓	x	x	
R	40	Carrico	40%	F	x				✓	x	✓	x	
R	38	Chafin	50%	F	x	x	x	✓	✓	✓	✓	x	
D	29	Colgan	100%	A+	✓			✓	✓	✓	✓	✓	
R	14	Cosgrove	67%	D	x			✓	✓	✓	✓	x	
D	16	Dance	100%	A+	✓	✓	✓	ab	✓	✓	✓	✓	✓
D	25	Deeds	80%	B	x				✓	✓	✓	✓	
D	30	Ebbin	100%	A+	✓	✓	✓		✓	✓	✓	✓	
D	21	Edwards	83%	B	x				✓	✓	✓	✓	✓
D	31	Favola	100%	A+	✓				✓	✓	✓	✓	
R	22	Garrett	40%	F	x				✓	x	✓	x	
R	24	Hanger	63%	D	x	x	x		✓	✓	✓	✓	✓
D	32	Howell	100%	A+	✓				✓	✓	✓	✓	
D	6	Lewis	100%	A+	✓	✓	✓		✓	✓	✓	✓	
D	2	Locke	83%	B	✓				✓	x	✓	✓	✓
D	18	Lucas	100%	A+	nv				✓	✓	✓	nv	
D	37	Marsden	100%	A+	✓	✓	✓		✓	✓	✓	✓	
R	11	Martin	60%	D	x				✓	✓	✓	x	



# Senate Scorecard

✓ = Right    ✗ = Wrong    nv = Not Voting    ab = Abstained

Party	District	Senator	Score	Grade	HB 1879 Coal Tax Credit	SB 740 Legislative Veto: Clean Power Plan	SB 1428 Virginia Coastal Protection Act	SB 1166 Access to Gas Companies' Records	HB 2237 Recovery of Solar Facilities' Cost	SB 1365 Clean Power Plan Bill Amendment	HB 2267 Virginia Solar Development Authority	SB 1443 Sea Level Rise Plan	Patron Credit
R	4	McDougle	40%	F	✗				✓	✗	✓	✗	
D	9	McEachin	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓
R	8	McWaters	67%	D	✗			✗	✓	✓	✓	✓	
D	1	Miller	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓
R	23	Newman	50%	F	✗			✓	✗	✓	✓	✗	
R	3	Norment	83%	B	✗			✓	✓	✓	✓	✓	
R	26	Obenshain	43%	F	✗	✗	✗	ab	✓	✗	✓	✓	
D	34	Petersen	100%	A+	✓	✓	✓		✓	✓	✓	✓	
D	36	Puller			nv				nv	nv	nv	nv	
R	17	Reeves	40%	F	✗				✓	✗	✓	✗	
R	15	Ruff	57%	F	✗	✗	✗		✓	✓	✓	✓	
D	35	Saslaw	83%	B	✗			✓	✓	✓	✓	✓	
R	19	Smith	60%	D	✗				✗	✓	✓	✓	
R	20	Stanley	25%	F	✗	✗	✗	✗	✓	✗	✓	✗	
R	12	Stosch	83%	B	✗			✓	✓	✓	✓	✓	
R	28	Stuart	50%	F	✗	✗	✗	ab	✓	✓	✓	✗	✓
R	27	Vogel	80%	B	✗				✓	✓	✓	✓	
R	7	Wagner	60%	D	✗				✓	✗	✓	✓	
R	10	Watkins	78%	C	✗	✓	✗	✓	✓	✓	✓	✓	✓
D	33	Wexton	100%	A+	✓				✓	✓	✓	✓	

# House Scorecard

Party	District	Senator	Score	Grade	HJ 608 Clean Power Plan: Opposition	HB 1446 Commercial PACE	HB 1879 Coal Tax Credit	HB 2205 Virginia Coastal Protection Act	SJ 273 Double Counting EPA Benefits	SB 869 Carbon Monoxide Pollution	SB 1099 Virginia Solar Development Authority	SB 1395 Commercial Net Metering	SB 1443 Sea Level Rise Plan	Patron Credit
R	16	Adams	25%	F	✗	✓	✗		✗	✗	✗	✓	✗	
R	42	Albo	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	51	Anderson	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	19	Austin	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
D	95	BaCote	88%	B	✓	✓	✓		✓	✗	✓	✓	✓	
R	20	Bell, D.	44%	F	✗	✓	✗		✗	✗	✗	✓	✓	✓
R	58	Bell, R.	25%	F	✗	✓	✗		✗	✗	✗	✓	✗	
R	29	Berg	0%	F	✗	✗	✗		✗	✗	✗	✗	✗	
R	100	Bloxom	38%	F	✗	✓	✗		✗	✗	✓	✗	✓	
D	37	Bulova	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	✓
R	22	Byron	33%	F	✗	✓	✗	✗	✗	✗	✗	✓	✓	
R	6	Campbell	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
D	69	Carr	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	24	Cline	38%	F	✗	✓	✗		✗	✗	✗	✓	✓	
R	88	Cole	13%	F	✗	✗	✗		✗	✗	✗	✓	✗	
R	66	Cox	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	84	Davis	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	82	DeSteph	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	60	Edmunds	38%	F	✗	✓	✗		✗	✗	✓	✗	✓	
R	59	Fariss	25%	F	✗	✓	✗		✗	✗	✗	✓	✗	
R	56	Farrell	50%	F	nv	ab	ab		ab	✗	ab	ab	✓	
D	41	Filler-Corn	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	55	Fowler	67%	D	✗	✓	nv		✗	nv	✓	✓	✓	
D	2	Futrell	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	23	Garrett	57%	F	✗	✓	nv		✗	✗	✓	✓	✓	



# House Scorecard

✓ = Right    ✗ = Wrong    nv = Not Voting    ab = Abstained

Party	District	Senator	Score	Grade	HJ 608 Clean Power Plan: Opposition	HB 1446 Commercial PACE	HB 1879 Coal Tax Credit	HB 2205 Virginia Coastal Protection Act	SJ 273 Double Counting EPA Benefits	SB 869 Carbon Monoxide Pollution	SB 1099 Virginia Solar Development Authority	SB 1395 Commercial Net Metering	SB 1443 Sea Level Rise Plan	Patron Credit
R	15	Gilbert	14%	F	✗	✗	✗		✗	✗	✗	✓	nv	
R	32	Greason	43%	F	✗	✓	✗		✗	✗	✓	ab	✓	
R	8	Habeeb	38%	F	✗	✓	✗		✗	✗	✓	✓	✗	
R	17	Head	38%	F	✗	✓	✗		✗	✗	✓	✓	✗	
R	91	Helsel	63%	D	✓	✓	✗		✗	✗	✓	✓	✓	
D	46	Herring	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
D	89	Hester	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	98	Hodges	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
D	47	Hope	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	28	Howell	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	40	Hugo	56%	F	✗	✓	✗		✗	✗	✓	✓	✓	✓
R	62	Ingram	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
D	80	James	67%	D	✓	✓	✗		✗	✗	✓	✓	✓	✓
D	79	Joannou	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	76	Jones	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
D	35	Keam	100%	A+	✓	✓	✓	✓	✓	✓	✓	✓	✓	
R	1	Kilgore	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	81	Knight	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
D	38	Kory	88%	B	✓	✓	✓		✓	✓	✗	✓	✓	
D	45	Krupicka	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	✓
R	25	Landes	38%	F	✗	✓	✗		✗	✗	✗	✓	✓	
R	33	LaRock	38%	F	✗	✓	✗		✗	✗	✗	✓	✓	
R	78	Leftwich	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	67	LeMunyon	63%	D	✗	✓	✓		✗	✗	✓	✓	✓	
D	90	Lindsey	75%	C	✓	✓	✓		✗	✗	✓	✓	✓	

# House Scorecard

Party	District	Senator	Score	Grade	HJ 608 Clean Power Plan: Opposition	HB 1446 Commercial PACE	HB 1879 Coal Tax Credit	HB 2205 Virginia Coastal Protection Act	SJ 273 Double Counting EPA Benefits	SB 869 Carbon Monoxide Pollution	SB 1099 Virginia Solar Development Authority	SB 1395 Commercial Net Metering	SB 1443 Sea Level Rise Plan	Patron Credit
R	31	Lingamfelter	50%	F	x	✓	x		x	x	✓	✓	✓	
D	49	Lopez	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	✓
R	68	Loupassi	44%	F	x	✓	x	x	x	x	✓	✓	✓	
R	14	Marshall, D.	56%	F	x	✓	x		x	x	✓	✓	✓	✓
R	13	Marshall, R.	57%	F	x	✓	nv		x	x	✓	✓	✓	
D	93	Mason	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	72	Massie	38%	F	x	✓	x		x	x	x	✓	✓	
D	71	McClellan	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	✓
D	70	McQuinn	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	50	Miller	44%	F	x	✓	x	x	x	x	✓	✓	✓	
R	10	Minchew	67%	D	x	✓	✓		x	x	✓	✓	✓	✓
R	3	Morefield	50%	F	x	✓	x		x	x	✓	✓	✓	
R	64	Morris	13%	F	x	x	x		x	x	x	✓	x	
I	74	Morrissey	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
D	34	Murphy	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	73	O'Bannon	50%	F	x	✓	x		x	x	✓	✓	✓	
R	5	O'Quinn	33%	F	x	✓	x	x	x	x	x	✓	✓	
R	54	Orrock	50%	F	x	✓	x		x	x	✓	✓	✓	
R	97	Peace	38%	F	x	✓	x		x	x	x	✓	✓	
R	4	Pillion	44%	F	x	✓	x	x	x	x	✓	✓	✓	
D	36	Plum	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	96	Pogge	50%	F	x	✓	x		x	x	✓	✓	✓	
R	9	Poindexter	13%	F	x	✓	x		x	x	x	x	x	
D	63	Preston	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	87	Ramadan	50%	F	x	✓	x		x	x	✓	✓	✓	



# House Scorecard

✓ = Right    ✗ = Wrong    nv = Not Voting    ab = Abstained

Party	District	Senator	Score	Grade	HJ 608 Clean Power Plan: Opposition	HB 1446 Commercial PACE	HB 1879 Coal Tax Credit	HB 2205 Virginia Coastal Protection Act	SJ 273 Double Counting EPA Benefits	SB 869 Carbon Monoxide Pollution	SB 1099 Virginia Solar Development Authority	SB 1395 Commercial Net Metering	SB 1443 Sea Level Rise Plan	Patron Credit
R	99	Ransone	57%	F	✗	✓	✗		✗	nv	✓	✓	✓	
D	11	Rasoul	88%	B	✓	✓	✓		✓	✗	✓	✓	✓	
R	27	Robinson	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	7	Rush	38%	F	✗	✓	✗		✗	✗	✗	✓	✓	
R	86	Rust	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	30	Scott	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
D	43	Sickles	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
D	53	Simon	100%	A+	✓	✓	nv		✓	✓	✓	✓	✓	
D	77	Spruill	100%	A+	✓	✓	✓	✓	✓	✓	✓	✓	✓	
R	83	Stolle	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
D	48	Sullivan	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	✓
D	44	Surovell	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	85	Taylor	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
D	52	Torian	75%	C	✓	✓	✗		✓	✗	✓	✓	✓	
D	57	Toscano	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	✓
D	75	Tyler	89%	B	✓	✓	✓	✓	✓	✗	✓	✓	✓	
R	21	Villanueva	60%	D	✗	✓	✗	✓	✗	✗	✓	✓	✓	✓
D	92	Ward	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	65	Ware	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
D	39	Watts	100%	A+	✓	✓	✓		✓	✓	✓	✓	✓	
R	18	Webert	50%	F	✗	✓	✗		✗	nv	nv	✓	✓	
R	26	Wilt	50%	F	✗	✓	✗		✗	✗	✓	✓	✓	
R	61	Wright	43%	F	✗	✓	nv		✗	✗	✓	✗	✓	
R	94	Yancey	56%	F	✗	✓	✗		✗	✗	✓	✓	✓	✓
R	12	Yost	50%	F	✗	✓	✗		✗	nv	nv	✓	✓	









# SIERRA CLUB

Explore, Enjoy and Protect the Planet

Virginia Chapter  
422 E. Franklin Street, Suite 302  
Richmond, VA 23219  
(804) 225-9113  
[vasierraclub.org](http://vasierraclub.org)