



scorecard 2008

MASSACHUSETTS LEAGUE OF ENVIRONMENTAL VOTERS www.mlev.org

SESSION IN REVIEW

Welcome to our 2007-2008 legislative scorecard. This is your guide to how your Massachusetts legislators voted on key environmental issues during the past legislative session. Environmentally, this past session was by far the most successful one the Commonwealth has seen in a long while-prompting the Boston Globe to call environmentalists the pri-



mary winner of this legislative session! The environmental community and the many pro-environment lawmakers worked hard to achieve this level of success. But our efforts do not stop here. There are still many priority bills, such as the Updated Bottle Bill and the Safer Alternatives Bill, that have yet to receive a vote. We hope that you use this scorecard as assistance for the upcoming election and help us to revive the priority environmental legislation currently stalled by political gridlock.

MAJOR ENVIRONMENTAL VICTORIES

- > Environmental Bond Bill (H.5054)
- > Conservation Tax Incentives (S.480 / H.799), as part of the Environmental Bond
- > Green Communities Act (S.2768)
- > Ocean Management Act (S.2699)
- Solutions Act (S.2540)
- > Green Jobs Bill (H.5018)
- > Phosphorus Bill (S.536)
- > Buzzards Bay Oil Spill Bill Update (S.2374)

UNFINISHED BUSINESS

- > Streamflow Bill (H.833)—stalled in House Ways and Means
- > Safer Alternatives (S.2481)—stalled in House Ways and Means
- > Electronic Waste (H.864)—placed on the House calendar but never taken up
- > Diesel Emissions (S.2338)—stalled in Senate Ways and Means
- > Public Lands Protection Act (S.2388)—stalled in House Wavs and Means
- > Updated Bottle Bill (H.3356)—put to study by the Joint Committee on Telecommunications, Utilities, and Energy

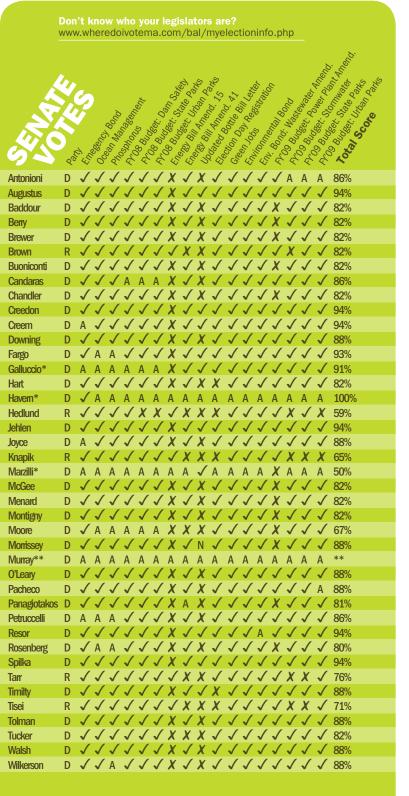
HOW BILLS ARE SELECTED

The legislation that is included in this Scorecard represents a diverse set of environmental concerns. The Massachusetts League of Environmental Voters worked with environmental and conservation organizations from across the Commonwealth to compile a list of priority environmental bills for this session. We consult with the groups throughout the session to monitor votes and track the progress of each. We do not include every environmental vote cast each session, nor every sign-on letter for an environmental bill.

Printed with soy inks on 25% post-consumer recycled paper using certified wind power. According to Environmental Defense, a leading environmental organization, MLEV has saved 500lbs of wood, 1 million BTUs of energy, 211lbs of carbon dioxide, 691gals of waste water, and 114lbs of solid waste by using this paper.

HOW SCORES ARE TALLIED

Each legislator's voting score is determined by calculating the number of pro-environmental votes cast out of the total votes scored. In some instances we scored bills that did not receive a vote by crediting legislators that signed a sign-on letter.



** Senate President usually abstains from voting A Not Voting

^{*} Resigned or was elected mid session

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* Resigned or was elected mid session

N Letter was addressed to this legislator and therefore they did not sign it

A Not Voting P Voted present scored as anti-environmental

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HONOR ROLI

MLEV recognizes that votes alone don't always tell the full story of legislators' commitment to environmental protection. The 2007-2008 legislative session was the most successful session in recent history, and for that we have many legislators to thank who went above and beyond to protect our natural resources and health.

We recognize Senate President Therese Murray (D-Plymouth) and Speaker Sal DiMasi (D-Boston) for their unprecedented leadership on a wide range of issues from clean energy and global warming policy to ocean management and land protection. Their leadership led to passage of bills that will help create a new green energy economy and protect our natural resources.

We also recognize the co-chairs of the Joint Committee on the Environment, Natural Resources, and Agriculture Senator Pam Resor (D-Marlborough) and Representative Frank Smizik (D-Brookline). In some instances their votes do not reflect their true leadership on environmental issues as they usually do not sign letters of support. Both legislators filed key environmental legislation, convened stakeholders, and worked tirelessly behind the scenes to make each one of our successes this session possible.

This session was focused primarily on energy and global warming policy, and our heroes include the co-chairs of the Joint Committee on Telecommunications, Utilities, and Energy Senator Michael Morrissey (D-Quincy) and Representative Brian Dempsey (D-Haverhill). Senator Bruce Tarr (R-Gloucester) promoted many strong clean energy policies. Senator Robert O'Leary (D-Barnstable) was the sponsor of the Ocean Management Act and its chief promoter, and he also played an instrumental role in advancing clean energy measures that were incorporated in the Green Communities Act. In addition, **Senator Marc Pacheco** (D-Taunton) who was the sponsor of the Global Warming Solutions Act, Representative Will Brownsberger (D-Belmont) who did much of the leg work securing support for the Global Warming Solutions Act in the House, and **Representative Lori Ehrlich** (D-Marblehead) who gave her maiden speech on the importance of curbing global warming deserve special recognition.

The passage of the Environmental Bond is a tremendous victory as was the passage of the policies within the bond, most notably land conservation tax incentives, a top priority for the session. For the passage of that amendment we thank Senator Stephen Brewer (D-Barre), Representatives Stephen Kulik (D-S. Deerfield), and Brad Jones (R-N. Reading). We also thank Senator Brewer and Representative Kulik for their work in restoring the Natural Heritage and Endangered Species line item in the FY2009 operating budget for the first time since the program was eliminated in FY2004.

GRAVEYARD



This section is designed to highlight structural "pitfalls" in the legislative process. There are a number of places where bills can die an untimely, quiet death in the labyrinth of the State House. This year MLEV recognizes the House Ways and Means Committee for this dubious distinction.

While the 2007-2008 legislative session was a successful session for promoting environmental and energy priorities, there were more than 458 bills in the House waiting to be taken up-62 of those bills had some environmental component to them. That's more than 13 percent of the bills currently sitting in House Ways and Means.

The House Ways and Means Committee is primarily responsible for reviewing bills with fiscal implications. However, because almost every bill has some fiscal implication, the House Ways and Means Committee has become another location for political gridlock, preventing legislation from reaching the floor.

BILL DESCRIPTIONS

EMERGENCY BOND. H.2915

Early in 2007, an emergency bond was authorized to replenish empty environmental accounts, including land protection programs.

The pro-environment vote is yes. Status: Signed into law, Chapter 27 of Acts of 2007

TIDELANDS H.4324. **AMENDMENT 133**

Much of the early part of 2007 was spent working on this bill to clarify a court ruling regarding regulatory exemptions for landlocked tidelands. One provision of the House legislation would have required a "public benefit" review for certain projects and created more bureaucracy with a new agency. This amendment would have eliminated these sections. We did not score the final vote

because the bill was not clearly pro- or anti-environmental. The pro-environment vote is yes. Status: The amendment failed; Signed into law, Chapter 168 of the Acts of 2007

OCEAN MANAGEMENT, S.2346

This bill requires more proactive and effective management of Massachusetts' ocean resources to deal with the increasing demands on them. Because the House version of this bill was weaker than the Senate and stronger language was negotiated in a Conference Committee, we did not score the House vote on this bill because it was not clearly pro- or anti-environmental.

The pro-environment vote is yes. Status: Signed into law, Chapter 114 of the Acts of 2008

PHOSPHORUS POLLUTION, S.536

Pollution of our lakes, rivers, and oceans by phosphorus leads to fish die-offs, algal blooms, and oxygen depletion. This bill eliminates phosphorus from dishwashing detergents sold in Massachusetts. Phosphorus has already been eliminated from other sources. The pro-environment vote is yes.

Status: Signed into law, Chapter 47 of the Acts of 2008

ENERGY BILL, H.4365

Speaker DiMasi introduced the Green Communities Act, also known as the energy bill, to increase conservation and encourage production and use of renewable energy. It requires that 15 percent of the state's electricity be from new renewable sources by 2020 and provides a tremendous boost to energy efficiency programs. Although the legislation is overall very good, it contains some problematic sections including promotion of gasified coal. The pro-environment vote is yes.

Status: Signed into law, Chapter 169 of the Acts of 2008

ENERGY BILL AMENDMENT 15 (SENATE)

This amendment would have added tax exemptions for alternative fueled vehicles. Such vehicles would have needed to have a high fuel efficiency standard relative to other cars in its passenger seating class and would have needed to be at least partly American made. The pro-environment vote is yes.

Status: The amendment failed

ENERGY BILL AMENDMENT 41 (SENATE)

This amendment would have created a sunset provision for the energy efficiency system benefit charge by 2013. Without this charge, funding for a number of energy efficiency programs would no longer be available.

The pro-environment vote is no. **Status: The amendment failed**

UPDATED BOTTLE BILL, H.3356 (SENATE)

This bill expands the existing bottle bill to cover water and juice bottles.

Because no vote was taken on this bill in the House, we scored a support letter circulated in the Senate.

Status: Sent to study by Joint Committee on Telecommunications, Utilities, and Energy

BUDGET AMENDMENT: POWER PLANT SITING (SEN-ATE) (FY2009)

This amendment prohibits the siting of a power plant within one mile of a playground, licensed day-care center, school, church, areas of critical environmental concern, or a residential neighborhood.

The pro-environment vote is yes. Status: Passed the Senate, was not included in the FY2009 budget

SAFER ALTERNATIVES BILL, S.2481 (HOUSE)

This bill aims to reduce exposure to toxic chemicals linked to many serious health problems by replacing them with safer alternatives when feasible.

Because no vote was taken on this bill in the House, we scored a support letter circulated in the House.

Status: Stalled in House Ways and Means

STREAMFLOW BILL, H.833 (HOUSE)

This bill would require development of streamflow standards to protect the health of our rivers and streams for both drinking water supply and aquatic habitat.

Because no vote was taken on this bill in the House, we scored a support letter circulated in the House.

Status: Stalled in House Ways and Means

ELECTION DAY REGISTRATION, S.2807

This bill increases public participation in our political process by allowing residents to register to vote on the day of an election. By making it easier for citizens to register to vote, key voter issues, including environmental issues, would receive more attention from elected officials.

The pro-environment vote is yes.

Status: Passed the Senate,
stalled in House Ways and
Means

GREEN JOBS, H.5018

This bill spurs the growth of green jobs in the Commonwealth by granting up to \$13 million a year, for 5 years, for companies to help train workers for jobs in the renewable energy sector and for investment in the clean energy sector.

The pro-environment vote is yes. Status: Signed into law, Chapter 307 of the Acts of 2008



ENVIRONMENTAL BOND, H.5054

This bill authorizes more than \$1.6 billion to improve the state's environmental infrastructure and assets through targeted investments that focus on the state's open spaces, parks, beaches, and recreational areas. The funding authorized in the last bond, signed in 2002, has been spent, making this bond an essential funding stream for environmental investment.

The pro-environment vote is yes. Status: Signed into law, Chapter 312 of the Acts of 2008

ENVIRONMENTAL BOND. WASTEWATER INFRASTRUC-**TURE AMENDMENT (SENATE)**

This amendment enables certain communities with degraded water quality due to nutrient loading problems to qualify for zero percent interest loans from the state to upgrade wastewater infrastructure. The pro-environment vote is yes.

Status: The amendment passed; Signed into law, Chapter 312 of the Acts of 2008

ENVIRONMENTAL BOND, CON-SERVATION TAX INCENTIVES AMENDMENT (HOUSE)

This amendment provides tax credits to private landowners who permanently protect their land, working farms, and forests from development.

The pro-environment vote is yes. Status: The amendment passed, was amended by the governor, is awaiting action in the legislature

GLOBAL WARMING SOLU-TIONS ACT, S.2540

This bill sets a short-term mandate to reduce greenhouse gas emissions from all sectors between 10-25 percent below 1990 levels by 2020 and a longterm mandate to reduce emissions by 80 percent by 2050. The pro-environment vote is yes.

Status: Signed into law, Chapter 298 of the Acts of 2008

BUDGET OVERRIDES These votes are attempts to restore funding for environmental programs by overriding Governor Patrick's line item vetoes.

BUDGET: DAM SAFETY 2800-0700 (FY2008)

This override restores funding to the Office of Dam Safety for its programs to remove dams, restore streams, and ensure public safety.

The pro-environment vote is yes. Status: The override passed

BUDGET: STATE PARKS 2810-0100 (FY2008 AND FY2009)

This override restores funding in the budget for the operation of state parks. Overall, the increases in the FY2008 and FY2009 budgets were steps in the right direction, increasing funding for state parks by \$3.7 million. However, more still needs to be done to restore the budget from cuts in FY2002 and FY2003.

The pro-environment vote is yes. Status: The override passed

BUDGET: URBAN PARKS 2820-0100 (FY2008 AND FY2009)

This override restores funding in the budget for the operation of urban parks. Our urban parks saw a funding increase of almost \$3 million in FY2008 and FY2009. However, more still needs to be done to restore the budget from cuts in FY2002 and FY2003.

The pro-environment vote is yes. Status: The override passed

BUDGET: STORMWATER OVER-RIDE 2800-0401 (FY2009)

This override restores Department of Conservation and Recreation funding for stormwater management.

The pro-environment vote is yes. Status: The override passed

VOTE FOR THE FUTURE

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