



# Legislative Report Card

Massachusetts Audubon Society

December 1999

## THE ENVIRONMENTAL ROLL CALL VOTES OF 1999

Since 1985, Massachusetts Audubon Society has published the environmental voting records of the Massachusetts legislature to inform citizens of their state legislators' performance. This report card is an objective compilation of the votes by state legislators on environmental roll call votes. It is not a subjective evaluation of legislators.

Many bills are passed by 'voice votes'. In these cases, the speaker or senate president judges a motion's outcome based on the members' oral responses. But when one-fifth of the legislative body requests a call of the 'yeas' and 'nays', each member's vote is recorded on a roll call, and is printed in the legislative journal.

During 1999, legislators voted by roll call on the following environmental bills.

- *An Act Authorizing the Town of Hopkington to Establish an Open Space Preservation Fund* (H. 481). The House enacted this bill to enable Hopkington to protect open space and generate funds through the collection of rollback taxes on agricultural and recreational lands, the sale of foreclosed tax titles, and fees from violations of municipal development by-laws, in addition to private gifts, grants, and public appropriations. Governor Cellucci signed the bill into law on May 28, 1999.
- *The Community Preservation Act* (H. 4863, S. 1988). Each branch passed a different version of statewide enabling legislation for open space protection, historic preservation, and affordable housing. The House bill raises funds through a local property tax surcharge, but provides an incentive of \$50 million with a 25% match in state funding. The Senate bill enables municipalities to choose to adopt a local real estate transfer fee or local property tax surcharge to raise funds. A conference committee made up of members from both

branches was appointed at the end of 1999 to resolve differences.

- *An Act Relative to Foothold Traps and Certain Other Devices* (H. 4884). The House engrossed a bill that authorizes the unrestricted use of the conibear trap. The conibear trap is currently restricted under M.G.L. chapter 131, section 80A, the Wildlife Protection Act (which passed as a citizen referendum on the November, 1996 ballot). The Senate had not voted on the bill at the end of the 1999 session.
- *Fiscal Year 1999 Supplemental Budget* (H. 4412). The Senate engrossed a supplemental appropriation providing \$145,000 for the Department of Environmental Management's seasonal hires. The Governor signed the expenditure into law on June 10, 1999.
- *The Senate's fiscal year 2000 state operating budget* (S. 2000). The Senate voted on an amendment to its fiscal year 2000 budget that would provide \$5 million for the Executive Office of Environmental Affairs' urban self-help grant program. The Senate also voted on an amendment that would supercede the state's Title V septic system regulations. Both amendments failed to pass.
- *Governor Cellucci's line item reduction in the fiscal year 2000 state operating budget* (H. 4900). Both branches voted to override Governor Cellucci's reduction in funding for the Department of Fisheries & Wildlife/Environmental Law Enforcement's Riverways Program in the final fiscal year 2000 state operating budget.

John J. Clarke, *Director of Advocacy*  
Robie Hubley, *Director of Legislative Affairs*  
Christopher Hardy, *Legislative Liaison*

**THE HOUSE REPORT CARD**

Representative	Vote	110	177	178	179	180	181	182	190	204	205	245	Grade %
Angelo, S.		+	+	+	+	+	+	+	-	-	-	+	73
Atkins, C.	**	+	+	+	+	+	+	+	+	+	+	+	100**
Atsalis, D.		+	+	+	+	+	+	+	-	-	-	+	73
Ayers, B.		+	+	+	+	+	+	+	+	+	+	+	100
Balser, R.		+	+	+	+	+	+	+	+	+	+	+	100
Barrios, J.		+	+	+	+	+	+	+	+	+	+	+	100
Binienda, J.		+	+	+	+	+	+	+	-	-	-	+	73
Bosley, D.		+	+	+	+	+	+	+	-	-	-	+	73
Broadhurst, A.		+	+	-	+	-	-	-	-	-	-	+	36
Brown, S.		+	+	+	-	-	+	+	-	-	-	-	45
Cabral, A.		+	+	+	+	+	+	+	-	+	+	+	91
Caffyn, N.	nv	+	+	+	-	-	+	+	-	-	-	-	41
Cahill, M.		+	+	+	+	+	+	+	+	+	+	+	100
Canavan, C.		+	+	+	+	-	-	-	-	-	-	+	45
Candaras, G.		+	+	+	+	+	+	+	-	nv	-	+	77
Caron, R.		+	+	+	+	+	+	+	-	-	-	+	73
Carron, M.	**	+	+	+	+	+	+	+	-	-	-	+	70**
Casey, P.		+	+	+	+	+	-	+	+	-	+	+	82
Chandler, H.		+	+	+	+	+	+	+	nv	+	-	+	86
Chesky, E.		+	+	+	-	+	-	-	-	+	-	+	55
Ciampa, V.		+	+	+	+	+	+	-	+	+	+	+	91
Cleven, C.		+	+	+	+	-	+	+	+	+	+	+	91
Connolly, E.		+	+	-	+	+	-	-	-	-	-	+	45
Correia, R.		+	+	+	+	+	+	+	-	-	-	+	73
Creedon, G.		+	+	+	+	+	+	-	-	-	-	+	64
Cresta, B.		+	+	+	-	-	+	+	-	-	-	-	45
DeFilippi, W.		+	-	+	nv	nv	nv	nv	nv	-	-	-	41
DeLeo, R.		+	+	+	+	+	+	+	+	+	+	+	100
deMacedo, V.		+	+	+	-	-	+	+	-	-	-	-	45
Demakis, P.		+	+	+	+	+	+	+	+	+	+	+	100
Dempsey, B.	nv	+	+	+	+	+	-	+	-	-	-	+	59
DiMasi, S.		+	+	+	+	+	+	+	nv	nv	nv	+	86
Donnelly, D.		+	+	+	+	+	+	+	+	+	+	+	100
Donovan, C.		+	+	+	+	+	+	+	+	+	+	+	100
Fagan, J.		+	+	-	+	-	-	-	-	-	-	+	36
Fallon, C.		+	+	+	+	+	-	+	+	+	+	+	91
Fennell, R.		+	+	+	+	+	+	+	-	-	-	+	73
Festa, M.		+	+	+	+	+	+	+	+	+	+	+	100
Finegold, B.		+	+	-	+	-	-	-	+	+	+	+	64
Finnegan, K.		+	-	+	-	-	+	+	-	-	-	-	36
Finneran, T.		+	+	+	+	+	+	+	nv	nv	nv	+	86
Fitzgerald, K.		+	+	+	-	+	+	+	+	+	+	+	91
Flavin, N.		+	+	+	+	+	-	+	-	+	-	+	73
Flynn, D.		+	-	+	+	+	+	+	-	+	-	+	73
Fox, G.		+	+	+	+	+	+	+	+	+	+	+	100
Fresolo, J.		+	+	-	+	-	-	-	-	-	-	+	36
Frost, P.		+	+	+	-	-	+	+	-	-	-	-	45
Galvin, W.		+	+	+	+	+	-	+	+	+	+	+	91
Gardner, B.		+	+	+	+	+	+	+	-	+	-	+	82
Garry, C.		+	+	+	+	+	+	+	-	-	-	+	73
Gately, D.		+	+	+	+	-	+	+	+	+	+	+	91
Gauch, R.		+	-	+	-	-	+	+	-	-	-	-	36

	Vote	110	177	178	179	180	181	182	190	204	205	245	Grade %
<b>Representative</b>													
George, T.		+	-	+	-	-	+	+	-	-	-	-	36
Giglio, A.		+	+	+	+	+	+	-	+	+	+	+	91
Goguen, E.		+	+	-	+	-	-	-	-	-	-	+	36
Golden, B.		+	+	+	+	+	+	+	+	+	+	+	100
Golden, T.		+	+	+	+	+	+	-	-	-	-	+	64
Gomes, S.		+	+	+	-	-	+	+	-	-	-	-	45
Greene, W.		+	+	+	+	+	-	+	-	-	-	+	64
Hahn, C.		+	+	+	-	-	+	-	-	-	-	+	45
Haley, P.		+	+	+	+	+	+	+	-	nv	nv	+	82
Hall, G.		+	+	+	+	+	+	+	-	-	-	+	73
Hargraves, R.		+	+	+	-	-	+	+	-	-	-	-	45
Harkins, L.		+	+	+	+	+	+	+	+	+	+	+	100
Hart, J.		+	+	+	+	+	+	+	-	+	+	+	91
Hill, B.		+	+	+	-	-	+	+	-	-	-	-	45
Hillman, R.		**	-	+	-	-	+	+	-	-	-	-	30**
Hodgkins, C.		+	nv	nv	nv	nv	nv	nv	-	-	-	+	45
Honan, K.		+	+	+	+	+	+	+	+	+	+	+	100
Hyland, B.		+	-	+	-	-	+	+	-	-	-	-	36
Hynes, F.		+	+	+	+	+	+	+	+	+	+	+	100
Jehlen, P.		+	+	nv	+	+	+	+	+	+	+	+	95
Jones, B.		+	-	+	-	-	+	+	-	-	-	-	36
Kafka, L.		+	+	+	+	+	+	+	+	+	+	+	100
Kaprielian, R.		+	+	nv	+	+	+	+	+	-	+	+	86
Kaufman, J.		+	+	+	+	+	+	+	+	+	+	+	100
Keenan, D.		+	+	+	+	+	+	+	-	-	-	+	73
Kelly, S.		+	-	+	-	-	+	+	-	-	-	+	45
Kennedy, T.		+	+	+	+	+	+	-	+	+	+	+	91
Keough, J.		**	+	+	+	+	+	+	-	+	-	+	80**
Khan, K.		+	+	+	+	+	+	+	+	+	+	+	100
Knuuttila, B.		+	+	+	+	+	+	+	-	-	-	+	73
Koczera, R.		+	+	+	+	+	+	+	-	-	-	+	73
Koutoujian, P.		+	+	+	+	+	+	+	+	-	+	+	91
Kujawski, P.		+	+	+	+	+	+	+	-	-	-	+	73
Kulik, S.		+	+	+	+	+	+	+	-	-	-	+	73
Lane, H.		nv	*	*	*	*	*	*	*	*	*	*	50*
Larkin, P.		+	+	+	+	+	+	+	-	-	-	+	73
LeDuc, S.		+	+	+	+	+	+	+	-	-	-	+	73
Lepper, J.		+	-	+	-	-	+	+	-	-	-	-	36
Lewis, M.		+	+	+	+	+	+	+	-	-	-	+	73
Linsky, D.		**	+	+	+	+	+	+	+	+	+	+	100**
Locke, J.		+	+	+	-	-	+	+	-	-	-	nv	50
Malia, E.		+	+	+	+	+	+	+	+	+	+	+	100
Mariano, R.		+	+	+	+	+	+	+	-	-	-	+	73
Marini, F.		+	-	+	-	-	+	+	-	-	-	-	36
Marzilli, J.		+	+	+	+	+	+	+	+	+	+	+	100
McGee, T.		+	+	+	+	+	-	+	-	nv	-	+	68
McManus, J.		+	+	+	+	+	-	+	-	nv	nv	+	73
Menard, J.		+	+	+	+	+	+	+	-	nv	nv	+	82
Merrigan, J.		+	+	+	-	+	+	+	-	-	-	+	64
Miceli, J.		+	+	+	+	+	-	+	-	-	-	+	64
Murphy, C.		+	+	+	+	+	-	+	-	-	-	+	64
Murphy, K.		+	+	+	+	+	+	+	-	-	-	+	73
Murray, M.		+	+	+	-	-	+	+	+	+	+	-	73
Nagle, W.		+	+	+	+	+	+	+	nv	nv	nv	+	86



**THE 1999 ENVIRONMENTAL ROLL CALL VOTES  
OF THE MASSACHUSETTS HOUSE OF REPRESENTATIVES**

<u>VOTE</u>	<u>DATE</u>	<u>BILL#</u>	<u>BILL DESCRIPTION</u>	<u>ACTION</u>	<u>ENVIRONMENTAL VOTE</u>	<u>RESULT</u>
<b>110</b>	5/18/99	H. 481	Hopkington Open Space Fund	enactment	<i>Y</i>	147-O (5nv) <i>passed</i> This vote is to enact a bill that authorizes the town of Hopkington to establish an open space preservation fund.
<b>177</b>	11/3/99	H. 4863	Community Preservation Act	amendment	<i>N</i>	14-143 (1nv, 1p) <i>rejected</i> This vote is to accept an amendment that strikes out the Ways & Means text entirely and substitutes it with a version that focusses solely on open space preservation. The amendment eliminates funding for vital affordable housing and historic preservation programs from the Community Preservation Act.
<b>178</b>	11/3/99	H. 4863	Community Preservation Act	amendment	<i>Y</i>	144-9 (5nv, 1p) <i>accepted</i> This vote is to accept an amendment that strikes out the Ways & Means text regarding the state matching funds and the required matching percentage. The amendment increases the matching percentage from 10 to 25%, and increases the total amount of bonded funds from \$20 to 50 million.
<b>179</b>	11/3/99	H. 4863	Community Preservation Act	amendment	<i>N</i>	31-124 (3nv,1p) <i>rejected</i> This vote is to accept an amendment that strikes out the Ways & Means text mandating the minimum 10% in uses of the funds for the three areas of community preservation: open space protection, historic preservation, and affordable housing opportunities. Eliminating a mandated minimum in funding jeopardizes the comprehensiveness of the bill.
<b>180</b>	11/3/99	H. 4863	Community Preservation Act	amendment	<i>N</i>	35-120 (3nv, 1p) <i>rejected</i> This vote is to accept an amendment that mandates a \$100,000 property tax exemption, reducing flexibility for municipalities to determine their own exemptions.
<b>181</b>	11/3/99	H. 4863	Community Preservation Act	amendment	<i>N</i>	22-133 (3nv, 1p) <i>rejected</i> This vote is to accept an amendment that strikes out the additional \$4 fee for instruments recorded at the registry of deeds, which provides the revenue to pay for the \$50 million in state matching funds.
<b>182</b>	11/3/99	H. 4863	Community Preservation Act	engrossment	<i>Y</i>	139-14 (6nv) <i>passed</i> This vote is to engross the Community Preservation Act, and send it to the Senate for concurrence.
<b>190</b>	11/10/99	H. 4884	Use of restricted traps	amendment	<i>N</i>	93-60 (6nv) <i>accepted</i> This vote is to substitute the text of a bill, which loosens restrictions on the use of the conibear trap to reduce property damage or income loss (and which was reported favorably by the Natural Resources Committee in executive session), with the text of a bill that authorizes the unrestricted, recreational use of the conibear trap.
<b>204</b>	11/16/99	H. 4884	Use of restricted traps	recommitment	<i>Y</i>	70-81 (8nv) <i>rejected</i> Following the Speaker's motion to reconsider the engrossment vote, this vote is to recommit the bill to the Natural Resources Committee for its proper consideration.
<b>205</b>	11/16/99	H. 4884	Use of restricted traps	engrossment	<i>N</i>	88-65 (6nv) <i>passed</i> This vote is to engross the substituted bill that authorizes the unrestricted, recreational use of the conibear trap, without a public hearing or the Natural Resources Committee's approval.
<b>245</b>	11/16/99	H. 4900	FY00 state operating budget	override veto	<i>Y</i>	136-22 (1nv) <i>passed</i> This vote is to override the Governor's reduction of line-item 2300-0101 in the FY00 state operating budget, providing funds for the Department of Fisheries and Wildlife/Environmental Law Enforcement's Riverways Program.

**House Report Card Scoring Method**

- A vote supporting environmental protection is (+), a vote against environmental protection is (-), absent or not voting is (nv), and present but not voting is (p).
- A (+) vote received two points, (nv) or (p) received one point, and a (-) vote received zero points.
- The symbol (\*) denotes legislator left office during the session.
- The symbol (\*\*) denotes legislator entered office during the session.

**THE 1999 ENVIRONMENTAL ROLL CALL VOTES  
OF THE MASSACHUSETTS SENATE**

VOTE	DATE	BILL #	BILL DESCRIPTION	ACTION	ENVIRONMENTAL VOTE	RESULT
25	6/9/99	S. 2000	FY00 state operating budget	amendment	Y	5-34 <i>rejected</i>
This is a vote to accept an amendment that establishes a line-item and provides \$5 million for the urban self-help grant program. The Secretary of Environmental Affairs made an administrative decision earlier in the year to divert funding from the urban self-help program to pay for land protection and growth planning in non-urban communities.						
33	6/10/99	H. 4412	FY99 supplemental budget	engrossment	Y	39-0 <i>passed</i>
This is a vote to engross an FY99 supplemental appropriation that provides \$145,000 for the Department of Environmental Management's seasonal hires.						
37	6/10/99	S. 2000	FY00 state operating budget	amendment	N	10-29 <i>rejected</i>
This is a vote to accept an outside section that requires a town meeting or city council vote to adopt any regulation that exceeds Title 5 septic system regulations.						
61	9/16/99	S. 1988	Community Preservation Act	amendment	N	10-28 (1nv) <i>rejected</i>
This is a vote to accept an amendment that would prevent municipalities from exempting commercial and industrial properties from the property tax surcharge or real estate transfer fee. This amendment reduces flexibility for communities to determine their own tax exemptions.						
62	9/16/99	S. 1988	Community Preservation Act	amendment	N	12-26 (1nv) <i>rejected</i>
This is a vote to accept an amendment that would eliminate the real estate transfer fee option from the Community Preservation Act.						
63	9/16/99	S. 1988	Community Preservation Act	engrossment	Y	35-0 (4nv) <i>passed</i>
This is a vote to engross the Community Preservation Act, and send the bill to the House for concurrence.						
126	11/17/99	H. 4900	FY00 state operating budget	override veto	Y	31-5 (2nv) <i>passed</i>
This is a vote to override the Governor's reduction of line-item 2300-0101 in the FY00 state operating budget, providing funds for the Department of Fisheries and Wildlife/Environmental Law Enforcement's Riverways Program.						

**THE SENATE REPORT CARD**

Senator	Vote	25	33	37	61	62	63	126	Grade %	Senator	Vote	25	33	37	61	62	63	126	Grade %
Antonioni, R.	-	+	+	+	+	nv	+		79	Montigny, M.	-	+	+	+	+	+	+		86
Bernstein, R.	-	+	+	+	+	+	+		86	Moore, R.	-	+	+	+	-	+	+		71
Birmingham, T	*	*	*	*	*	*	*		*	Morrissey, M.	-	+	-	+	-	+	+		57
Berry, F.	-	+	+	nv	nv	nv	nv		57	Murray, T.	-	+	+	+	+	+	+		86
Brewer, S.	-	+	-	+	+	+	+		71	Norton, T.	-	+	+	-	-	+	**		50**
Clancy, E.	-	+	+	+	+	+	nv		79	Nuciforo, A.	-	+	+	+	-	+	+		71
Creedon, R.	-	+	+	+	+	+	+		86	Pacheco, M.	-	+	+	+	+	+	+		86
Creem, C.	-	+	+	+	+	+	+		86	Panagiotakos, S.	-	+	+	+	+	+	+		86
Fargo, S.	-	+	+	+	+	nv	+		79	Rauschenbach, H.	-	+	+	-	+	+	-		57
Glodis, G.	-	+	-	+	+	nv	+		64	Resor, P.	-	+	+	+	+	+	+		86
Havern, R.	-	+	+	+	+	+	+		86	Rosenberg, S.	-	+	+	+	+	+	+		86
Hedlund, R.	+	+	-	-	-	+	+		57	Shannon, C.	-	+	+	-	-	+	+		57
Jacques, C.	-	+	+	+	+	+	+		86	Sprague, J.	-	+	-	-	-	+	-		29
Jajuga, J.	-	+	+	+	+	+	+		86	Tarr, B.	+	+	-	-	-	+	+		57
Joyce, B.	-	+	+	+	-	+	+		71	Tisei, R.	+	+	-	-	-	+	-		43
Knapik, M.	+	+	-	-	-	+	-		43	Tolman, S.	-	+	+	+	+	+	+		86
Lees, B.	+	+	-	-	-	+	-		43	Travaglini, R.	-	+	+	+	+	+	+		86
Lynch, S.	-	+	+	+	+	+	+		86	Tucker, S.	-	+	-	+	+	+	+		71
Magnani, D.	-	+	+	+	+	+	+		86	Walsh, M.	-	+	+	+	+	+	+		86
Melconian, L.	-	+	+	-	+	+	+		71	Wilkerson, D.	-	+	+	+	+	+	+		86

**Senate Report Card Scoring Method**

- A vote supporting environmental protection is (+), a vote against environmental protection is (-), and absent or not voting is (nv).
- A (+) vote received two points, (nv) received one point, and a (-) vote received zero points.
- This table includes paired votes, a voting procedure that enables senators to vote when they are not actually present in the chamber.
- The symbol (\*) denotes the Senate President votes only to break a tie.
- The symbol (\*\*) denotes legislator left office during the session.