



# Legislative Report Card

Massachusetts Audubon Society

December 2000

## THE ENVIRONMENTAL ROLL CALL VOTES OF 2000

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

In practice, 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 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', each member's vote is recorded on a roll call, and is printed in the legislative journal.

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. It does not reflect the time and energy many legislators expend advocating on behalf of their constituents to secure state or federal grant funds for parks or open space projects, or to draft, file, and testify on behalf of environmental legislation in public hearings. This report card includes each legislator's roll call votes on environmental issues when he or she stood and were counted during the formal debate.

In preparing this report card, we first catalogued all roll call votes on record at the Senate and House Clerks' offices. We then culled out those roll calls that impact natural resources. We graded legislators as follows:

a vote for the environment is given two points; a vote against the environment is given zero points; and a legislator's absence, or presence but 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.

The score of an individual legislator may fluctuate year to year. However, an examination of an individual legislator's voting record over the term of one's service presents a revealing portrait of his or her commitment to environmental protection.

During the year 2000, the House of Representatives voted by roll call on seventeen major environmental items. The Senate voted by roll call on thirteen major environmental items. This past year represents a significant increase in the quality and quantity of environmental floor debate and roll calls, including issues of pesticide disclosure, beach water quality monitoring, cluster development design, and Upper Cape Cod's groundwater protection and habitat conservation.

We wish to applaud the members of the Massachusetts legislature for enriching the tradition of environmental advocacy, and especially for enacting, after fifteen years of debate, the *Community Preservation Act*, a landmark piece of legislation that will be esteemed by future generations.

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





## 2000 HOUSE REPORT CARD

Vote	322	390	399	414	427	428	429	448	461	482	541	568	569	570	584	592	593	Grade %
Representative																		
Sullivan, D.	-	+	+	+	-	-	-	+	+	+	+	+	+	+	+	+	+	76
Sullivan, J.	+	+	+	+	-	-	-	+	+	+	+	+	+	+	+	+	+	82
Swan, B.	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	94
Sydney, R.	+	+	+	+	-	+	-	+	+	+	+	+	+	+	+	+	+	88
Teahan, K.	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Timilty, W.	-	nv	nv	+	+	+	+	+	+	+	+	+	+	+	+	+	+	88
Tobin, S.	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	94
Toomey, T.	+	nv	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	97
Torrissi, D.	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	94
Travis, P.	-	+	+	+	nv	nv	nv	+	+	+	+	+	+	+	+	+	+	85
Turkington, E.	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Tuttle, D.	-	+	+	+	-	-	-	+	+	+	+	+	-	+	+	-	-	59
Vallee, J.	-	+	+	+	-	-	-	+	+	+	+	+	+	+	+	+	+	76
Verga, A.	+	+	+	+	-	-	-	+	+	+	+	+	+	+	+	+	+	82
Wagner, J.	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	94
Walrath, P.	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	94
Walsh, M.	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	94
Wolf, A.	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100

### 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 2000 ENVIRONMENTAL ROLL CALL VOTES OF THE MASSACHUSETTS HOUSE OF REPRESENTATIVES

VOTE	DATE	BILL#	BILL DESCRIPTION	ACTION	ENVIRONMENTAL VOTE	RESULT
322	3/8/00	H. 4884	Use of Restricted Traps	concurrence	Y	66-87 (6nv) rejected
<p>This vote was to concur with the Senate's amendments to a House bill that would have allowed for the unrestricted use of traps to control the population of beaver and muskrat. Instead, the Senate amendments would have allowed for the restricted use of traps in site-specific problems to protect the public health and safety, and to prevent property damage and income loss.</p>						
390	5/3/00	S. 2134	Children's and Families' Protection from Pesticides	enactment	Y	152-0 (6nv) passed
<p>This vote was to enact a bill that prohibited the use of the most harmful pesticides at schools, day care centers, and child care programs, and provided clear and accurate notification of pesticide use to parents and families.</p>						
399	5/3/00	S. 2181	FY'00 supplemental appropriation	engrossment	Y	148-0 (10nv) passed
<p>This vote was to engross a supplemental appropriation including \$350,000 for the Department of Environmental Management's (DEM) state forest and park system operations; \$515,933 for DEM seasonal hires; \$66,000 for the operation of the statewide point-of-sale outdoor recreation transaction system; \$534,408 for the operation of the division of environmental law enforcement; and, \$273,344 for the Metropolitan Park Commission (MDC) seasonal hires.</p>						
414	5/16/00	H. 4696	Dartmouth Agricultural Preservation Trust Fund	enactment	Y	148-0 (10nv) passed
<p>This vote was to enact a bill that established a local fund to preserve agricultural lands in the town of Dartmouth.</p>						
427	5/31/00	H. 4814	Upper Cape Water Supply Reserve	amendment	N	41-112 (4nv, 1p) rejected
<p>This vote was to accept an amendment to a bill that would permanently protect the groundwater supplies and wildlife habitat in the northern 15,000 acres of the Massachusetts Military Reservation. The southern portion of the reservation was designated a Superfund clean-up site in 1989, due to past military mismanagement that has caused extensive groundwater contamination in the surrounding towns. The amendment would have expanded the Upper Cape Water Supply Reserve's administrative structure beyond the control of state environmental agencies to include a military representative, a Barnstable County commissioner, and one representative of each of the neighboring towns of Falmouth, Bourne, Sandwich, and Mashpee, new each year, none of whom have proven expertise in land management, wildlife or watershed protection.</p>						
428	5/31/00	H. 4814	Upper Cape Water Supply Reserve	amendment	N	44-109 (4nv, 1p) rejected
<p>This vote was to accept an amendment to a bill that would permanently protect the groundwater supplies and wildlife habitat in the northern 15,000 acres of the Massachusetts Military Reservation. The southern portion of the reservation was designated a Superfund clean-up site in 1989, due to past military mismanagement that has caused extensive groundwater contamination in the surrounding towns. The amendment would have expanded the Upper Cape Water Supply Reserve's administrative structure beyond the control of state environmental agencies to include the adjutant general of the Army and Air Force National Guard, and a single representative from the four towns, Falmouth, Bourne, Sandwich, and Mashpee, new each year, none of whom have proven expertise in land management, wildlife or watershed protection.</p>						

**THE 2000 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>
429	5/31/00	H. 4814	Upper Cape Water Supply Reserve	amendment	N	64-89 (4nv) rejected
<p>This vote was to accept an amendment to a bill that would permanently protect the groundwater supplies and wildlife habitat in the northern 15,000 acres of the Massachusetts Military Reservation. The bill would further establish an Advisory Council, made up of military, municipal, and water supply interests, to advise state environmental agencies on the day-to-day operations of the Upper Cape Water Supply Reserve. The amendment would have expanded the Reserve's administrative structure beyond the control of state environmental agencies to include a representative of the Advisory Council, which may include the military, and a single representative from the four towns, Falmouth, Bourne, Sandwich, and Mashpee, new each year, none of whom have proven expertise in land management, wildlife or watershed protection.</p>						
448	6/28/00	H. 5290	Emergency environmental bond bill	engrossment	Y	151-0 (7nv) passed
<p>This vote was to engross an emergency capital authorization that replenished capital funds that had been completely expended, would have been depleted in the near future, or were inadequate to meet the needs of the Executive Office of Environmental Affairs. The emergency bond included \$18 million for watershed protection; \$19.2 million for upgrades to the state's forest and park system; and, \$12.8 million for agricultural preservation.</p>						
461	7/12/00	H. 4884	Use of restricted traps	engrossment	Y	154-0 (4nv) passed
<p>This vote was to engross the conference committee's report of a bill to allow the restricted use of traps in site-specific problems to protect the public health and safety, and to prevent property damage and income loss.</p>						
482	7/24/00	H. 4866	Community Preservation Act	enactment	Y	141-13 (4nv) passed
<p>This vote was to enact the conference committee's report of a bill to enable municipalities to establish a local fund through a property tax surcharge for open space protection, historic preservation, and affordable housing. The bill provided for a permanent state matching grant program through the collection of a \$20 surcharge imposed on instruments recorded at the Registry of Deeds and Land Court.</p>						
541	7/31/00	H. 5395	Beaches bill	enactment	Y	157-0 (1nv) passed
<p>This vote was to enact a bill that established minimum sanitation standards to protect public bathing waters from contamination, and required warning signs to be posted to notify the public whenever there is a threat to human health or safety.</p>						
568	7/31/00	H. 5300	FY'01 operating budget #2100-2030	override	Y	133-20 (5nv) passed
<p>This vote was to override Governor Cellucci's reduction in funding for DEM's recreation and conservation program. The Governor reduced the line item's funding by \$2.5 million and eliminated certain earmarked projects.</p>						
569	7/31/00	H. 5300	FY'01 operating budget #2100-0005	override	Y	156-0 (2nv) passed
<p>This vote was to override Governor Cellucci's reduction in funding for DEM's inland waterways and harbor program. The Governor reduced the line item's funding by \$2 million and eliminated certain earmarked projects.</p>						
570	7/31/00	H. 5424	FY'00 supplemental appropriation	enactment	Y	156-0 (2nv) passed
<p>This vote was to enact a supplemental appropriation including \$25,000 for the operation of the division of environmental law enforcement; \$5 million for the Commonwealth's zoos; \$1.43 million for DEM operations; \$992,000 for public access boat ramps and launchings; \$3 million for MDC operations; and, \$2 million for agricultural preservation.</p>						
584	7/31/00	H. 5308	Emergency environmental bond bill	enactment	Y	155-0 (3nv) passed
<p>This vote was to enact an emergency capital authorization that replenished capital funds that had been completely expended, would have been depleted in the near future, or were inadequate to meet the needs of the Executive Office of Environmental Affairs. The emergency bond included \$18 million for watershed protection; \$19.2 million for upgrades to the state's forest and park system; and, \$12.8 million for agricultural preservation.</p>						
592	7/31/00	H. 5300	FY'01 operating budget #2511-0100	override	Y	136-21 (1nv) passed
<p>This vote was to override Governor Cellucci's reduction in funding for the Department of Food &amp; Agriculture's (DFA) operations. The Governor reduced the line item's funding by \$41,000 and eliminated certain earmarked projects.</p>						
593	7/31/00	H. 5300	FY'01 operating budget #2440-0010	override	Y	130-27 (1nv) passed
<p>This vote was to override Governor Cellucci's reduction in funding for the MDC's park and recreation division. The Governor reduced the line item's funding by \$3.7 million and eliminated certain earmarked projects.</p>						

## 2000 SENATE REPORT CARD

Vote	214	228	244	249	271	274	291	351	355	356	358	363	373	Grade %
Senator														
Antonioni, R.	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Bernstein, R.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Berry, F.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Birmingham, T.	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Brewer, S.	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Clancy, E.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Creedon, R.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Creem, C.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Fargo, S.	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Glodis, G.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Havern, R.	+	+	-	+	+	nv	+	+	+	+	+	+	+	88
Hedlund, R.	+	+	+	+	+	+	+	+	+	+	+	+	-	92
Jacques, C.	nv	+	-	+	+	+	+	+	+	+	+	+	+	88
Jajuga, J.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Joyce, B.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Knapik, M.	+	+	+	+	+	+	+	+	-	-	+	+	-	77
Lees, B.	+	+	+	+	+	+	+	+	-	-	+	+	-	77
Lynch, S.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Magnani, D.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Melconian, L.	+	nv	-	+	+	+	+	+	+	+	+	+	+	88
Menard, J.	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Montigny, M.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Moore, R.	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Morrissey, M.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Murray, T.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Nuciforo, A.	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Pacheco, M.	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Panagiotakos, S.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Rauschenbach, H.	+	+	+	+	+	+	+	+	+	-	+	+	-	85
Resor, P.	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Rosenberg, S.	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Shannon, C.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Sprague, J.	+	+	+	+	+	+	+	+	-	-	+	+	-	77
Tarr, B.	+	+	+	+	+	+	+	+	+	+	+	+	-	92
Tisei, R.	+	+	-	+	+	+	+	+	+	-	+	+	-	77
Tolman, S.	+	+	+	+	+	+	nv	+	+	+	+	+	+	96
Travaglini, R.	+	+	-	+	+	+	+	+	+	+	+	+	+	92
Tucker, S.	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Walsh, M.	+	nv	-	+	+	+	+	+	+	+	+	+	+	88
Wilkerson, D.	+	+	-	+	+	+	+	+	+	+	+	+	+	92

### Senate Report Card Scoring Method

- A vote supporting greater environmental protection is (+), a vote against greater 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.
- The symbol (\*) denotes the Senate President votes only to break a tie.

## THE 2000 ENVIRONMENTAL ROLL CALL VOTES OF THE MASSACHUSETTS SENATE

VOTE	DATE	BILL#	BILL DESCRIPTION	ACTION	ENVIRONMENTAL VOTE	RESULT
214	3/14/00	S. 2134	Children's and Families' Protection from Pesticides	enactment	Y	38-0 passed

This vote was to enact a bill that prohibited the use of the most harmful pesticides at schools, day care centers, and child care programs, and provided clear and accurate notification of pesticide use to parents and families.

228	4/27/00	S. 2181	FY'00 supplemental appropriation	engrossment	Y	37-0 passed
-----	---------	---------	----------------------------------	-------------	---	-------------

This vote was to engross a supplemental appropriation that included \$350,000 for the Department of Environmental Management's (DEM) state forest and park system operations; \$515,933 for DEM seasonal hires; \$66,000 for the operation of the statewide point-of-sale outdoor recreation transaction system; \$534,408 for the operation of the division of environmental law enforcement; and, \$273,344 for the Metropolitan Park Commission (MDC) seasonal hires.

**THE 2000 ENVIRONMENTAL ROLL CALL VOTES  
OF THE MASSACHUSETTS SENATE**

<u>VOTE</u>	<u>DATE</u>	<u>BILL#</u>	<u>BILL DESCRIPTION</u>	<u>ACTION</u>	<u>ENVIRONMENTAL VOTE</u>	<u>RESULT</u>
249	5/24/00	H. 5101	FY'01 operating budget	amendment	Y	39-0 passed
This vote was to adopt an amendment that allowed a local permitting process for the siting and construction of cellular towers.						
244	5/24/00	H. 5101	FY'01 operating budget	amendment	Y	17-22 rejected
This vote was to adopt an amendment that struck out sections of the Senate Ways & Means budget that provided notification of withdrawal from the Northeast Interstate Dairy Compact.						
274	7/13/00	H. 4884	Use of restricted traps	engrossment	Y	38-0 passed
This vote was to engross the conference committee's report of a bill that allowed restricted use of traps in site-specific problems to protect the public health and safety, and to prevent property damage and income loss.						
271	7/13/00	H. 4435	Cluster design-by-right	engrossment	Y	39-0 passed
This vote was to engross a bill that amended the state's zoning act to enable municipalities to adopt zoning ordinances and by-laws that authorize cluster developments through the subdivision control process without the need for a special permit.						
291	7/25/00	H. 4866	Community Preservation Act	enactment	Y	39-0 passed
This vote was to enact the conference committee's report of a bill that enabled municipalities to establish a local fund through a property tax surcharge for open space protection, historic preservation, and affordable housing. The bill provided for a permanent state matching grant program through the collection of a \$20 surcharge imposed on instruments recorded at the Registry of Deeds and Land Court.						
351	7/31/00	H. 5395	Beaches bill	enactment	Y	39-0 passed
This vote was to enact a bill that established minimum sanitation standards to protect public bathing waters from contamination, and required warning signs to be posted to notify the public whenever there is a threat to human health or safety in bathing waters.						
355	7/31/00	H. 5300	FY'01 operating budget #2100-2030	override	Y	36-3 passed
This vote was to override Governor Cellucci's reduction in funding for DEM's recreation and conservation program. The Governor would have reduced the line item's funding by \$2.5 million and eliminated certain earmarked projects.						
356	7/31/00	H. 5300	FY'01 operating budget #2100-0005	override	Y	34-5 passed
This vote was to override Governor Cellucci's reduction in funding for DEM's inland waterways and harbor program. The Governor would have reduced the line item's funding by \$2 million and eliminated certain earmarked projects.						
358	7/31/00	H. 5424	FY'00 supplemental appropriation	enactment	Y	39-0 passed
This vote was to enact a supplemental appropriation which included \$25,000 for the operation of the division of environmental law enforcement; \$5 million for the Commonwealth's zoos; \$1.43 million for DEM operations; \$992,000 for public access boat ramps and launchings; \$3 million for MDC operations; and, \$2 million for agricultural preservation.						
363	7/31/00	H. 5308	Emergency environmental bond bill	enactment	Y	39-0 passed
This vote was to enact an emergency capital authorization that replenished capital funds that had been completely expended, would have been depleted in the near future, or were inadequate to meet the needs of the Executive Office of Environmental Affairs. The emergency bond included \$18 million for watershed protection; \$19.2 million for upgrades to the state's forest and park system; and, \$12.8 million for agricultural preservation.						
373	7/31/00	H. 5300	FY'01 operating budget #2440-0010	override	Y	32-7 passed
This vote was to override Governor Cellucci's reduction in funding for the MDC's park and recreation division. The Governor would have reduced the line item's funding by \$3.7 million and eliminated certain earmarked projects.						

**Correction**

Senator Stephen Tolman received a score of 100%, not 96% as printed. He voted in favor of enacting the *Community Preservation Act* on July 25, 2000. He should have received a "+" instead of a "nv" for Senate roll call vote #291. We apologize for this printing error.

## The Massachusetts Audubon Society's Mission

To capture the attention of the inquisitive mind, instill an affection for all life, and foster an intelligent understanding of our role in the natural world.

### Advocacy's Mission

To educate and empower Society members, citizens of the commonwealth, and local, state, and federal officials, to make decisions that promote biological conservation in Massachusetts.

---

**LEGISLATIVE AFFAIRS OFFICE:**  
Robie Hubley, Director of Legislative Affairs  
Christopher Hardy, Legislative Liaison  
Lynne Penney, Office Manager

phone: (617) 523-8448  
fax: (617) 523-4183  
email: [beaconhill@massaudubon.org](mailto:beaconhill@massaudubon.org)

website: [www.massaudubon.org](http://www.massaudubon.org)

---



Massachusetts Audubon Society  
Legislative Affairs Office  
Six Beacon Street, Suite 1025  
Boston, MA 02108

Non-Profit org. U.S. Postage PAID Lincoln, MA Permit NO.4
---

*Address Correction Requested*

*PROTECTING THE NATURE OF MASSACHUSETTS*