

## SB 262 Virginia Energy Plan; created.

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### *Summary as passed: (all summaries)*

**Virginia Energy Plan.** Establishes an energy policy of the Commonwealth and directs the Division of Energy of the Department of Mines, Minerals and Energy, in consultation with the State Corporation Commission, Department of Environmental Quality, and Virginia Center for Coal and Energy Research, to prepare, by July 1, 2007, a ten-year comprehensive Virginia Energy Plan to implement the Commonwealth's energy policy. With respect to offshore energy resources, the bill (i) declares that it is the policy of the Commonwealth to encourage the members of the State Congressional Delegation and federal executive agencies to develop, support, and enact federal legislation, and to take appropriate federal executive action that will provide an exemption to the moratorium that prevents until 2012 any surveying, exploration, development, or production of potential natural gas deposits in areas off the Commonwealth's Atlantic shore that are under federal jurisdiction, and to develop, support, and enact federal legislation that will enable the Commonwealth to exercise exclusive jurisdiction with respect to offshore wind energy resources; (ii) directs royalties and other moneys paid by the federal government as a result of the development of offshore energy resources to be deposited in a State Offshore Energy Revenue Fund and allocated among the Virginia Water Quality Improvement Fund, the Transportation Trust Fund, clean coal technology research, a Coastal Energy Research Consortium and other alternative energy initiatives, and grants for producing and using clean and efficient energy; (iii) directs all agencies, boards and commissions of the Commonwealth to ensure that any permits or approvals that are required for the exploration and production of hydrocarbons within federal jurisdictional areas off the Commonwealth's Atlantic shore provide that such exploration and production will be undertaken in a manner protective of the environment and public safety; (iv) prohibits the drilling of any wells for natural gas or oil in areas off the Commonwealth's Atlantic shore within 30 miles of the shoreline; and (v) prohibits the construction of onshore natural gas exploration and production facilities on the Eastern Shore. Other initiatives (a) establish a Clean Coal Technology Research Fund, to be administered by the Virginia Center for Coal and Energy Research and used to finance research initiatives at state institutions of higher education and to encourage qualified state educational institutions to apply for federal grants to finance a center of excellence for advancing new clean coal technologies; (b) require designs for state buildings to incorporate reasonable cost-effective energy conservation measures and alternative energy systems; (c) direct the Commonwealth Transportation Board to encourage the use of biodiesel and other alternative fuels, to the extent practicable, in vehicles used to provide public transportation; (d) create the Virginia Coastal Energy Research Consortium, to include Old Dominion University, the Virginia Institute of Marine Science, the Virginia Tech Advanced Research Institute, James Madison University, and Norfolk State University, to serve as an interdisciplinary study, research, and information resource on coastal energy issues, including wave or tidal action, currents, offshore winds, thermal differences, and methane hydrates; (e) prohibit community associations from enacting any provisions restricting solar power or the use of solar energy collection devices on units or lots that are part of the development, except to the extent provided in the applicable instruments, declaration or rules, and authorizes community associations to prohibit or restrict the installation and use of such solar energy collection devices on the common elements or common areas; and (f) declare it to be the policy of the Commonwealth to

encourage the members of the State Congressional Delegation and federal executive agencies to develop, support, and enact federal legislation, and to take appropriate federal executive action, that will increase the Corporate Average Fuel Efficiency standards from the current standard by promoting performance-based tax credits for advanced technology, fuel-efficient vehicles to facilitate the introduction and purchase of such vehicles and by advocating for market incentives and education programs to build demand for high-efficiency, cleaner vehicles, including tax incentives for highly efficient vehicles. The bill directs the State Corporation Commission to develop a system for scoring parcels in the Commonwealth for their suitability as wind energy facilities, liquefied natural gas facilities, nuclear energy facilities, and solar energy facilities, upon recommendation by the Department of General Services for state-owned land, local governing bodies with the consent of the parcel's owner, or the owner of a parcel. Parcels that are scored as being optimal sites for such low-emission energy facilities would be eligible to use a one-stop permitting process, as may be adopted by the General Assembly. The State Corporation Commission and Secretary of Natural Resources are directed to prepare a proposal for a one-stop permitting process for low-emission energy facilities, which proposal shall be presented by December 1, 2006. The bill also provides grant awards for producing and using clean and efficient energy including grant awards in the amount of 0.85 cents for each kilowatt hour of electricity produced by a corporation from certain renewable energy resources and grants to individuals and corporations equal to 15 percent of the cost incurred in installing photovoltaic property, solar water heating property, or wind-powered electrical generators. The grants are limited to \$2,000 for each system of photovoltaic property, \$1,000 for each system of solar water heating property, and \$1,000 for each system of wind-powered electrical generators. Finally, the measure exempts from property taxation certified pollution control equipment and facilities used in collecting, processing, and distributing landfill gas and other gas recovered from waste products.

*Full text:*

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 062601832  
 02/07/06 Senate: Committee substitute printed 062730832-S1 (**impact statement**)  
 02/14/06 Senate: Committee substitute printed 062763832-S2 (**impact statement**)  
 03/07/06 House: Committee substitute printed 062777832-H1 (**impact statement**)  
 03/15/06 Senate: Bill text as passed Senate and House (SB262ER) (**impact statement**)  
 04/11/06 Senate: Governor's substitute printed 062787129-S3  
 04/19/06 Senate: Floor substitute printed 062790832-S4 (Wagner)  
 04/21/06 Senate: Reenrolled bill text (SB262ER2)

*Amendments:*

Governor's recommendation

*Status:*

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 062601832  
 01/10/06 Senate: Referred to Committee on Commerce and Labor  
 01/24/06 Senate: Assigned C&L sub: Special on SB262  
 02/06/06 Senate: Reported from Commerce and Labor with substitute (14-Y 1-N)

02/06/06 Senate: Rereferred to Finance

02/07/06 Senate: Committee substitute printed 062730832-S1

02/14/06 Senate: Committee substitute printed 062763832-S2

02/14/06 Senate: Read first time

02/14/06 Senate: Constitutional reading dispensed (38-Y 0-N)

02/14/06 Senate: VOTE: (38-Y 0-N)

02/14/06 Senate: Reading of substitute waived

02/14/06 Senate: Committee substitute rejected 062730832-S1

02/14/06 Senate: Reading of substitute waived

02/14/06 Senate: Committee substitute agreed to 062763832-S2

02/14/06 Senate: Engrossed by Senate - committee substitute SB262S2

02/14/06 Senate: Constitutional reading dispensed (38-Y 0-N)

02/14/06 Senate: VOTE: (38-Y 0-N)

02/14/06 Senate: Passed Senate (31-Y 6-N)

02/14/06 Senate: VOTE: (31-Y 6-N)

02/14/06 Senate: Communicated to House

02/14/06 Senate: Reported from Finance with substitute (12-Y 3-N)

02/15/06 House: Placed on Calendar

02/15/06 House: Read first time

02/15/06 House: Referred to Committee on Commerce and Labor

02/21/06 House: Assigned C & L sub: Utilities/Employment (Byron)

03/06/06 House: Reported from Commerce and Labor with substitute (14-Y 7-N)

03/07/06 House: Committee substitute printed 062777832-H1

03/07/06 House: Read second time

03/08/06 House: Passed by motion rejected

03/08/06 House: Read third time

03/08/06 House: Committee substitute agreed to 062777832-H1

03/08/06 House: Engrossed by House - committee substitute SB262H1

03/08/06 House: Passed House with substitute (71-Y 22-N)

03/08/06 House: VOTE: PASSAGE (71-Y 22-N)

03/08/06 House: Reconsideration of House passage agreed to by House

03/08/06 House: Passed House with substitute (74-Y 21-N)

03/08/06 House: VOTE: PASSAGE #2 (74-Y 21-N)

03/09/06 Senate: House substitute agreed to by Senate (36-Y 1-N 1-A)

03/09/06 Senate: VOTE: (36-Y 1-N 1-A)

03/15/06 Senate: Enrolled

03/15/06 Senate: Bill text as passed Senate and House (SB262ER)

03/15/06 House: Signed by Speaker

03/16/06 Senate: Signed by President

04/11/06 Senate: Governor's recommendation received by Senate

04/11/06 Senate: Governor's substitute printed 062787129-S3

04/18/06 Senate: Placed on Calendar

04/19/06 Senate: Floor substitute printed 062790832-S4 (Wagner)  
04/19/06 Senate: Governor's substitute is specific and severable - motion defeated (11-Y 23-N 2-A)  
04/19/06 Senate: VOTE: (11-Y 23-N 2-A)  
04/19/06 Senate: Reading of substitute waived  
04/19/06 Senate: Substitute by Senator Wagner agreed to 062790832-S4  
04/19/06 Senate: Engrossed by Senate - floor substitute SB262S4  
04/19/06 Senate: Passed Senate (37-Y 0-N 1-A)  
04/19/06 Senate: VOTE: (37-Y 0-N 1-A)  
04/19/06 Senate: Communicated to House  
04/19/06 House: Read first time  
04/19/06 House: Referred to Committee on Commerce and Labor  
04/19/06 House: Reported from Commerce and Labor (16-Y 5-N)  
04/19/06 House: Constitutional readings dispensed (89-Y 2-N)  
04/19/06 House: VOTE: (89-Y 2-N)  
04/19/06 House: Pending question ordered  
04/19/06 House: Passed House (70-Y 20-N 2-A)  
04/19/06 House: VOTE: PASSAGE (70-Y 20-N 2-A)  
04/19/06 Senate: Communicated to Governor  
04/21/06 House: Reenrolled  
04/21/06 Senate: Reenrolled bill text (SB262ER2)  
04/23/06 House: Signed by Speaker as reenrolled

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