Virginia Chapter General Assembly Climate & Energy Scorecard 2019



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#### Acknowledgements

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# Introduction

The 2019 Virginia General Assembly session was destined to include election-year hijinks and tax-related budget drama, but no one anticipated the improbable series of scandals that enveloped the executive branch, sending legislators and constituents reeling. The shocking revelations were a stark reminder of the systematic and institutionalized racism and sexism still prevalent in Virginia, and the crucial role we all play in democratic accountability.

Despite the disruptions, the legislature concluded its session, and we are pleased to offer our 6th annual scorecard reflecting their votes on key climate and clean energy bills. Amid the tumult, we achieved notable environmental victories headlined by the bipartisan agreement on coal ash clean-up. After years of work, a compromise solution to Virginia's coal ash problem was reached between environmental groups, the Northam administration, Dominion Energy and key advocates in the Senate (Senators Surovell, Chase, Wagner and Dance) and House (Delegates Carroll Foy and Ingram). Dominion is now required to clean up all 27 million cubic yards of toxic ash currently sitting on the banks of Virginia's rivers. The toxic ash must be removed and either recycled or relocated to modern, lined landfills. This solution will ensure that our Chesapeake Bay watershed is protected from coal ash pollution. While ratepayers will foot the bill for this environmental clean-up, the law does include restrictions on what expenses qualify for an added rate of return, and establishes a maximum monthly impact on customer bills.

Another major triumph of the 2019 session was agreement to a first step toward redistricting reform. After different versions of reform passed each body, a conference committee agreed to a compromise that would increase transparency and create a bipartisan commission comprised of six legislators and six citizens to determine district boundaries after the 2020 census. For this progress to become enshrined in our constitution, the same resolution will have to be passed next year and approved by a majority of voters via the 2020 ballot. While not an environmental measure per se, an end to biased, partisan gerrymandering is critical for the empowerment of citizens and effective democratic accountability with their elected representatives on environmental concerns.

During the 2019 session, there were also incremental wins on clean energy solutions, such as the expansion of electric vehicle charging stations at government facilities, modest improvements to energy efficiency programs, a bill providing \$50 million in solar and energy efficiency assistance to some of our most vulnerable Virginians, and enhancements to Commercial Property Assessed Clean Energy (C-PACE) loans for shoreline resiliency and stormwater improvement projects.

Sierra Club's cornerstone legislation this year was the Solar Freedom Bill, a proposal to repeal eight obstacles to distributed solar energy in Virginia law. The bill included lifting the 1% net metering cap, raising limits on individual and aggregate projects, and allowing

expansion of power purchase agreements (PPAs) which could jump-start a growing industry currently hampered by these legal impediments. Unfortunately, the House bill was defeated on party lines by a single vote in the House Commerce & Labor Committee while its companion met its fate before the less-friendly Senate Commerce & Labor Committee. On the positive side, several "solar freedom" provisions were included in the electric co-op net metering overhaul that overwhelmingly passed the General Assembly, raising the net metering cap in co-op territories to 5%, increasing to 125% of prior usage the residential system size limit, and improving ability to implement PPAs (while imposing a new demand charge after 5 years). Increased dialogue and engagement with co-op representatives surely played a role in this development.

Our other top priority that did not survive a committee vote was a bill to fully join the Regional Greenhouse Gas Initiative (RGGI). RGGI is a consortium of nine (ten as New Jersey rejoins) eastern states aiming to cut pollution substantially year-over-year via use of a carbon market. The Governor is promulgating regulations to mimic the auctioning of RGGI emission credits, but to maximize benefits Virginia must fully join. Once again, the Republican majority made this a partisan issue by defeating the bill and instead passing legislation to prevent Virginia from joining. Governor Northam, thankfully, vetoed this bill.

Despite setbacks this session, there is evidence that the tide is turning in Richmond. Dominion's compromise on coal ash indicates a continuing shift in the balance of power. And, more legislators are beginning to show a willingness to break from Dominion's grip, with an increasing number of members signing the pledge to not accept the company's campaign contributions, and bipartisan support for HB 1718, which would require utilities to prove need for pipelines before recovering costs from ratepayers (passed 57-40 in the House but killed in the Senate).

Against this backdrop, the Sierra Club Virginia Chapter continues outreach to members of both parties on important bills and is prioritizing efforts to build bridges with other key stakeholders to overcome industry, utility and climate denier obstruction. We believe that these dialogues are essential to securing environmental protections for our commonwealth.

As we look ahead, the November election looms large. We hope the information contained in this year's scorecard will be helpful to you as we work together to elect representatives ready to champion clean energy and a livable climate.

Sincerely,

Bob Shippee Legislative Chair

# <u>Keeping Score</u>

With the climate crisis unfolding rapidly and public health and safety consequences being felt far and wide, state-level climate and energy policies have never been more critical. At the same time, renewable energy sources like wind and solar are becoming more affordable than dirty fossil fuels. Unfortunately, Virginia's monopoly utilities and other polluters are still pursuing short-sighted ways to profit off of coal, gas and oil and limit access to clean energy solutions. Dominion Energy, especially, continues to use its deep pockets to lobby in favor of policies that harm our planet and put the burden on taxpayers and their customers.

Fortunately, the shift to a clean energy economy is underway, driven by robust and growing consumer demand. Public opinion across the political spectrum strongly favors clean, renewable energy over polluting fossil fuels. With an expanding, active grassroots environmental movement demanding increased transparency and accountability in government and meaningful action on reducing climate change, we can build a clean energy future for all.

Here In Virginia, opportunities to participate in the law-making process can seem limited. Virginia's General Assembly sessions are shorter than those in many other states. Thousands of bills are filed and voted on in rapid succession during the 45-or-60-day window. Some bills are voted on with little notice on a public docket, curtailing the ability of interested citizens to weigh in. The Sierra Club Virginia Chapter releases this scorecard to increase transparency in the legislative process, giving Virginians the ability to better distinguish between the rhetoric and the reality of a lawmaker's record.

We hope you will examine the votes of your state senator and delegate highlighted in our scorecard and let them know what you think. Please thank them for supporting strong environmental policies or let them know that they need to do better. Send a letter or an email, make a phone call or schedule a visit with your legislator — no matter how you contact them, be sure to let them know you saw their grades. You can find your elected officials online, at virginiageneralassembly.gov.

### Write to your legislators:

*Your Senator* **Senate of Virginia P.O. Box 396 Richmond, VA 23218**  Your Delegate

Pocahontas Building P.O. Box 406 Richmond, VA 23218

# **Making the Grade**

Each legislator is graded on key votes over the course of one session of the Virginia General Assembly. The Sierra Club Virginia Chapter scores representative votes on legislation relating to climate change and energy policies that most clearly show a distinction between elected officials who took a pro-environmental position and those who did not. Some of these votes were cast in committee, others were votes of the full state House or Senate.

For each vote aligned with the Sierra Club position a legislator receives one point. If they were the patron of an environmental bill, that legislator receives one additional point for the session. 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 their total score.

Hundreds of bills that impact our environment are introduced in the legislature each year. Our scorecard reflects only key votes on climate change and energy policy. This scorecard is one tool to use to evaluate your elected officials' performance on environmental issues. While we applaud recent improvements in transparency, some critical actions during the General Assembly session remain off the record, such as amendments changing the substance or impact of a bill, and bills that are killed without a recorded vote.

Note: Bills are assigned a name and number by state legislative staff as they are introduced. For clarity, we refer to bills in this publication by non-technical names. You can find official bill titles and supplemental information online in the state's database via bill number search at **lis.virginia.gov** 



# **Rejecting Dominion's Money**

There are many ways for legislators to demonstrate their commitment to good governance. One important way for elected officials to stand up for no-strings-attached campaign finance is to refuse money from investor owned electric utility companies. Dominion Energy Virginia provides a necessary service to customers throughout the commonwealth. However, as an investor owned utility company, Dominon's primary objective is to maximize profits to serve the interests of its shareholders; even when those choices stand in contrast to the broader interests of Virginians. As a result, our wallets, health and environment all suffer when state elected leaders are indebted to Dominion. Such political influence has resulted in state policies that tip the scales at the State Corporation Commission, reducing or removing necessary oversight.

Dominion is the largest corporate donor to political campaigns in Virginia, having given millions to state lawmakers. Appalachian Power Company, Virginia's second-largest monopoly utility, has a much smaller political presence by comparison, but still donates hundreds of thousands of dollars each year to political campaigns.

The following elected officials have publicly committed to not accept donations from Dominion or Appalachian Power's political action committees, executives and/or lobbyists.

Look for your representatives' names on this list of Virginia politicians who have pledged not to take contributions from regulated monopolies. If your representative is on the list, thank them! If they're not, contact them and encourage them to commit to not taking money from these public utility companies to reduce corruption in our state.









## Thanks to legislators who signed the pledge to not accept money from Dominion Energy and Appalachian Power!

Sen. Creigh Deeds (D-25) Sen. Barbara Favola (D-31) Sen. Chap Petersen (D-34) Del. Dawn Adams (D-68) Del. Hala Ayala (D-51) Del. John Bell (D-87)

Del. David Bulova (D-37) Del. Jennifer Carroll Foy (D-2) Del. Lee Carter (D-50) Del. Kelly Convirs-Fowler (D-21) Del. Karrie Delaney (D-67) Del. Wendy Gooditis (D-10)

Del. Elizabeth Guzman (D-31) Del. Patrick Hope (D-47) Del. Chris Hurst (D-12) Del. Jay Jones (D-89) Del. Mark Keam (D-35) Del. Kaye Kory (D-38)







































Sierra Club Virginia Chapter





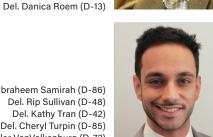








Del. Ibraheem Samirah (D-86) Del. Rip Sullivan (D-48) Del. Kathy Tran (D-42) Del. Cheryl Turpin (D-85) Del. Schuyler VanValkenburg (D-72)



















# **The Importance of Bill Patrons**

The Sierra Club appreciates legislators who introduce bills to advance clean energy and climate policy in Virginia. *Please note: not every bill listed here is scored in lawmakers' grades.* 

The following patrons received "extra credit" on the Scorecard this year:

#### Sen. Amanda F. Chase (R-11)

SB 1355 Coal Ash Clean Up Approved by both the House and Senate and signed into law by Gov. Northam.

#### Sen. Rosalyn R. Dance (D-16)

SB 1355 Coal Ash Clean Up Approved by both the House and Senate and signed into law by Gov. Northam.

#### Sen. R. Creigh Deeds (D-25)

#### SB 1483 Solar Schools

Passed by indefinitely (killed) in the Senate Commerce and Labor Committee (13-0 vote).

#### Sen. Bill R. DeSteph, Jr. (R-8)

### SB 1573 Prohibition of Offshore Oil and Gas Drilling

Passed by indefinitely (killed) in the Senate Agriculture, Conservation and Natural Resources Committee (8-7 vote).

#### Sen. Adam P. Ebbin (D-30)

#### SB 1605 Electric utilities; stakeholder process for energy efficiency programs

Approved by both the House and Senate and signed into law by Gov. Northam.

#### Sen. John S. Edwards (D-21)

#### SB 1714 Solar Schools

Incorporated by the Senate Commerce and Labor committee into Senate Bill 1483.

#### Sen. Emmett W. Hanger, Jr. (R-24)

SJ 274 Constitutional amendment; apportionment, criteria for legislative and congressional districts

Passed by indefinitely (killed) in the Senate Privileges and Elections Committee (9-5 vote).

#### Sen. Lynwood W. Lewis, Jr. (D-6)

SB 1559 C-PACE loans; shoreline resiliency improvements Approved by both the House and Senate and signed into law by Gov. Northam.

#### SB 1666 Coastal Protection Act

Passed by indefinitely (killed) in the Senate Agriculture, Conservation and Natural Resources Committee (8-6).

#### Sen. Jennifer L. McClellan (D-9)

#### SB 1456 Solar Freedom Bill

Passed by indefinitely (killed) in the Senate Commerce and Labor Committee (10-3 vote).

#### <u>Sen. J. Chapman "Chap"</u> <u>Petersen (D-34)</u>

# SB 1400 C-PACE loans; stormwater management, residential dwellings and condominiums

Approved by both the House and Senate and signed into law by Gov. Northam.

#### SB 1403 Eminent domain; eliminates specific provisions for assessment of costs in certain proceedings

Died of neglect in Conference Committee.

**SB 1780 Electric Utility Refund Act** Passed by indefinitely (killed) in the Senate Commerce and Labor Committee (12-1 vote).

#### Sen. Bryce E. Reeves (R-17)

#### SB 1091 Decommissioning Solar Energy Equipment

Approved by both the House and Senate and signed into law by Gov. Northam.

#### Sen. William M. Stanley, Jr. (R-20)

#### SB 1398 Site plan approval; decommissioning certified solar energy equipment, facilities, or devices

Incorporated by Senate Committee on Local Government into Senate Bill 1091.

#### Sen. David R. Suetterlein (R-19)

### SB 1583 Electric utilities; retail competition

Killed in the Senate Commerce and Labor Committee (2-11 vote).

#### SB 1584 Electric Utility Renewable Energy Competition

Passed by indefinitely in Senate Commerce and Labor Committee (11-1 vote).

#### Sen. Scott A. Surovell (D-36)

SB 1533 Coal combustion residuals; Chesapeake Bay watershed; closure

Incorporated by Senate Finance committee into Senate Bill 1355.

#### SB 1355 Coal Ash Clean Up

Approved by both the House and Senate and signed into law by Gov. Northam.

#### Sen. Frank W. Wagner (R-7)

#### SB 1355 Coal Ash Clean Up

Approved by both the House and Senate and signed into law by Gov. Northam.

#### SB 1662 Show Your Work Bill

Approved by both the House and Senate and signed into law by Gov. Northam.

#### Del. Lashrecse D. Aird (D-63)

#### HB 2741 Clean Energy Advisory Board; established, solar energy installation rebates

Approved by both the House and Senate and signed into law by Gov. Northam.

#### Del. John J. Bell (D-87)

### HB 2070 Energy savings products; tax deduction

Stricken from the docket of House Finance Subcommittee #1 (7-0 vote) and left in House Finance Committee.

#### Del. David L. Bulova (D-37)

#### HB 1934 Expansion of Electric Vehicle Charging Authority

Approved by both the House and Senate and signed into law by Gov. Northam.

#### Del. Jennifer Carroll Foy (D-2)

#### HB 2105 Coal combustion residuals; Chesapeake Bay watershed; closure

Tabled (killed) in House Agriculture, Chesapeake and Natural Resources Committee (19-3 vote).



#### Del. Kelly K. Convirs-Fowler (D-21)

HB 2175 Va. Residential Property Disclosure Act; disclosure of special flood hazard area

Tabled in House General Laws Committee (11-9 vote).

#### Del. Glenn R. Davis (R-84)

### HB 2165 Income tax; state; credit for solar energy equipment

Died of neglect in House General Laws Committee (no vote).

#### Del. Wendy W. Gooditis (D-10)

HB 1809 Electric utilities; renewable energy and energy efficiency programs Killed in House Commerce and Labor Subcommittee #3 (3-7 vote).

## HB 2641 Third-party power purchase agreements; regulation of retail sales of electricity under agreements

Killed in House Commerce and Labor Subcommittee #3 (3-6 vote).

#### Del. Charniele L. Herring (D-46)

#### HB 2696 Environmental Justice Advisory Council

Killed in House Rules Subcommittee #1 (3-4 vote).

#### Del. Chris L. Hurst (D-12)

#### HB 1869 Solar Schools

Killed in House Commerce and Labor Subcommittee #3 (3-7 vote).

#### Del. Riley E. Ingram (R-62)

#### HB 2621 Decommissioning Solar Energy Equipment

Approved by both the House and Senate and signed into law by Gov. Northam.

#### Del. Jerrauld C. "Jay" Jones (D-89)

## HB 2460 Income tax; state; credit for solar energy equipment

Died of neglect in House General Laws Committee (no vote).

#### Del. Mark L. Keam (D-35)

#### HB 2329 Solar Freedom Bill

Killed in House Commerce and Labor Committee (7-8 vote).

#### HB 2330 Environmental Justice Advisory Council; established

Killed in House Rules Subcommittee #1 (3-4 vote).

## HB 2332 Electric utilities; protection of customer data

Approved by both the House and Senate and signed into law by Gov. Northam.

#### Del. Alfonso H. Lopez (D-49)

#### HB 2391 Landfills; waste disposal fee; Greenhouse Gas Fund

Passed by indefinitely (killed) by House Committee on Agriculture, Chesapeake and Natural Resources Subcommittee #2 (5-1 vote).

#### Del. Michael P. Mullin (D-93)

#### HB 2117 Electric Utility Renewable Energy Competition

Killed in House Committee on Commerce and Labor Subcommittee #3 (3-6 vote).

#### Del. Israel D. O'Quinn (R-5)

### HB 2789 Energy Conservation & Solar Incentives

Approved by both the House and Senate and signed into law by Gov. Northam.

#### Del. Sam Rasoul (D-11)

#### HB 2501 Greenhouse Gas Pollution Inventory

Killed in House Commerce and Labor Subcommittee #3 (3-7 vote).

# HB 2503 Public utilities; transactions with affiliates; fuel procurement arrangements

Stricken from the docket of House Commerce and Labor Subcommittee #3 (9-0 vote) and left in House Commerce and Labor Committee.

#### HB 2645 Electric Utility Refund Act

Killed in House Commerce and Labor Subcommittee #3 (2-8 vote).

#### Del. Richard C. "Rip" Sullivan, Jr. (D-48)

#### HB 2243 Virginia Energy Efficiency Revolving Fund

Laid on the table (killed) in House Appropriations Subcommittee (5-2 vote).

## HB 2292 Electric utilities; energy efficiency programs

Approved by both the House and Senate and signed into law by Gov. Northam.

### HB 2293 Electric utilities; stakeholder process for energy efficiency programs

Approved by both the House and Senate and signed into law by Gov. Northam.

### HB 2294 Electric and natural gas utilities; energy efficiency goals

Killed in House Commerce and Labor subcommittee #3 (2-6 vote).

### HB 2692 Multifamily residential building; sale of electricity to occupants

Stricken from the docket of House Commerce and Labor Committee (16-0 vote).

#### Del. David J. Toscano (D-57)

### HB 2697 Electric utilities; retail competition

Passed by indefinitely (killed) in House Commerce and Labor Subcommittee #3 (6-3 vote).

#### HB 2735 Coastal Protection Act

Killed in House Commerce and Labor Subcommittee #3 (3-6 vote).

# **Scored Votes**

$\checkmark$	Sierra Club Supported
×	Sierra Club Opposed
Not Voting	When a legislator has left the room, was absent during vote, etc.
Abstention	When a legislator abstains from voting due to conflict of interest, bias, etc.
Failed to Report	The rejection of a motion to report a bill to the full chamber.
Pass by Indefinitely	Action to allow a committee to reconsider legislation at a later meeting; if the committee takes no further action, the bill is dead.

# HB1934: Expansion of Electric Vehicle Charging Authority

#### Del. David L. Bulova (D-37)

Entities that are not public utilities must be given explicit authority to install fee-based electric vehicle charging stations. As of early 2019, the Department of Conservation and Recreation was the only state agency awarded such authorization. HB1934 will expand authorized entities to include the Department of General Services, Department of Motor Vehicles, and Department of Transportation. This expansion increases access to electric and hybrid-electric vehicle usage in Virginia by allowing the build out of charging infrastructure in more locations.

House Bill 1934 was passed by the General Assembly and signed into law by Gov. Northam.

### SB1355: Coal Ash Clean Up

#### Sen. Frank W. Wagner (R-7) Sen. Rosalyn R. Dance (D-16) Sen. Amanda F. Chase (R-11) Sen. Scott A. Surovell (D-36)

Senate Bill 1355 requires that the coal ash at four sites – Chesapeake, Chesterfield, Bremo and Possum Point – be recycled into building material or excavated to lined landfills. It stipulates that sites must be closed within 15 years. In recognition of the threat coal ash poses to water, SB1355 also requires Dominion Energy, which owns all four sites, to offer municipal water hookups or water testing to residents within one-half mile of the coal ash sites, in addition to biennial reporting on progress, plans and water quality. Dominion is required to develop a plan for the transportation of ash in partnership with localities that includes the evaluation of rail and barge options and minimization of truck traffic. Furthermore, the bill requires the prioritization of local workers and supports local manufacturing through the required recycling of at least 6.8 million cubic yards, or approximately one quarter of the coal ash in the Chesapeake Bay Watershed.

While the bill allows for costs of clean up to be passed on to Dominion's customers in their electric bill, it does restrict what expenses qualify for an added rate of return and sets a maximum annual impact on bills.

Senate Bill 1355 was passed by the General Assembly and signed into law by Gov. Northam.

## SB1573: Prohibition of Offshore Oil and Gas Drilling

#### Sen. Bill R. DeSteph (R-8)

Senate Bill 1573 would prohibit the Marine Resources Commission or the Department of Mines, Minerals and Energy from granting any lease or permit for oil or gas exploration or drilling, or the construction of oil or gas infrastructure, in any waters of the Commonwealth. Current law authorizes oil and gas leases on the three miles off shore that is owned by the Commonwealth. The bill would also repeal a section of the Code of Virginia stating support for federal efforts to explore for gas more than 50 miles offshore.

Senate Bill 1573 was passed by indefinitely (killed) in the Senate Agriculture, Conservation and Natural Resources Committee.

#### SB1666 & HB2735: Coastal Protection Act

#### Sen. Lynwood W. Lewis, Jr. (D-6) Del. David J. Toscano (D-57)

The Coastal Protection Act would have enabled the state to direct millions of dollars in revenue toward clean energy and energy efficiency investments to further mitigate climate change by transitioning away from dependence on fossil fuels for electricity. Funds would also be allocated to adaptation measures for coastal communities to stem the effects of rising sea levels, and support alternative economic development in Southwest Virginia.

In April, 2019 the Virginia Department of Environmental Quality finalized a standard to limit carbon pollution from power plants and link Virginia to the Regional Greenhouse Gas Initiative (RGGI). This rule allows for the trading of carbon pollution credits. Virginia does not need legislation to link with RGGI and generate revenue, however, until the General Assembly takes legislative action, the funds will return to the polluting entities.

Senate Bill 1666 was passed by indefinitely (killed) in the Senate Agriculture, Conservation and Natural Resources Committee. House Bill 2735 was killed in the House Committee on Commerce and Labor Subcommittee #3.

#### SB1780 & HB2645: Electric Utility Refund Act

#### Sen. J. Chapman "Chap" Petersen (D-34) Del. Sam Rasoul (D-11)

The Electric Utility Refund Act would require refunds be paid to ratepayers for non-essential spending by utilities including lobbying, excessive executive compensation, political contributions and advertising costs. The bill would: (1) prevent ratepayers from having to shoulder the costs of large fracked gas pipelines - including the Atlantic Coast Pipeline - that are not needed to supply energy to Virginia ratepayers; (2) restore regular SCC oversight in setting electricity rates starting in 2020; (3) require utilities to provide audited financials to regulators annually; and (4) direct the SCC to begin developing new "performance-based" rate-setting mechanisms that reward efficiency and other outcomes that are in the public interest.

Senate Bill 1780 was passed by indefinitely (killed) in the Senate Commerce and Labor Committee. House Bill 2645 was killed in the House Committee on Commerce and Labor Subcommittee #3.

#### SB1584 & HB2117: Electric Utility Renewable Energy Competition

#### Sen. David R. Suetterlein (R-19) Del. Michael P. Mullin (D-93)

Currently, Virginia law stipulates that anyone who pays an electric bill may shop around for electricity generated by renewable energy sources in the event that their electric utility does not offer a 100% renewable energy tariff. Most utilities in Virginia do not, however Appalachian Power Company is preparing to offer a 100% renewable tariff option soon. Senate Bill 1584 and companion House Bill 2117 would have simplified existing law by removing this exception, allowing unrestricted competition in the renewable energy market and encouraging competitive pricing for renewable electric services.

Senate Bill 1584 was killed in the Senate Commerce and Labor Committee. House Bill 2117 was killed in the House Commerce and Labor Subcommittee #3.

#### SB1456 & HB2329: Solar Freedom Bill

#### Sen. Jennifer L. McClellan (D-9) Del. Mark L. Keam (D-35)

Virginia law contains numerous restrictions on the ability of local governments, businesses and

residents to install solar energy for their own use. If these restrictions were removed, we could take better advantage of Virginia's abundant, renewable energy resources to meet our energy needs.

Senate Bill 1456 and its companion would have removed eight unnecessary barriers to solar energy generation: (1) Allow local government entities to install solar generating up to 5 megawatts (MW) on government-owned property and use the electricity for schools or other government-owned buildings located on nearby property; (2) Clarify that third-party financing using power purchase agreements is legal statewide for all utility customers; (3) Allow netmetered customers to attribute output from a single solar array to multiple meters on the same or adjacent property, and governments to aggregate meters on non-contiguous sites; (4) Lift the restriction on customers installing a net-metered solar system larger than required to meet their prior 12 months' demand: (5) Allow the owner of a multi-family residential building to install solar on the building or surrounding property and sell the electricity to tenants; (6) Raise the cap for net-metered non-residential solar installations from 1 MW to 2 MW; (7) Lift the 1% cap on the total amount of solar that can be net metered in a utility territory; and (8) Remove standby charges on residential installations of 10-20 kilowatts.

Senate Bill 1456 was passed by indefinitely (killed) in the Senate Commerce and Labor Committee. House Bill 2329 was killed in the House Commerce and Labor Committee.

#### HB2696: Environmental Justice Advisory Council

#### Del. Charniele L. Herring (D-46)

House Bill 2696 would have changed the status of the Advisory Council on Environmental Justice from a temporary body established through Governor's executive order to a permanent body drawing it's authority from the laws of Virginia. The advisory council would provide independent advice

# Scored Votes Continued

and recommendations in addition to an annual report to the executive branch and General Assembly on environmental justice.

House Bill 2696 was killed in House Rules Subcommittee #1.

# HB2501: Greenhouse Gas Pollution Inventory

#### Del. Sam Rasoul (D-11)

House Bill 2501 would have filled an information gap related to the commonwealth's progress in addressing climate change. The bill would require the Virginia Energy Plan, a state document issued by the governor every four years, to include an inventory of greenhouse gas pollution categorized by economic sector, including state government, and identify the ten largest sources of pollution in each sector.

House Bill 2501 was killed in the House Committee on Commerce and Labor Subcommittee #3.

# SB1695 & HB2738: Expansion of Utility Eminent Domain

#### Sen. Frank W. Wagner (R-7) Del. Lamont Bagby (D-74)

Senate Bill 1695 and its companion bill authorize the Virginia Economic Development Partnership to certify "qualified economic development sites," then grant water, sewage, electric or gas utilities an expansion of eminent domain rights. Private property could then be seized by the utility for speculative projects that may or may not be built. The bill also authorizes utilities to charge customers for all costs associated with such speculative projects immediately. Furthermore, a utility may shield the project from public scrutiny by requesting "proprietary treatment" of the project.

Senate Bill 1695 and House Bill 2738 were passed by the General Assembly and signed into law by Gov. Northam.

#### HB2269: Transportation and Climate Initiative (TCI) Prohibition

#### Del. Charles D. Poindexter (R-9)

Gov. Northam announced in September 2018 that Virginia would join the Transportation and Climate Initiative (TCI) in an effort to begin addressing the climate impacts of our transportation sector. TCI works collaboratively with Northeast and Mid-Atlantic states to reduce carbon pollution from the transportation sector by fostering a clean energy economy and reducing oil dependence. Nearly half of Virginia's carbon pollution comes from vehicles. Divesting state funds for gas-powered vehicles would incentivize moving towards clean vehicles/fuels, traffic reduction, freight efficiency and mass transit.

House Bill 2269 bill would have prohibited the governor, local governments, and even the General Assembly from joining any regional program to reduce air pollution from vehicles and other transportation sources unless explicitly authorized by a super-majority (two-thirds) vote of the legislature.

House Bill 2269 was passed by both the House and Senate, but Gov. Northam's veto prevented it from becoming law.

#### HB2611: Regional Greenhouse Gas Initiative (RGGI) Prohibition

#### Del. Charles D. Poindexter (R-9)

House Bill 2611 would have prohibited the governor or any state agency from adopting any regulation establishing a regional carbon pollution reduction program or state participation in the trading of carbon pollution allowances in a regional market. If passed, the bill would have required that both houses of the General Assembly each approve, by a two-thirds vote, any coordination or participation by Virginia in the Regional Greenhouse Gas Initiative (RGGI) or other multi-state market for trading carbon pollution allowances.

House Bill 2611 was passed by both the House and Senate, but Gov. Northam's veto prevented it from becoming law.

#### SB1091 & HB2621: Decommissioning Solar Energy Equipment

#### Sen. Bryce E. Reeves (R-17) Del. Riley E. Ingram (R-62)

In addition to producing clean energy for all Virginians, solar farms offer a way for landowners to produce income from their property without selling it or permanently altering its character through development. However, some local governments and community members have raised concerns about what will happen to a solar farm when it ceases to produce electricity.

Senate Bill 1091 and companion House Bill 2621 will offer protections for the community without unduly burdening landowners and solar developers. The bills require, as a condition for obtaining a permit for building a solar facility, that the developer negotiate a decommission plan. This offers reassurance to localities and neighbors that the owner or developer of a utility-scale solar installation will properly decommission the facility at the end of its useful life.

Senate Bill 1091 and companion House Bill 2621 were passed by the General Assembly and signed into law by Gov. Northam.

### SB1662: Show Your Work Bill

#### Sen. Frank W. Wagner (R-7)

The State Corporation Commission (SCC) regulates Virginia's electric utilities, and this authority includes the power to approve or disapprove utility energy efficiency proposals. Transparency in the SCC evaluation of energy efficiency proposals is essential. It ensures that both the regulators are consistent in their evaluations and utilities know how their energy efficiency proposal is evaluated - so they can better design future programs. The SCC is directed by law to follow specific guidance regarding how energy efficiency proposals are evaluated.

Senate Bill 1662 will improve upon existing law by requiring increased transparency about these decisions.

Senate Bill 1662 was passed by the General Assembly and signed into law by Gov. Northam.

# HB2789: Energy Conservation & Solar Incentives

#### Del. Israel D. O'Quinn (R-5)

House Bill 2789 requires Dominion Energy and Appalachian Power Company to seek SCC approval for a \$25 million, three-year program that incentivises low income, elderly and disabled individuals to install energy efficiency and solar improvements to their homes.

House Bill 2789 was passed in the General Assembly and signed into law by Gov. Northam.

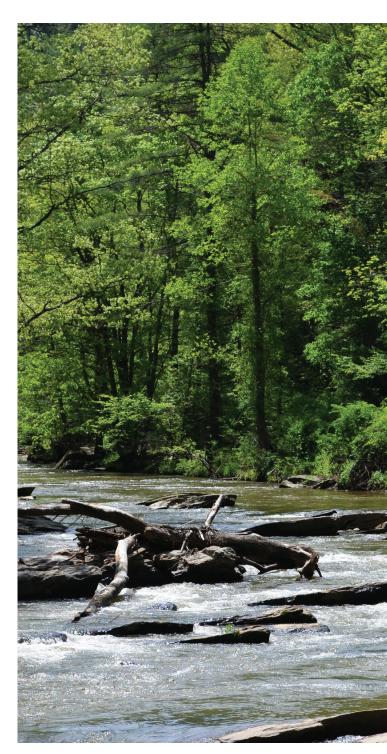
#### SJ306: Redistricting Constitutional Amendment

#### Sen. George L. Barker (D-39)

Worked out by a conference committee, this redistricting reform compromise would amend the Virginia constitution to significantly improve our redistricting process. Key elements of the reform include the following:

- Establishes a bipartisan Redistricting Commission of eight legislators and eight citizens, with a citizen serving as chair;
- Requires full transparency of all meetings, minutes and data;
- Includes specific protections for minority communities;
- Includes impartial review in the selection of citizen members of the commission;
- Excludes unelected congressional or legislative employees from the commission;
- Guards against partisan gerrymandering by requiring a supermajority of commissioners for approval of district maps;
- Provides the General Assembly only up-ordown votes on the commission's maps, without amendments;
- Provides that only the House votes on House maps and only the Senate votes on Senate maps. Both houses vote on congressional district maps; and
- Excludes the governor from the approval process, which would throw off the balance created by the above framework.

Senate Joint Resolution passed both chambers of the General Assembly. Passage of the same resolution in 2020 is necessary in order to move this reform along as a Virginia constitutional amendment, subject to a referendum on the November 2020 ballot.







# **Senate Scorecard**

Senator	Party	District	Overall Score	Grade	Extra Credit	5 Year Average	SB 1091 Decommissioning Solar Energy Equipment	SB 1355 Coal Ash Clean Up	SB 1456 Solar Freedom Bill	SB 1573 Prohibition of Offshore Oil and Gas Drilling	SB 1584 Electric Utility Renewable Energy Competition
Barker	D	39	90%	A		90%	$\checkmark$				
Black	R	13	21%	F		20%	<ul> <li>Image: A start of the start of</li></ul>		×	×	×
Boysko	D	33	89%	В		n/a					
Carrico	R	40	67%	D		34%					
Chafin	R	38	50%	F		33%			×	×	
Chase	R	11	40%	F	<ul> <li>Image: A start of the start of</li></ul>	n/a	×				
Cosgrove	R	14	50%	F		43%			×		×
Dance	D	16	79%	С	<ul> <li>Image: A start of the start of</li></ul>	81%					×
Deeds	D	25	80%	В		90%	×				
DeSteph	R	8	60%	D	<ul> <li>Image: A start of the start of</li></ul>	47%					
Dunnavant	R	12	67%	D		n/a					
Ebbin	D	30	92%	A	<ul> <li>Image: A start of the start of</li></ul>	97%					
Edwards	D	21	90%	A		83%					
Favola	D	31	89%	В		94%					
Hanger	R	24	58%	F		56%					
Howell	D	32	89%	В		96%					
Lewis	D	6	92%	A		87%					
Locke	D	2	89%	В		93%					
Lucas	D	18	75%	С		86%					×
Marsden	D	37	91%	A		92%					



**Not Voting** - When a legislator has left the room, was absent during vote, etc.

SB 1662 Show Your Work Bill	SB 1666 Coastal Protection Act	SB 1780 Electric Utility Refund Act	SJ 306 Redistricting Constitutional Amendment	HB 1934 Expansion of EV Charging Authority	HB 2269 TCI Prohibition	HB 2611 RGGI Prohibition	HB 2738 Expansion of Utility Eminent Domain	HB 2789 Energy Conservation & Solar Incentives
			$\checkmark$				×	
×	×	×	$\checkmark$	×	×	×	×	×
							×	
			$\checkmark$	$\checkmark$	×	×	×	
	×				×	×		
×			$\checkmark$	×	×	×	×	
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	Abstention	×	$\checkmark$				×	
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			$\checkmark$		×	×	×	
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# **Senate Scorecard** Continued

Senator	Party	District	Overall Score	Grade	Extra Credit	5 Year Average	SB 1091 Decommissioning Solar Energy Equipment	SB 1355 Coal Ash Clean Up	SB 1456 Solar Freedom Bill	SB 1573 Prohibition of Offshore Oil and Gas Drilling	SB 1584 Electric Utility Renewable Energy Competition
Mason	D	1	91%	A		94%					
McClellan	D	9	92%	A	$\checkmark$	97%	$\checkmark$			<ul> <li>Image: A start of the start of</li></ul>	
McDougle	R	4	33%	F		36%	×		×		×
McPike	D	29	100%	A+		n/a	Not Voting				
Newman	R	23	55%	F		41%			×		Abstention
Norment	R	3	45%	F		57%		Abstention	×		×
Obenshain	R	26	29%	F		29%			×	×	×
Peake	R	22	44%	F		n/a					
Petersen	D	34	83%	В	$\checkmark$	90%		×			
Reeves	R	17	60%	D	<ul> <li>Image: A start of the start of</li></ul>	34%					
Ruff	R	15	55%	F		47%				×	
Saslaw	D	35	75%	С		80%					×
Spruill	D	5	100%	A+		94%					
Stanley	R	20	42%	F		35%	×			×	
Stuart	R	28	29%	F		37%			×	×	×
Sturtevant	R	10	50%	F		n/a			×		×
Suetterlein	R	19	33%	F		n/a		×		×	
Surovell	D	36	90%	A	<ul> <li>Image: A start of the start of</li></ul>	94%					
Vogel	R	27	78%	С		64%					
Wagner	R	7	54%	F		50%			×		×



**Not Voting** - When a legislator has left the room, was absent during vote, etc.

SB 1662 Show Your Work Bill	SB 1666 Coastal Protection Act	SB 1780 Electric Utility Refund Act	SJ 306 Redistricting Constitutional Amendment	HB 1934 Expansion of EV Charging Authority	HB 2269 TCI Prohibition	HB 2611 RGGI Prohibition	HB 2738 Expansion of Utility Eminent Domain	HB 2789 Energy Conservation & Solar Incentives
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			$\checkmark$	$\checkmark$			×	
					×		×	
$\checkmark$		×	$\checkmark$	$\checkmark$	×	×	×	$\checkmark$

# **House Scorecard**

Delegate	Party	District	Overall Score	Grade	Extra Credit	5-year Average	SB 1355 Coal Ash Clean up	SB 1695 Expansion of Utility Eminent Domain	SJ 306 Redistricting Constitutional Amendment	HB 1934 Expansion of EV Charging Authority	HB 2117 Electric Utility Renewable Energy Competition
Adams, D	D	68	100%	A+		n/a	$\checkmark$				
Adams, L	R	16	50%	F		33%	$\checkmark$	$\checkmark$	$\checkmark$	×	
Aird	D	63	78%	С		n/a		×	×		
Austin	R	19	57%	F		56%	$\checkmark$	×	<ul> <li>Image: A start of the start of</li></ul>	<ul> <li>Image: A start of the start of</li></ul>	
Ayala	D	51	88%	В		n/a		×	$\checkmark$		
Bagby	D	74	78%	С		n/a	$\checkmark$	×	×	$\checkmark$	
Bell, J.	D	87	89%	В		n/a		×			
Bell, R. B.	R	58	56%	F		35%		×			
Bell, R. P.	R	20	50%	F		36%		×		×	
Bloxom	R	100	50%	F		44%		×		×	
Bourne	D	71	88%	В		n/a		×	Not Voting		Not Voting
Brewer	R	64	38%	F		n/a	$\checkmark$	×	$\checkmark$	×	
Bulova	D	37	89%	В		96%		×			
Byron	R	22	18%	F		33%	Not Voting	×	$\checkmark$	×	×
Campbell, J.	R	6	63%	D		47%		×			
Campbell, R.	R	24	50%	F		n/a		×	$\checkmark$	×	
Carr	D	69	88%	В		96%		×			
Carroll Foy	D	2	100%	A+	<ul> <li>Image: A start of the start of</li></ul>	n/a	<ul> <li>Image: A start of the start of</li></ul>		$\checkmark$		
Carter	D	50	100%	A+		n/a					
Cole	R	88	50%	F		26%				×	
Collins	R	29	63%	D		n/a		×			
Convirs-Fowler	D	21	78%	С		n/a		×	×		
Сох	R	66	63%	D		54%		×			
Davis	R	84	67%	D		54%		×			

**Not Voting** - When a legislator has left the room, was absent during vote, etc.

HB 2269 TCI Prohibition	HB 2329 Solar Freedom Bill	HB 2501 Greenhouse Gas Pollution Inventory	HB 2611 RGGI Prohibition	HB 2621 Decommissioning Solar Energy Equipment	HB 2645 Electric Utility Refund Act	HB 2696 Environmental Justice Advisory Council	HB 2735 Coastal Protection Act	HB 2789 Energy Conservation & Solar Incentives
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# House Scorecard Continued

Delegate	Party	District	Overall Score	Grade	Extra Credit	5-year Average	SB 1355 Coal Ash Clean up	SB 1695 Expansion of Utility Eminent Domain	SJ 306 Redistricting Constitutional Amendment	HB 1934 Expansion of EV Charging Authority	HB 2117 Electric Utility Renewable Energy Competition
Delaney	D	67	88%	В		n/a	$\checkmark$	×			
Edmunds	R	60	50%	F		43%	$\checkmark$	×	$\checkmark$	×	
Fariss	R	59	29%	F		42%	Not Voting	×		×	
Filler-Corn	D	41	88%	В		98%	$\checkmark$	×	$\checkmark$	$\checkmark$	
Fowler	R	55	63%	D		56%	$\checkmark$	×			
Freitas	R	30	50%	F		n/a	$\checkmark$	$\checkmark$	$\checkmark$	×	
Garrett	R	23	50%	F		52%	$\checkmark$	×		×	
Gilbert	R	15	38%	F		29%	$\checkmark$	×		×	
Gooditis	D	10	89%	В		n/a	$\checkmark$	×			
Guzman	D	31	100%	A+		n/a	$\checkmark$	$\checkmark$		$\checkmark$	
Hayes	D	77	75%	С		93%		×	×		
Head	R	17	44%	F		38%	$\checkmark$	×		×	
Helsel	R	91	63%	D		58%		×			
Heretick	D	79	85%	В		n/a		×			
Herring	D	46	89%	В		98%		×			
Hodges	R	98	50%	F		n/a	<ul> <li>Image: A start of the start of</li></ul>	×		×	
Норе	D	47	88%	В		95%		×			
Hugo	R	40	45%	F		53%	<ul> <li>Image: A start of the start of</li></ul>	×			Not Voting
Hurst	D	12	89%	В		n/a		×			
Ingram	R	62	67%	D	<ul> <li>Image: A start of the start of</li></ul>	53%	<ul> <li>Image: A start of the start of</li></ul>	×			
James	D	80	75%	С		78%		×	×		
Jones, J.	D	89	78%	С	<ul> <li>Image: A start of the start of</li></ul>	n/a	<ul> <li>Image: A start of the start of</li></ul>	×	×		
Jones, S. C.	R	76	63%	D		47%	V	×			
Keam	D	35	93%	Α	<ul> <li>Image: A start of the start of</li></ul>	96%	<ul> <li>Image: A start of the start of</li></ul>	×			
Kilgore	R	1	31%	F		45%		×		×	×
Knight	R	81	56%	F		50%	<ul> <li>Image: A start of the start of</li></ul>	×			

🔽 – Sierra Club Supported 🛛 🔀 – Sierra Club Opposed

**Not Voting** - When a legislator has left the room, was absent during vote, etc.

HB 2269 TCI Prohibition	HB 2329 Solar Freedom Bill	HB 2501 Greenhouse Gas Pollution Inventory	HB 2611 RGGI Prohibition	HB 2621 Decommissioning Solar Energy Equipment	HB 2645 Electric Utility Refund Act	HB 2696 Environmental Justice Advisory Council	HB 2735 Coastal Protection Act	HB 2789 Energy Conservation & Solar Incentives
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# House Scorecard Continued

Delegate	Party	District	Overall Score	Grade	Extra Credit	5-year Average	SB 1355 Coal Ash Clean up	SB 1695 Expansion of Utility Eminent Domain	SJ 306 Redistricting Constitutional Amendment	HB 1934 Expansion of EV Charging Authority	HB 2117 Electric Utility Renewable Energy Competition
Kory	D	38	92%	A		96%		×			
Krizek	D	44	88%	В		n/a	$\checkmark$	×	<ul> <li>Image: A start of the start of</li></ul>	$\checkmark$	
Landes	R	25	44%	F		39%		×			
LaRock	R	33	38%	F		36%	$\checkmark$	×	<ul> <li>Image: A start of the start of</li></ul>	×	
Leftwich	R	78	63%	D		53%		×			
Levine	D	45	88%	В		n/a		×			
Lindsey	D	90	75%	С		n/a		×	×		
Lopez	D	49	89%	В	<ul> <li>Image: A start of the start of</li></ul>	96%	$\checkmark$	×	$\checkmark$		
Marshall	R	14	33%	F		48%		×		×	×
McGuire	R	56	63%	D		n/a		×			
McNamara	R	8	50%	F		n/a		×		×	
McQuinn	D	70	75%	С		93%		×	×		
Miyares	R	82	63%	D		n/a		×			
Morefield	R	3	63%	D		52%		×			
Mullin	D	93	90%	A		98%		×			
Murphy	D	34	88%	В		n/a		×			
O'Quinn	R	5	36%	F		38%		×		×	×
Orrock	R	54	56%	F		52%		×			
Peace	R	97	50%	F		49%		×		×	
Pillion	R	4	50%	F		n/a		×		×	
Plum	D	36	89%	В		96%		×			
Pogge	R	96	57%	F		48%		Not Voting		×	
Poindexter	R	9	38%	F		25%		×		×	
Price	D	95	88%	В		n/a			×		
Ransone	R	99	31%	F		44%	V	×		×	×
Rasoul	D	11	88%	В		92%	×				

Sierra Club Supported X – Sierra Club Opposed

**Not Voting** - When a legislator has left the room, was absent during vote, etc.

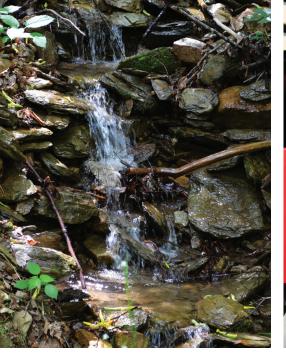
HB 2269 TCI Prohibition	HB 2329 Solar Freedom Bill	HB 2501 Greenhouse Gas Pollution Inventory	HB 2611 RGGI Prohibition	HB 2621 Decommissioning Solar Energy Equipment	HB 2645 Electric Utility Refund Act	HB 2696 Environmental Justice Advisory Council	HB 2735 Coastal Protection Act	HB 2789 Energy Conservation & Solar Incentives
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## House Scorecard Continued

Delegate	Party	District	Overall Score	Grade	Extra Credit	5-year Average	SB 1355 Coal Ash Clean up	SB 1695 Expansion of Utility Eminent Domain	SJ 306 Redistricting Constitutional Amendment	HB 1934 Expansion of EV Charging Authority	HB 2117 Electric Utility Renewable Energy Competition
Reid	D	32	88%	В		n/a	$\checkmark$	×			
Robinson	R	27	50%	F		42%	$\checkmark$	×	$\checkmark$	×	
Rodman	D	73	100%	A+		n/a					
Roem	D	13	100%	A+		n/a	$\checkmark$	$\checkmark$	$\checkmark$	<ul> <li>Image: A start of the start of</li></ul>	
Rush	R	7	50%	F		52%		×		×	
Samirah	D	86		n/a*		n/a			$\checkmark$		
Sickles	D	43	88%	В		92%		×			
Simon	D	53	88%	В		96%		×			
Stolle	R	83	63%	D		56%		×			
Sullivan	D	48	89%	В	<ul> <li>Image: A start of the start of</li></ul>	n/a		×			
Thomas	R	28	50%	F		n/a		×		×	
Torian	D	52	78%	С		78%	$\checkmark$	×	×		
Toscano	D	57	90%	A		96%		×			
Tran	D	42	100%	A+		n/a					
Turpin	D	85	88%	В		n/a		×			
Tyler	D	75	75%	С		85%		×	×		
VanValkenburg	D	72	88%	В		n/a		×			
Ward	D	92	78%	С		96%		×	×		
Ware	R	65	44%	F		55%			×	×	
Watts	D	39	88%	В		92%		×			
Webert	R	18	56%	F		45%				×	
Wilt	R	26	31%	F		50%		×		×	×
Wright	R	61	38%	F		47%		×			
Yancey	R	94	63%	D		59%		×			

\*Not enough data to score. Del. Samirah was sworn in after a special election taking place during the 2019 General Assembly Session.

HB 2269 TCI Prohibition	HB 2329 Solar Freedom Bill	HB 2501 Greenhouse Gas Pollution Inventory	HB 2611 RGGI Prohibition	HB 2621 Decommissioning Solar Energy Equipment	HB 2645 Electric Utility Refund Act	HB 2696 Environmental Justice Advisory Council	HB 2735 Coastal Protection Act	HB 2789 Energy Conservation & Solar Incentives
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Founded by legendary conservationist John Muir in 1892, the Sierra Club is now the nation's largest and most influential grassroots environmental organization – with more than two million members and supporters. Our successes range from protecting millions of acres of wilderness to helping pass the Clean Air Act, Clean Water Act, and Endangered Species Act. More recently, we've made history by leading the charge to move away from the dirty fossil fuels that cause climate disruption and toward a clean energy economy.

The Sierra Club Virginia Chapter is over 20,000 members strong and growing. We are your friends and neighbors working to build healthy, livable communities, and to conserve and protect our climate and environment. The Virginia Chapter is part of the national Sierra Club.



Explore, Enjoy and Protect the Planet

### Virginia Chapter

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