

2005 LEGISLATIVE REPORT CARD

Twenty-first annual edition

Since 1985, Mass Audubon 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 budget items. It is not a personal evaluation of legislators. We publish only how each legislator voted on environmental issues when he or she was asked to stand up and be counted during formal debate. A legislator's score does not represent an endorsement, or lack thereof, by Mass Audubon.

Method: To prepare this Report Card, we review all roll call votes on record at the Senate and House clerks' offices. These are votes that legislators themselves, not Mass Audubon, have chosen to become part of the official record of the session.

Many bills are passed or rejected 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.

We evaluate those roll call votes that impact state conservation programs, budgets, policies, statutes, and regulations. A vote supporting environmental protection is given two points. Zero points are given to a vote against environmental protection, not voting, or voting as present. The scores of individual legislators are calculated by dividing the total points a legislator earned by the maximum possible score.

Results: Roll call votes are the single available objective measure to evaluate legislators on their performance. This metric does not enable us to consider other critical subjective environmental leadership qualities, including:

- A legislator's position on an environmental item that was passed or rejected by a 'voice vote'
- Time and energy spent by a legislator advocating for specific district-related environmental bills, projects, or grants
- Quality of environmental bills filed or co-sponsored by legislators
- A legislator's personal philosophy, ethic, or affiliation with national, state, regional, or local environmental organizations

In 2005, the House voted on 12 environmental roll call votes (out of a total 314 roll call votes). The Senate voted on nine environmental roll call votes (out of a total 222 roll call votes).

Overrides of Governor Romney's environmental budget vetoes dominated this year's Report Card votes in both branches. Accordingly, most of the override votes were split along partisan lines.

The average score in the House was 92 percent. The average score in the Senate was 93 percent.

An individual legislator's score may fluctuate from year to year, subject to the nature of the issues before the legislature, political dynamics, or absences due to illnesses or personal commitments, among other variables. Surveying a legislator's scores over the course of his/her tenure in office may produce a more comprehensive view of his/her commitment to environmental protection.

Visit www.massaudubon.org/advocacy to download copies of all past Legislative Report Cards.

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2005 HOUSE VOTES

ROLL CALL

NO. Date Bill No. Action Enviro.Vote Result
Description

44 4/27 H.4000 amendment Y 158-2-0
FY06 Environmental Affairs' consolidated appropriations

Provides funding for state environmental agencies in the House's fiscal year 2006 budget.

104 7/14 H.4200 veto override Y 148-4-8
TURI (#7100-0350)

Restores \$250,000 for the University of Massachusetts' Toxic Use Reduction Institute (TURI) to assess the feasibility of adopting safer alternatives to five specific hazardous substances. Scientific evidence suggests causality between a wide range of chronic human diseases and disorders and exposure to toxic chemicals.

113 7/14 H.4200 veto override Y 134-16-10
EOEA (#2000-0100)

Restores \$315,000 for: a study of rush-hour traffic patterns on Department of Conservation & Recreation (DCR) parkways in Lynn, Swampscott, and Nahant; a cost study of a master plan for DCR parks in West Roxbury; new flood insurance maps of Salisbury Beach; and, water quality monitoring in Buzzards Bay; also, requires Executive Office of Environmental Affairs (EOEA) to notify the legislature before entering into any interdepartmental service agreements or before consolidating any agency functions. While Mass Audubon generally prefers to grant agencies maximum discretion within line items, we realize the need to earmark funds for specific parks, or require legislative notification of certain activities, when a state agency is unwilling or otherwise unable to perform services unless mandated. Individual parks and parkways are components of a state park system that suffers from chronic disinvestment by state government.

114 7/14 H.4200 veto override Y 130-19-11
DCR (#2800-0100)

Restores \$100,000 for the Blue Hills Reservation mounted unit; requires DCR, Department of Environmental Protection (DEP), and Department of Fish & Game (DFG) to establish a comprehensive inventory of dams and develop a coordinated permitting and regulatory approach to dam removal; prohibits funds for positions of deputy commissioner and deputy associate commissioner; and, requires DCR to notify the legislature before entering into any interdepartmental service agreements. While Mass Audubon generally prefers to grant agencies maximum discretion within line items, we realize the need to earmark funds for a specific park, assert policy goals, or require legislative notification of certain activities, when a state agency is unwilling or otherwise unable to perform services unless mandated.

115 7/14 H.4200 veto override Y 132-19-9
DCR (#2820-0100)

Restores \$40,000 for a traffic study of the DCR-managed Nonantum Road in Newton, which has been the scene of numerous vehicular accidents. While Mass Audubon generally prefers to grant agencies maximum discretion within line items, we realize the need to earmark funds for a specific parkway when an agency is unwilling or otherwise unable to perform services unless mandated. DCR's April 2002 Charles River Basin Master Plan called for several traffic calming, design, and pathway widening measures along Nonantum Road to improve pedestrian safety and enhance views to the Charles River. However, the plan's recommendations have gone unaddressed.

243 10/27 H.4449 engrossment Y 140-0-17
LNG Siting Special Commission

Establishes a special commission to investigate the existing governance structure for the siting of liquefied natural gas (LNG) facilities, and to develop recommendations for a comprehensive legislative and regulatory approach to siting LNG facilities within the Commonwealth. To meet growing energy demand, energy companies have proposed building numerous LNG import terminals in the New England region. This has raised concerns about siting terminals in important fishing areas or on parkland—as well as fears of a terrorist attack on tankers carrying the highly flammable fuel in or near densely populated areas. A Special Commission could help identify the safest and least environmentally damaging alternatives to meet LNG demand in Massachusetts and throughout New England.

253 11/1 H.4299 enactment Y 152-0-5
Energy Efficiency Standards

Requires certain residential and commercial appliances, including home furnaces and boilers, torchiere lamps, space heaters, utility transformers, and others to meet minimum energy efficiency standards that surpass federal rules. Using energy efficient appliances reduces pollution and energy consumption, stimulates the economy, increases power system reliability, and stabilizes the energy market.

276 11/9 H.4473 amendment Y 151-0-6
Heat Energy Assistance & Tax Relief

Establishes 10-day sales tax holiday for energy efficient household goods and appliances. Granting consumers reprieve from sales tax could help spur demand for energy efficient appliances, which reduce overall energy consumption, reduce pollution, increase power system reliability, and stabilize the energy market.

277 11/9 H.4473 third reading Y 151-0-6
Heat Energy Assistance & Tax Relief

Provides tax credits (up to \$600) toward purchase of residential energy efficient items; provides business tax credit (up to \$300) for the purchase of a solar water heating system; provides tax credits to builders or owners of commercial and multifamily residences for energy efficiency measures; establishes a partnership between state agencies and private organizations for fuel cell technology; requires utility companies to produce informational mailings on energy savings; directs the Massachusetts Technology Collaborative to establish grants for residential



customers for photovoltaic systems; and, extends the existing utility energy efficiency charge for five years (up to the year 2012). Providing financial incentives to businesses and homeowners for energy efficiency is the one of the quickest and cheapest ways to reduce pollution and energy consumption, increase power system reliability, and stabilize the energy market.

279 11/10 H.4473 engrossment Y 148-0-9
Heat Energy Assistance & Tax Relief
 See above vote 277.

284 11/10 H.4278 substitution Y 148-0-9
Surplus State Lands Disposition
 Substitutes original text with improved version of a bill to reform the surplus state real property disposition process; enhances coordination among state agencies to determine what constitutes "surplus" state real property; improves notification and hearings to solicit public comment; restores a host municipality's right of first

2005 SENATE VOTES

67 7/14 H.4200 veto override Y 35-3
EOEA (#2000-0100)
 See House 113.

69 7/14 H.4200 veto override Y 29-9
DCR (#2800-0100)
 See House 114.

70 7/14 H.4200 veto override Y 32-6
DCR (#2820-0100)
 See House 115.

97 7/14 H.4200 veto override Y 38-0
TURI (#7100-0350)
 See House 104.

161 10/20 H.4299 third reading Y 38-0
Energy Efficiency Standards
 See House 253.

162 10/20 S.2237 engrossment Y 39-0
Chapter 40S- Smart Growth Housing School Cost Reimbursement
 See House 309.

178 11/3 S.538 engrossment Y 39-0
Remediation of Household Oil Spills
 Requires homeowners to replace underground fuel oil lines with above-ground lines and install protective sleeves or automatic safety valves; enables homeowners to seek a betterment agreement with their municipal board of health to finance the cleanup of residential oil spills; and, mandates homeowners insurance coverage for home heating oil releases (up to \$25,000 for remediation of one's own property and up to \$100,000 if groundwater is impacted, or if the contamination migrates off-site). This legislation establishes preventative mechanisms to reduce

refusal to acquire surplus lands at reduced rate; directs real property sale proceeds toward the Smart Growth Housing Trust Fund created by MGL Chapter 40R. This legislation encourages smart growth through adaptive reuse of existing infrastructure, compact, mixed-use development, and strategic natural resource protection.

309 11/16 S.2237 engrossment Y 154-0-3
Chapter 40S—Smart-Growth Housing School Cost Reimbursement
 Reimburses municipalities for a broad range of school enrollment growth costs generated by the construction of new housing units in Chapter 40R smart-growth districts. The goal of Chapter 40R is to increase production of housing, in areas near transit stations and existing infrastructure to reduce consumption of open space. However, communities have resisted adopting the new law due to significant increases in school costs not covered by property and excise taxes. This legislation provides financial assistance for educating public school students in smart-growth districts.

the number of fuel-oil releases on residential properties, and offer financial solutions to address remediation of residential oil spills. Fuel-oil can impact drinking water supplies, surface waters, and surface soil, with serious adverse health, environmental, and financial impacts if not addressed promptly and properly.

181 11/3 S.2256 amendment N 6-33
Regulatory Impact Statement (Cost-Benefit Analysis)

Requires all state agencies to complete a 'regulatory impact statement' (also known as a cost-benefit analysis) before issuing rules and regulations pursuant to their statutory authorities. A cost-benefit analysis would force state agency officials to quantify values that are inherently unquantifiable. A large part of the benefits of environmental protection accrue directly to humans without passing through our monetary system at all. By failing to recognize the asset value of natural resources or the true cost of their depletion, a regulatory impact statement would misrepresent key economic considerations and policy choices. Industrial or development activity may sacrifice a portion of the non-marketed ecosystem services serving the general public in exchange for material rewards that accrue to a limited few. Even though the disruption of ecological processes may lead to a significant decrease in future material production, the marketplace passes this degradation off as a 'negative externality.' These negative externalities amount to avoided costs, which the public and environment must bear, with potentially devastating consequences.

184 11/3 S.2256 amendment Y 39-0
Rail-Trail Environmental Insurance

Directs the Department of Economic Development to issue matching grants to municipalities to purchase environmental insurance for establishing and maintaining rail-trails (in turn, municipalities would be exempted from furnishing indemnification for injuries or damages related to the pre-existing release of oil or hazardous materials). Since 2001, the Massachusetts Bay Transportation Authority has offered municipalities long-term leases of unused railroad properties for rail-trail purposes, provided they accept liability for any environmental clean up requirements and costs that may result from trail construction. Under this amendment, municipalities could purchase insurance to relieve them from the obligation to sign "hold harmless" agreements for environmental liability encouraging the design, acquisition, construction, and maintenance of rail trails for recreational use.



2005 HOUSE SCORING

Vote #	44	104	113	114	115	243	253	276	277	279	284	309	GRADE
Atkins, C.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Atsalis, D.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Ayers, B.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Balser, R.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Binienda, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Blumer, D.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Bosley, D.	+	+	+	nv	+	+	+	+	+	+	+	+	92%
Bradley, G.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Broadhurst, A.	+	nv	nv	nv	nv	+	nv	+	+	+	+	+	58%
Cabral, A.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Callahan, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Canavan, C.	+	+	+	+	+	nv	+	+	+	+	+	+	*92%
Candaras, G.	+	+	+	+	+	nv	+	+	+	+	+	+	92%
Canessa, S.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Carron, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Casey, P.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Connolly, E.	+	nv	nv	nv	nv	+	+	+	+	+	+	+	*67%
Correia, R.	+	+	+	+	+	+	+	nv	nv	nv	nv	nv	*58%
Costello, M.	+	+	+	+	+	+	nv	+	+	+	+	+	92%
Coughlin, R.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Creedon, G.	+	+	+	+	+	+	+	nv	nv	nv	nv	+	67%
Curran, S.	+	+	+	+	+	+	+	+	+	+	+	+	100%
DeLeo, R.	+	+	+	+	+	+	+	+	+	+	+	+	100%
deMacedo, V.	+	+	-	-	-	+	+	+	+	+	+	+	75%
Dempsey, B.	+	+	+	+	+	+	+	+	+	+	+	+	100%
DiMasi, S.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Donato, P.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Donelan, C.	+	nv	nv	nv	nv	+	+	+	+	+	+	+	67%
Driscoll, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Eldridge, J.	+	+	+	+	+	nv	+	+	+	+	+	+	92%
Evangelidis, L.	+	+	-	-	-	+	+	+	+	+	+	+	75%
Fagan, J.	+	+	+	+	+	+	+	nv	nv	nv	nv	+	67%
Fallon, C.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Falzone, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Fennell, R.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Festa, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Finegold, B.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Flanagan, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Flynn, D.	+	nv	nv	nv	nv	+	+	+	+	+	+	+	*67%
Forry, D.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Fox, G.	+	+	+	+	+	nv	+	+	+	+	+	+	92%
Fresolo, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Frost, P.	+	+	-	-	-	+	+	+	+	+	+	+	75%
Galvin, W.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Garry, C.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Gifford, S.	+	-	+	-	-	+	+	+	+	+	+	+	75%
Gobi, A.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Goguen, E.	+	+	+	+	+	+	+	nv	nv	+	+	+	83%
Golden, T.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Gomes, S.	+	+	+	-	-	+	+	+	+	+	+	+	83%
Grant, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Greene, W.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Guyer, D.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Haddad, P.	+	+	+	+	+	+	+	+	+	+	+	+	100%



Vote #	44	104	113	114	115	243	253	276	277	279	284	309	GRADE
Hall, G.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Hargraves, R.	+	+	+	-	-	+	+	+	+	+	+	+	83%
Harkins, L.	+	+	+	+	+	nv	+	+	+	+	+	+	92%
Hill, B.	+	+	+	-	-	+	+	+	+	+	+	+	83%
Honan, K.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Humason, D.	+	nv	nv	nv	nv	+	+	+	+	+	+	+	*67%
Hynes, F.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Jehlen, P.	+	+	+	+	+	*	*	*	*	*	*	*	*
Jones, B.	+	+	-	-	-	+	+	+	+	+	+	+	75%
Kafka, L.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Kane, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Kaprielian, R.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Kaufman, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Keenan, D.	+	+	+	+	+	nv	+	+	+	+	+	+	92%
Keenan, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Kennedy, T.	+	nv	nv	nv	nv	nv	nv	nv	nv	nv	nv	nv	*8%
Khan, K.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Knuuttila, B.	+	+	+	+	+	*	*	*	*	*	*	*	*100%
Kocot, P.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Koczera, R.	+	+	+	+	+	+	+	+	+	nv	nv	+	83%
Koutoujian, P.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Kujawski, P.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Kulik, S.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Lantigua, W.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Leary, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
LeDuc, S.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Lepper, J.	+	+	-	-	-	+	+	+	+	+	+	+	75%
L'Italien, B.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Linsky, D.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Loscocco, P.	+	+	-	-	-	+	+	+	+	+	+	+	75%
Malia, E.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Mariano, R.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Marzilli, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Miceli, J.	+	+	+	+	+	+	+	+	+	+	nv	+	*92%
Moran, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Murphy, C.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Murphy, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Murphy, K.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Nangle, D.	+	+	+	+	+	nv	+	+	+	+	+	+	*92%
Natale, P.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Naughton, H.	+	+	+	+	+	nv	nv	nv	nv	nv	nv	nv	*42%
Nyman, R.	+	+	+	+	+	+	+	+	+	+	+	+	100%
O'Brien, T.	+	+	+	+	+	+	+	+	+	+	+	+	100%
O'Flaherty, E.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Owens-Hicks, S.	+	+	+	+	+	nv	+	+	+	+	+	+	*92%
Parente, M.	-	+	+	+	+	+	+	+	+	+	+	+	92%
Patrick, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Paulsen, A.	+	nv	nv	nv	nv	+	+	+	+	+	+	+	*67%
Pedone, V.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Peisch, A.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Perry, J.	+	-	+	-	-	+	+	+	+	+	+	+	75%
Petersen, D.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Peterson, G.	+	-	-	-	-	+	+	+	+	+	+	+	67%
Petrolati, T.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Petrucelli, A.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Pignatelli, S.	-	+	+	+	+	+	+	+	+	+	+	+	92%

House scoring continued >



House scoring continued

Vote #	44	104	113	114	115	243	253	276	277	279	284	309	GRADE
Poirier, E.	+	+	-	-	-	+	+	+	+	+	+	+	75%
Polito, K.	+	+	-	-	-	+	+	+	+	+	+	+	75%
Pope, S.	+	+	-	-	-	+	+	+	+	+	+	+	75%
Quinn, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Reinstein, K.	+	+	+	+	+	nv	+	+	+	nv	nv	+	75%
Rivera, C.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Rodrigues, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Rogeness, M.	+	+	-	-	-	nv	+	+	+	+	+	+	67%
Rogers, J.	+	+	+	+	+	nv	+	+	+	+	+	+	*92%
Ross, R.	+	+	-	-	-	+	+	+	+	+	+	+	75%
Rush, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Rushing, B.	+	+	+	+	+	nv	+	+	+	+	+	+	92%
Sanchez, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Sannicandro, T.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Scaccia, A.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Scibak, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Sciortino, C.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Smizik, F.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Smola, T.	+	+	-	-	-	+	+	+	+	+	+	+	75%
Speliotis, T.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Spellane, R.	+	+	+	+	+	+	+	+	+	nv	+	+	*92%
Speranzo, C.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Spiliotis, J.	+	+	+	+	+	nv	+	+	+	+	+	+	92%
Stanley, H.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Stanley, T.	+	+	+	+	+	+	+	+	+	+	+	+	100%
St. Fleur, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Story, E.	+	+	nv	nv	nv	+	+	+	+	+	+	+	75%
Straus, W.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Sullivan, D.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Swan, B.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Teahan, K.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Timilty, W.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Tobin, S.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Toomey, T.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Torrisi, D.	+	+	+	+	+	nv	+	+	+	+	+	+	92%
Travis, P.	+	+	+	+	+	+	+	+	+	nv	nv	+	83%
Turkington, E.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Turner, C.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Vallee, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Verga, A.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Wagner, J.	+	+	+	+	+	+	nv	+	+	+	+	+	92%
Wallace, B.	+	+	nv	nv	+	+	+	+	+	+	+	+	83%
Walrath, P.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Walsh, M.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Walsh, S.	+	+	+	+	+	+	+	+	+	+	+	+	100%
Walz, M.	+	+	+	+	+	nv	+	+	+	+	+	+	92%
Webster, D.	+	-	-	-	-	+	+	+	+	+	+	+	67%
Welch, J.	+	+	+	+	+	+	+	+	+	+	+	+	100%
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, and (nv) or (p) or (-) votes received zero points.

Several legislators (+) missed votes in 2005 due to official business outside of the chamber; previously scheduled or unavoidable personal/family commitments, illnesses, or other medical issues.

- Representative Michael Coppola died
- Representatives Patricia Jehlen and Brian Knuuttila resigned; Patricia Jehlen was elected to fill a Senate vacancy
- Representatives Edward Connolly, Robert Correia, and Thomas Kennedy were hospitalized
- Representative Harold Naughton was on active military duty in the Middle East



2005 SENATE SCORING

Vote #	67	69	70	97	161	162	178	181	184	GRADE
Antonioni, R.	+	+	+	+	+	+	+	+	+	100%
Augustus, E.	+	+	+	+	+	+	+	+	+	100%
Baddour, S.	+	+	+	+	+	+	+	+	+	100%
Barrios, J.	+	+	+	+	nv	+	+	+	+	88%
Berry, F.	+	+	+	+	+	+	+	+	+	100%
Brewer, S.	+	+	+	+	+	+	+	+	+	100%
Brown, S.	-	-	-	+	+	+	+	-	+	56%
Buoniconti, S.	+	+	+	+	+	+	+	+	+	100%
Chandler, H.	+	+	+	+	+	+	+	+	+	100%
Creedon, R.	+	+	+	+	+	+	+	+	+	100%
Creem, C.	+	+	+	+	+	+	+	+	+	100%
Fargo, S.	+	+	+	+	+	+	+	+	+	100%
Hart, J.	+	+	+	+	+	+	+	+	+	100%
Havern, R.	+	+	+	+	+	+	+	+	+	100%
Hedlund, R.	+	-	-	+	+	+	+	-	+	67%
Jehlen, P.	*	*	*	*	+	+	+	+	+	*100%
Joyce, B.	+	+	+	+	+	+	+	+	+	100%
Knapik, M.	-	-	-	+	+	+	+	-	+	56%
Lees, B.	-	-	-	+	+	+	+	-	+	56%
McGee, T.	+	+	+	+	+	+	+	+	+	100%
Menard, J.	+	+	+	+	+	+	+	+	+	100%
Montigny, M.	+	+	+	+	+	+	+	+	+	100%
Moore, R.	+	+	+	+	+	+	+	+	+	100%
Morrissey, M.	+	+	+	+	+	+	+	+	+	100%
Murray, T.	+	+	+	+	+	+	+	+	+	100%
Nuciforo, A.	+	+	+	+	+	+	+	+	+	100%
O'Leary, R.	+	-	+	+	+	+	+	+	+	88%
Pacheco, M.	+	+	+	+	+	+	+	+	+	100%
Panagiotakos, S.	+	-	+	+	+	+	+	+	+	88%
Resor, P.	+	+	+	+	+	+	+	+	+	100%
Rosenberg, S.	+	+	+	+	+	+	+	+	+	100%
Spilka, K.	+	+	+	+	+	+	+	+	+	100%
Tarr, B.	+	-	-	+	+	+	+	-	+	67%
Timilty, J.	+	+	+	+	+	+	+	+	+	100%
Tisei, R.	+	-	-	+	+	+	+	-	+	67%
Tolman, S.	+	+	+	+	+	+	+	+	+	100%
Tucker, S.	+	-	+	+	+	+	+	+	+	88%
Walsh, M.	+	+	+	+	+	+	+	+	+	100%
Wilkerson, D.	+	+	+	+	+	+	+	+	+	100%

Senate 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). This includes votes from senators who may have "paired" their votes, a procedure that allows senators to vote when they are not actually present in the chamber.

A (+) vote received two points, and (nv) or (p) or (-) votes received zero points.

Legislators may have missed votes in 2005 due to official business outside of the chamber; previously scheduled or unavoidable personal/family commitments, illnesses, or other medical issues.

- Senate President Robert Travaglini votes only to break a tie, in keeping with the custom of the Senate
- Senator Patricia Jehlen (*) began the year as a state representative but was elected in September 2005 to fill the Second Middlesex Senate District seat, vacated as a result of the death of Senator Charles Shannon. We have averaged her votes in the House of Representative and Senate: Jehlen received a 100% in the House, based on 5 votes, and a 100% in the Senate, based on 5 votes. Her total score (for her ten votes) is a 100%.



RESPONSE TO COMMON QUERIES:

Over the past twenty-one years, we have received a series of commonly asked questions about the report card.

“Why do Democratic legislators always have higher grades than Republican legislators on your Report Card?”

Overrides of gubernatorial vetoes trigger roll call votes due to their two-third majority voting requirements. Frequently, legislators vote along partisan lines to override or sustain the governor's vetoes; this results in higher or lower scores on our Report Card. Mass Audubon believes that environmental protection should transcend political party divisions. We encourage legislators to cross party lines and override gubernatorial environmental vetoes, as many did this year to provide funding for the University of Massachusetts Toxic Use Reduction Institute's assessment of safer alternatives to five specific hazardous substances.

“My legislator is an environmentalist but that isn't reflected in his/her score on your Report Card. Your Report Card is just about overrides of the Governor's vetoes or local earmarked projects, not real environmental issues, like wetlands and forests and clean water. Why did you pick these votes to grade legislators?”

Roll call votes are the single available objective measure to evaluate legislators on their performance; these votes occur when legislators are asked to stand up and be counted during formal debate. Legislators themselves, not Mass Audubon, choose the votes that constitute the official record of the session. Non-governmental organizations do not have the ability to determine the scheduling of votes. Out of a combined 536 roll call votes in 2005, the House and Senate chose only 21 environmental roll calls (just 4% of total recorded votes). We include all roll call votes taken to advance an environmental issue through the various parliamentary steps, as legislators can change their positions on an issue between the time of bill filing and passage into law. Every year the legislature fails to bring a host of long overdue environmental bills to the floor for a vote. We encourage legislators to request more roll call votes on environmental issues to elevate overall public dialogue about issues affecting natural resource protection. More roll call votes could also translate into potentially higher scores on the Report Card, increasing a legislator's chances of gaining points for positive votes for environmental protection.

“You used to give one point to a legislator who didn't actually vote on a roll call. Why did you make a scoring change this year?”

In the past, we viewed a legislator's not voting as indecision, and granted one point (as opposed to two points, or zero points) to respect his/her need to postpone immediate judgment, in light of lack of information or other issue. However, upon investigation of the paucity of instances where substantive indecision accounted for a legislator not casting a vote, as opposed to missing votes for personal reasons, we have altered our scoring method. A legislator who fails to vote, or votes as present, will now receive zero points, the same score as a vote against environmental protection. We hope this change will enhance elected officials' accountability to protect the nature of Massachusetts. This scoring change most impacted legislators who were absent for extended periods, including Representatives Connolly, Correia, and Kennedy (all hospitalized) as well Representative Naughton (active military duty)—we extend our best wishes for a safe and speedy return to the State House.

Massachusetts Audubon Society is the largest conservation organization in New England, concentrating its efforts on protecting the nature of Massachusetts for people and wildlife. Mass Audubon protects more than 30,000 acres of conservation land, conducts nature education programs for 250,000 children and adults annually, and advocates for sound environmental policies at the local, state, and federal levels. Established in 1896 and supported by 65,000 member households, Mass Audubon maintains 43 wildlife sanctuaries that are open to the public and serve as the base for its conservation, education and advocacy work across the state. For more information or to become a member, call 1-800-AUDUBON or visit www.massaudubon.org.

Past year's report cards:

www.massaudubon.org/advocacy to download copies of all past Legislative Report Cards.

