

Since 1985, the Massachusetts Audubon Society has reported the environmental voting records of the Massachusetts legislature in order to inform citizens of their state legislators' performance in protecting the nature of Massachusetts.

Purpose: This report card is a compilation of the roll call votes by state legislators on environmental bills or funding measures. It is not a personal evaluation of legislators. This report card publishes only how each legislator voted on environmental issues when he or she was asked to stand and be counted during formal debate.

Method: In practice, many bills are passed by 'voice votes' in formal or informal sessions. In these cases, the Speaker or Senate President judges a motion's outcome based on the members' oral responses in the chamber, or on their written or vocal communications prior to open consideration in the House or Senate chambers. Otherwise, when one-fifth of the legislative body requests a call of the 'yeas' and 'nays' in a formal session, each member's vote is recorded on a roll call, and is printed in the legislative journal.

To prepare this report card, we begin by compiling all roll call votes on record at the Senate and House Clerks' offices. We then select those roll call votes that impact natural resources protection. We grade legislators as follows: a vote supporting environmental protection is given two points; a vote against environmental protection is given zero points; and a legislators' absence, presence, or not voting is given one point. The scores of individual legislators are calculated by dividing the total points a legislator earned by the maximum possible score.

Results: In 2002, there were 269 roll call votes recorded in the House. There were 201 roll call votes recorded in the Senate.

The House voted by roll call on 7 environmental items. The average score in the House was 93 percent. House members' votes included whether to prohibit the sale of retail mercury fever thermometers; establish an environmental management commission to oversee military training at the Massachusetts

Military Reservation; restore funding for several environmental programs in the House's FY03 operating budget; authorize new capital authorizations to replenish expended bond accounts and to fulfill the goals and objectives of state environmental agencies for the next several years; and, establish the Southeastern Massachusetts Bioserve, the Commonwealth's first landscape-scale ecosystem protection effort.

The Senate voted by roll call on 12 environmental items. The average score in the Senate was 97 percent. Senate members' votes included whether to allow for the designation of areas of critical environmental justice concern; prohibit the sale of retail mercury fever thermometers; establish an environmental management commission to oversee military training at the Massachusetts Military Reservation; extend the time frame for funding energy efficiency programs; increase public accountability for reporting polluter compliance monitoring and enforcement activities; ensure 'no-net loss' of conservation lands as a result of dispositions under Article 97 of the amendments to the state Constitution; promote the development of a comprehensive greywater reuse management plan; and, authorize new capital authorizations to replenish expended bond accounts and to fulfill the goals and objectives of state environmental agencies for the next several years.

Future generations will be grateful for the 182nd General Court's boldness and foresight in passing the Upper Cape Water Supply Reserve Act and the Environmental Bond of 2002. The past session was one of our Commonwealth's most fiscally challenging periods. We extend our appreciation to each member of the House and Senate for their support and dedication to protecting the nature of Massachusetts.

John J. Clarke, Director of Advocacy
Christopher Hardy, Director of Legislative Affairs
January 2003

2002 HOUSE VOTE DESCRIPTION

VOTE	Date	Bill #	Action	Result
	Description	ENVIRONMENTAL VOTE		

236 1/22/02 H.3772 engrossment 151-0-7
Mercury Thermometers YES

This vote was to engross a bill that would prohibit the sale of retail mercury fever thermometers, except in the case of a medical necessity. Mercury discharges pose a significant threat to environmental quality and public health. When discharged into waterways, mercury bioaccumulates in fish tissues, which has resulted in warnings against the consumption of fish caught in many Massachusetts waterbodies.

246 2/13/02 S.2180 engrossment 150-0-8
Upper Cape Water Supply Reserve YES

This vote was to engross, as amended, a bill that would establish a three-member commission, made up of state environmental agency officials, as well as an advisory council, composed of local officials and citizens, to oversee military training at the Massachusetts Military Reservation. The Commission would be empowered to ensure that any military activity is compatible with water supply and wildlife habitat protection. The

Reservation's northern 15,000 acres supports Upper Cape Cod's largest potential drinking water supply as well as at least 27 state-listed plant and animal species.

247 2/15/02 S.2180 enactment 147-0-11
Upper Cape Water Supply Reserve YES

This vote was to enact the previous bill.

350 5/15/02 H.5100 amendment 153-1-3
FY03 Operating Budget YES

This vote was to accept an amendment to the House Committee on Ways & Means FY'03 budget that would restore funding for several environmental program line items, including GIS mapping services and state forests and parks. Following consideration of revenue enhancements, the House set up working groups, organized by subject matter, to select particular line items for additional funding as part of a consolidated amendment.

2002 HOUSE VOTE DESCRIPTION *Continued*

VOTE	Date	Bill #	Action	Result	ENVIRONMENTAL VOTE
	Description				
373	6/25/02	H.5177	engrossment	124-18-14	This vote was to enact the conference committee's \$753 million report of the Environmental Bond.
	<i>Environmental Bond</i>			YES	
<p>This vote was to engross the House's \$596.5 million version of the Environmental Bond, which was necessary to replenish capital authorizations that had been completely expended- from open space protection to hazardous waste site clean-up and forests and parks improvements- and that are necessary to fulfill the established goals and objectives of state environmental agencies.</p>					
448	7/31/02	S.2437	enactment	150-0-6	This vote was to enact a bill that would establish, through a series of land conveyances, the Southeastern Massachusetts Bioreserve. The Bioreserve is a 14,000 acre network of protected lands, located within ten minutes from downtown Fall River. In addition to preserving significant wildlife habitat, the Bioreserve protects the City of Fall River's drinking water supply.
	<i>Environmental Bond</i>			YES	

2002 SENATE VOTE DESCRIPTION

VOTE	Date	Bill #	Action	Result	ENVIRONMENTAL VOTE
	Description				
170	2/12/02	S.2243	engrossment	36-0	This vote was to enact the previous bill relative to the protection of Upper Cape Cod's drinking water supply and wildlife habitat at the Massachusetts Military Reservation.
	<i>Environmental Justice</i>			YES	
<p>This vote was to engross a bill that would allow for the designation of areas of critical environmental justice concern in the Commonwealth. This program seeks to ensure equal protection of all residents and promote public health and environmental quality in all communities, particularly those that are disproportionately burdened by environmental hazards such as excessive air pollution, water pollution, hazardous waste and noise.</p>					
176	2/12/02	H.3772	engrossment	36-0	This vote was to enact the bill that would establish the statutory framework necessary to ensure 'no-net loss' of conservation lands as a result of dispositions under Article 97 of the Amendments to the state Constitution. The bill would require that compensation must be paid in terms of acreage or value, either as fair market value or value in proposed use, whichever is greater, for all dispositions of land and easements taken or acquired for natural resources purposes.
	<i>Mercury Thermometers</i>			YES	
<p>This vote was to engross a bill that would prohibit the sale of retail mercury fever thermometers, except in the case of a medical necessity. Mercury discharges pose a significant threat to environmental quality and public health. When discharged into waterways, mercury bioaccumulates in fish tissues, which has resulted in warnings against the consumption of fish caught in many Massachusetts waterbodies.</p>					
188	2/14/02	S.2180	concurrence	36-0	This vote was to engross the Senate's \$955.5 million version of the Environmental Bond, which was necessary to replenish capital authorizations that had been completely expended- from open space protection to hazardous waste site clean-up and forests and parks improvements- and that are necessary to fulfill the established goals and objectives of state environmental agencies.
	<i>Upper Cape Water Supply Reserve</i>			YES	
<p>This vote was to concur with the House in its amendments to a bill that would establish a three-member commission, made up of state environmental agency officials, as well as an advisory council, composed of local officials and citizens, to oversee military training at the Massachusetts Military Reservation. The Commission would be empowered to ensure that any military activity is compatible with water supply and wildlife habitat protection. The Reservation's northern 15,000 acres supports Upper Cape Cod's largest potential drinking water supply as well as at least 27 state-listed plant and animal species.</p>					
189	2/14/02	H.4006	engrossment	36-0	This vote was to engross a bill that would direct the department of environmental protection to develop a comprehensive greywater reuse management plan for residential, commercial, and public buildings and facilities. The use of reclaimed wastewater for irrigation could reduce peak summer water withdrawals that cause low flows in rivers and streams and stress municipal water systems.
	<i>Energy Efficiency</i>			YES	
<p>This vote was to engross a bill that would extend the time frame by five years for the assessment of mandatory charges per kilowatt hour for all Massachusetts consumers to fund energy efficiency programs. Energy efficiency measures help reduce air pollutant emissions and impacts on ecosystem health.</p>					
197	2/14/02	S.2242	engrossment	35-0	This vote was to accept the conference committee's \$753 million report of the Environmental Bond.
	<i>Environmental Law Enforcement</i>			YES	
<p>This vote was to engross a bill that would increase public accountability for reporting polluter compliance monitoring and enforcement activities, and direct state agencies to institute sanctions against repeat violators and increased penalties for polluters.</p>					
201	2/28/02	S.2180	enactment	35-0	This vote was to accept the conference committee's \$753 million report of the Environmental Bond.
	<i>Upper Cape Water Supply Reserve</i>			YES	
207	3/14/02	S.2281	engrossment	38-0	This vote was to accept the conference committee's \$753 million report of the Environmental Bond.
	<i>Article 97 No-Net Loss</i>			YES	
211	4/11/02	S.2312	engrossment	36-0	This vote was to reconsider the previous vote.
	<i>Environmental Bond</i>			YES	
217	4/25/02	S.2329	engrossment	35-0	This vote was to reconsider the previous vote.
	<i>Greywater Reuse Management</i>			YES	
302	7/30/02	S.2437	acceptance	36-0	This vote was to reconsider the previous vote.
	<i>Environmental Bond</i>			YES	
304	7/30/02	S.2437	reconsideration	0-36	This vote was to reconsider the previous vote.
	<i>Environmental Bond</i>			NO	
334	7/31/02	S.2437	enactment	39-0	This vote was to enact the conference committee's \$753 million report of the Environmental Bond.
	<i>Environmental Bond</i>			YES	

