



# Maine League of Conservation Voters

## ENVIRONMENTAL SCORECARD / 2005

FOR MEMBERS OF THE 122<sup>ND</sup> MAINE LEGISLATURE

### Dear Maine Conservationist,

The decisions our elected officials make determine our health and quality of life. Because our natural resources are the backbone of our economy, they determine our wealth. Most importantly, they determine whether we will leave the Maine we love to our children and grandchildren.

That's why Maine citizens need to know how their legislators voted on the most important conservation issues to come before them. You will find that information here in our annual *Environmental Scorecard*. This year we tracked votes on a range of issues including land use and conservation, water quality, and environmental health.

We know that sponsoring bills, forging compromise, and persuading other legislators are important actions a roll call can't measure. Because roll calls don't tell the entire story, we give additional information and analysis in our *Noteworthy* section, found on page 3.

Let your elected representatives know how you feel about their work. You can email them from our website version of this scorecard at [www.mlcv.org](http://www.mlcv.org). See the back page for more ways you can help make Maine's natural resources a political priority.

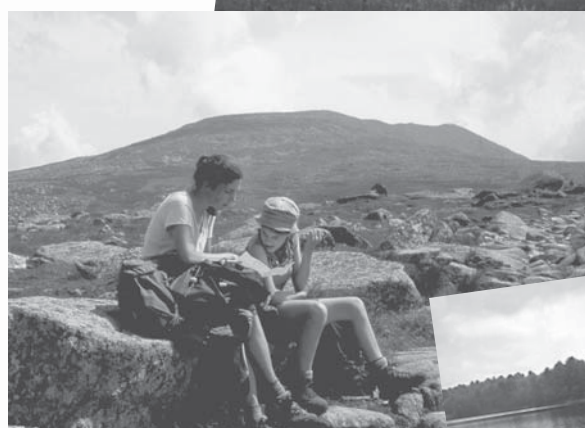
Sincerely,

Dan Amory, *President*

Eliza Townsend, *Executive Director*



MURAD SAYEN



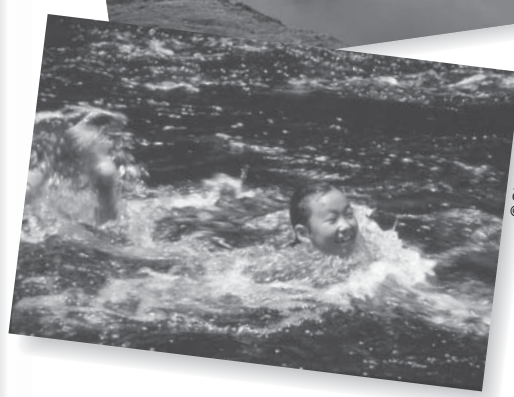
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U.S. FISH AND WILDLIFE SERVICE

*Learn how your elected representatives voted, and let them know how you feel about their work.*



Maine League of Conservation Voters

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## LD #73

### An Act to Prohibit the Federal Government from Owning Property in the State Not Specifically Authorized in the United States Constitution

Sponsor: Rep. Henry Joy

In its original draft, this bill prohibited the federal government from owning land in the state of Maine other than for national security purposes. The state would have been forced to purchase Acadia National Park, portions of the White Mountain National Forest and tens of thousands of acres in other federal conservation areas at an estimated cost of hundreds of millions of dollars. When opponents pointed out that it was unconstitutional, the bill was revised to prohibit any feasibility study regarding the formation of a national park in Maine without the approval of two-thirds of the voters in each community included within or abutting the proposed park area. One need not support the formation of a national park to see the prohibition of ideas as unreasonable, far-fetched, and a poor approach to debating the value of preserved land.

- **House Roll Call #29**  
Pro Environment Vote: Yes / Accept Majority Ought Not to Pass Report  
House Vote: March 15, 2005: Yes 73; No 68; Absent 10
- **Senate Roll Call #25**  
Pro Environment Vote: Yes / Indefinitely Postpone Bill & Papers  
Senate Vote: March 22, 2005: Yes 19; No 16
- **Final Outcome:** Bill failed



## LD #562

### An Act to Improve Public Understanding in Rulemaking

Sponsor: Rep. Thomas Saviello

Like takings, this sneaky legislation has become a perennial issue. While the bill's titles sounds reasonable, its real purpose is to hinder the enforcement of law, and perhaps create opportunities for litigation, by making the rulemaking process more complicated. The original draft made that starkly clear by requiring only the Departments of Agriculture, Conservation, Environmental Protection and Inland Fisheries and Wildlife – the four state agencies with jurisdiction over fresh water – to document the sources of information used in drafting rules. The bill was amended to apply fairly to all agencies, but the fact remains that rulemaking is an open and deliberative process that already allows for public input and requires agencies to explain the basis for proposed rules.

- **Senate Roll Call #66**  
Pro Environment Vote: Yes / Accept Minority Ought Not to Pass Report  
Senate Vote: April 14, 2005: Yes 17; No 16; Absent 2
- **Final Outcome:** Bill failed



## LD #668

### An Act to Amend the Land Use Regulation Laws

Sponsor: Rep. Henry Joy

The "takings" bill is perennial legislation aimed at making environmental regulations too costly to implement. It would require that landowners be compensated for loss in property values due to state and local regulation. Supporters overlook the fact that a Land Use Mediation Program has existed since 1996. That program has worked well for nearly a decade, and the takings bill is unnecessary.

- **House Roll Call #207**  
Pro Environment Vote: Yes / Accept Majority Ought Not to Pass Report  
House Vote: May 25, 2005: Yes 85; No 58; Absent 8
- **Final Outcome:** Bill failed



## LD #998

### An Act to Authorize Bond Issues for Ratification by the Voters at the November 2005 Election

Because bond questions require the support of two-thirds of the members of each body to be placed on the ballot, they are always the product of compromise. After last year, when no bonds were sent to the voters, we were relieved that legislative leaders found agreement on making important investments in Maine's future. Legislators cast a single vote on a bond package totaling \$83 million dollars. Included in that bill were 10 million dollars for land conservation through the Land for Maine's Future program, and 8.1 million dollars for agricultural and environmental purposes. While neither amount is sufficient to meet the total need, they will allow the state to make critical progress in cleaning our water and protecting special places from development.

- **House Roll Call #351**  
Pro Environment Vote: Yes / Enactment  
House Vote: July 29, 2005: Yes 128; No 14; Absent 9
- **Senate Roll Call #301**  
Pro Environment Vote: Yes / Enactment  
Senate Vote: July 29, 2005: Yes 34; No 1
- **Final Outcome:** Bill passed



## LD #1034

### An Act to Prevent Lead Poisoning of Children and Adults

Sponsor: Rep. Robert Duplessie

According to the Bureau of Health, lead poisoning is the primary environmental health threat to Maine children because we have a large number of homes built before lead-based paint was banned. Lead exposure, commonly caused by deteriorating paint or renovation of an old house, can result in serious and permanent effects on the brain, leading to learning disabilities and anti-social behavior with significant societal costs. This bill will fund an educational outreach effort to parents, landlords and contractors to prevent lead poisoning, funded with a temporary fee collected from paint manufacturers, modeled on a program established 12 years ago in California. It also requires the state to study lead-free alternatives to lead-based products.

- **House Roll Call #278**  
Pro Environment Vote: Yes / Accept Majority Ought to Pass as Amended Report  
House Vote: June 7, 2005: Yes 86; No 63; Absent 2
- **Senate Roll Call #251**  
Pro Environment Vote: Yes / Accept Majority Ought to Pass Report  
Senate Vote: June 9, 2005: Yes 31; No 4
- **Final Outcome:** Bill passed



## LD #1219

### An Act to Improve the Business Climate in Maine

Sponsor: Rep. Thomas Saviello

LD 1219 sought to change the mission of the Department of Environmental Protection to include maintaining the state's economic viability. It also required the department to hire an economist within existing resources – in other words, instead of a scientist or other position. There is already an entire department, the Department of Economic and Community Development, with the mission of attending to the state economy, and our natural resources are important enough to warrant the full attention of the DEP. The agency is challenged to carry out its mission with current staff, and cannot afford to redirect its resources, especially when there is already a state economist who works in the Executive Department.

- **House Roll Call #122**  
Pro Environment Vote: Yes / Accept Majority Ought Not to Pass Report  
House Vote: May 10, 2005: Yes 72; No 68; Absent 11
- **Senate Roll Call #112**  
Pro Environment Vote: Yes / Accept Minority Ought Not to Pass Report  
Senate Vote: May 11, 2005: Yes 19; No 14; Absent 1; Excused 1
- **Final Outcome:** Bill failed



## LD #1435

### An Act Establishing Minimum Efficiency Standards for Certain Products Sold or Installed in the State

Sponsor: Rep. Jane Eberle

This bill sought to set minimum efficiency standards for 18 new appliances sold or installed in Maine in order to reduce energy consumption. This cost-effective policy option had the unanimous support of the Climate Change Stakeholders Group, which consisted of over 100 representatives from business, environment and public health interests. Efficiency standards would have saved significant energy, prevented pollution, and improved the health of the 10% of Maine citizens who suffer from asthma. Unfortunately, aggressive opposition from manufacturers, retailers and the Maine Oil Dealers Association scuttled the initiative. We use a House roll call on whether to adopt a "poison pill" amendment that put the legislation out of agreement with the Senate version, and ultimately killed the bill.

- **House Roll Call #265**  
Pro Environment Vote: No / Against Adopting House Amendment D  
House Vote: June 6, 2005: Yes 88; No 50; Absent 13
- **Senate Roll Call #213**  
Pro Environment Vote: Yes / Indefinitely Postpone House Amendment #307  
Senate Vote: June 1, 2005: Yes 20; No 15
- **Final Outcome:** Bill failed



## LD #1450

### An Act to Amend Water Quality Standards

Sponsor: Sen. John Martin

Last year, the legislature exempted portions of the Androscoggin and St. Croix rivers from new water quality standards for Class C rivers, allowing those rivers to meet lower standards than anywhere else in the state. A technical mistake prevented that bill from becoming law. This year, policy makers revisiting it rejected an effort to give local communities along these rivers the same protections that others enjoy, and then went even

*Continued at bottom of opposite page —*

**KEY:** ✓ = Pro Environment Bill    ✗ = Anti Environment Bill

## NOTEWORTHY

*A scorecard is an incomplete measure of a legislator's record. It can't measure when a vote is particularly difficult to cast, or when a legislator went the extra mile on an issue. That's why we've chosen to highlight certain actions – to look beyond the scorecard.*

- ➔ **Senator Arthur Mayo** (D-Sagadahoc) has the most improved voting record, having voted Pro Environment on each of the bills we tracked. That's a significant change from his previous record.
- ➔ Other legislators whose voting records are improving are **Representatives Darlene Curley** (R-Scarborough), **Jeff Kaelin** (R-Winterport), **Jacqueline Lundeen** (D-Mars Hill) and **Lisa Marraché** (D-Waterville). **Rep. Curley** has argued that the environment is not a partisan issue, and we certainly agree.
- ➔ **Rep. Arthur Lerman** (D-Augusta) and **Sen. John Martin** (D-Aroostook) advocated successfully for additional positions to allow the Land Use Regulation Commission to plan in advance of future development, rather than simply responding to applications such as the large project proposed by the Plum Creek Corporation. These positions come at a critical time for charting Maine's future.
- ➔ **Sen. Mary Black Andrews** (R-York) demonstrated that support for conserving our natural resources crosses party lines when she sponsored a bond question to replenish the Land for Maine's Future fund with 75 million dollars. The bill had over 80 co-sponsors from three parties.
- ➔ **Rep. Boyd Marley** (D-Portland) helped to derail a plan to designate Sears Island, one of the largest undeveloped islands on the east coast, primarily for industrial and commercial purposes.
- ➔ **House Speaker John Richardson** and **Senate President Beth Edmonds** provided the leadership that resulted in the Department of Inland Fisheries and Wildlife gaining a total of 5 new positions. A combination of general fund, special revenue and federal dollars will allow the department to give overdue attention to non-game and endangered and threatened species.

## OTHER HIGHLIGHTS

*In addition to the bills we used as the basis for the scorecard, there were other important achievements this year... and also some disappointments. They include:*

- ➔ Passage of the "Cleaner Cars Sales Rule" was a highlight of the session. Sponsored by **Rep. Ted Koffman** (D-Bar Harbor), these rules will require that Maine consumers have the opportunity to purchase the cleanest, most efficient vehicles Detroit can deliver by 2009. Maine has become the seventh state to require greater selection of clean cars – an important step in clearing our air and addressing global warming.
- ➔ "An Act To Encourage the Use of Solar Energy" sponsored by **Rep. John Brautigam** (D-Falmouth) gives a rebate to Maine residents who install solar energy systems in their residence or business before the end of 2008.
- ➔ LD #667 "Resolve, Regarding Nonnative Invasive Marine Species" sponsored by **Rep Herb Adams** (D-Portland) requires the state to plan strategies to prevent the introduction of invasive marine species into Maine's coastal waters. Invasive species are often introduced through the discharge of ballast water. The departments of Marine Resources and Environmental Protection will submit a report to the legislature on the issue in February, 2006.
- ➔ "An Act To Modify Liability To Protect Maine Citizens from Lead Hazards That Harm Maine Children and Families" sponsored by **Rep. Sean Faircloth** (D-Bangor) requires landlords and sellers of residential property to provide a prominent disclosure that explains the hazards of lead-based paint to buyers and renters.
- ➔ "An Act To Clarify That Certain Maine Landowner Liability Protection Laws Apply to Certain Railroad Properties, Railroad Rights-of-way and Utility Corridors" sponsored by **Sen. Barry Hobbins** (D-York) encourages the construction of recreational trails by limiting landowner liability on land made available for public access.
- ➔ "An Act Concerning Significant Wildlife Habitat and Wetlands of Special Significance" also sponsored by **Rep. Koffman**, was another session highlight. This legislation will improve the protection of vernal pools, as well as shorebird, wading bird and waterfowl habitat, by simplifying the process of identifying these important and sensitive areas.

## ...and Disappointments

- ➔ Sixty legislators, or more than one-third, cast only one or no Pro Environment votes out of the seven tracked.
- ➔ The legislature's decision to exempt the Androscoggin and St. Croix rivers from the environmental standards that govern other Class C rivers was one of the greatest disappointments of the session. **Rep. Elaine Makas** (D-Lewiston) and fellow members of the Lewiston delegation **Sen. Peggy Rotundo** and **Reps. Margaret Craven, Lillian O'Brien** and **William Walcott** once again fought hard, but unsuccessfully, to ensure equal treatment for communities along those rivers.
- ➔ Because opponents argued that having to meet higher standards would result in job losses, it is interesting to note that representatives from Millinocket, Old Town, Rumford, and Westbrook, each home to a paper mill, were among those who supported stronger environmental protection. Representatives from other communities where manufacturers were once the major employers (Biddeford, Saco, Sanford and Waterville) also supported the higher standard, as did the House Chair of the Committee on Labor, **Rep. William Smith** (D-Van Buren). One is left to question the assumption that a higher standard could not pass.
- ➔ Items that ultimately were left out of the \$83 million bond package in favor of other priorities were \$1 million for abatement of lead in low income housing and \$500,000 for Safe Routes to Schools. **Rep. Arthur Lerman** (D-Augusta) argued for the lead abatement funds, and **Rep. Boyd Marley** (D-Portland) fought to retain the school routes. We appreciate their efforts.
- ➔ "An Act to Review Climate Change Policy Effectiveness", sponsored by **Rep. Henry Joy** (R-Crystal) directs the state Department of Environmental Protection to evaluate the cost-effectiveness of efforts to reduce greenhouse gas emissions. The bill is meant to call in to question Maine's efforts to address climate change.

— Continued from page 2

further. The bill that passed not only held the two rivers to a lower standard, but also contained an unusual provision directing the DEP to revisit its scientific conclusions on the causes of the water quality problems in the Androscoggin, and apply these new conclusions to existing licenses – essentially, a nod of approval to allowing one particular polluter 10 years to come into compliance with standards, although the Clean Water Act sets a limit of 5 years. The issue will now proceed to other venues, including court. For the House roll call, we use a vote on an amendment which would have held the two rivers to the same standards for dissolved oxygen as other rivers.

- **House Roll Call #253**  
**Pro Environment Vote:** No / Against Indefinitely Postponing House Amendment A  
**House Vote:** June 3, 2005: Yes 100; No 34; Absent 17
- **Senate Roll Call #234**  
**Pro Environment Vote:** No / Against Enactment  
**Senate Vote:** June 8, 2005: Yes 30; No 5
- **Final Outcome:** Bill passed

# MAINE LEAGUE OF CONSERVATION VOTERS – 2005 HOUSE SCORECARD

NAME	TOWN	PARTY	Pro Environment Votes				2005 SESSION						
			2005	2003-2004	2001-2002	1999-2000	Federal Property LD 73	Land Use LD 668	Bond Package LD 998	Lead LD 1034	Business Climate LD 1219	Appliance Standards LD 1435	Water Quality LD 1450
ADAMS, Herbert	Portland	D	7/7	100%	*	*	+	+	+	+	+	+	+
ANNIS, James	Dover-Foxcroft	R	1/7	21%	55%	*	-	-	+	-	-	-	-
ASH, Walter	Belfast	D	5/7	57%	73%	*	+	+	+	+	+	-	-
AUSTIN, Susan	Gray	R	1/7	7%	*	*	-	-	+	-	-	-	-
BABBIDGE, Christopher	Kennebunk	D	7/7	*	*	*	+	+	+	+	+	+	+
BARSTOW, Christopher	Gorham	D	6/7	93%	*	*	+	+	+	+	+	+	a
BEAUDETTE, Stephen	Biddeford	D	5/7	100%	*	*	+	+	+	+	+	-	-
BERUBE, Robert	Lisbon	R	1/7	0%	*	*	-	-	+	-	a	-	-
BIERMAN, Leonard	Sorrento	R	0/7	0%	*	*	-	-	a	-	a	-	-
BISHOP, George	Boothbay	R	1/7	*	*	*	-	-	+	-	-	-	-
BLANCHARD, Richard	Old Town	D	6/7	*	*	*	+	+	+	+	+	a	+
BLANCHETTE, Patricia	Bangor	D	6/7	79%	73%	*	+	+	+	+	+	+	-
BLISS, Lawrence	South Portland	D	5/7	86%	82%	*	+	+	a	+	+	+	a
BOWEN, Stephen	Rockport	R	2/7	21%	*	*	-	+	+	-	-	-	-
BOWLES, David	Sanford	R	1/7	0%	0%	33%	-	-	+	-	-	-	-
BRANNIGAN, Joseph	Portland	D	4/7	79%	100%	*	+	+	a	+	a	+	-
BRAUTIGAM, John	Falmouth	D	7/7	*	*	*	+	+	+	+	+	+	+
BROWN, Richard	South Berwick	R	1/7	29%	*	*	-	-	a	+	-	-	-
BROWNE, William	Vassalboro	R	1/7	7%	*	*	-	-	+	-	-	-	-
BRYANT, Mark	Windham	D	6/7	*	*	*	+	+	+	+	+	+	-
BRYANT-DESCHENES, Joan	Turner	R	0/7	7%	*	*	-	-	-	-	-	a	a
BURNS, Richard	Berwick	D	6/7	*	*	*	+	+	+	+	+	+	-
CAIN, Emily	Orono	D	7/7	*	*	*	+	+	+	+	+	+	+
CAMPBELL, James	Newfield	R	2/7	14%	*	*	-	-	+	+	-	-	-
CANAVAN, Marilyn	Waterville	D	6/7	100%	73%	*	+	+	+	+	+	-	+
CARR, Roderick	Lincoln	R	1/7	0%	9%	25%	-	-	+	-	-	-	-
CEBRA, Richard	Naples	R	0/7	*	*	*	-	-	-	-	-	-	-
CHURCHILL, John	Washburn	R	1/7	0%	*	*	-	-	+	-	-	-	-
CLARK, Herbert	Millinocket	D	5/7	*	*	*	-	+	+	+	+	-	+
CLOUGH, Harold	Scarborough	R	1/7	0%	0%	25%	-	-	+	-	-	-	-
COLLINS, Ronald	Wells	R	1/7	14%	0%	33%	-	-	+	-	-	-	-
CRAVEN, Margaret	Lewiston	D	7/7	86%	*	*	+	+	+	+	+	+	+
CRESSEY, Philip	Cornish	R	0/7	7%	9%	*	-	-	-	-	-	-	-
CROSBY, Charles	Topsham	D	4/7	*	*	*	+	+	a	a	+	-	+
CROSTHWAITE, Robert	Ellsworth	R	0/7	0%	*	*	-	-	-	-	-	a	a
CUMMINGS, Glenn	Portland	D	6/7	93%	91%	*	+	+	+	+	+	+	-
CURLEY, Darlene	Scarborough	R	4/7	7%	*	*	-	+	+	+	-	+	-
CURTIS, Philip	Madison	R	1/7	*	*	*	-	-	+	-	-	-	-
DAIGLE, Robert	Arundel	R	1/7	29%	55%	66%	-	a	+	-	-	-	a
DAVIS, Gerald	Falmouth	R	4/7	71%	55%	58%	+	+	+	-	+	-	-
DAVIS, Kimberly	Augusta	R	1/7	*	*	*	-	-	+	-	-	-	-
DRISCOLL, Timothy	Westbrook	D	5/7	*	*	*	+	a	+	+	+	a	+
DUCHESNE, Robert	Hudson	D	6/7	*	*	*	+	+	+	+	+	+	-
DUDLEY, Benjamin	Portland	D	6/7	86%	100%	100%	a	+	+	+	+	+	+
DUGAY, Edward	Cherryfield	D	4/7	43%	9%	42%	+	-	+	+	-	a	+
DUNN, Michael	Bangor	D	5/7	*	*	*	+	+	a	+	+	+	a
DUPLESSIE, Robert	Westbrook	D	6/7	79%	100%	83%	+	+	+	+	+	+	-
DUPREY, Brian	Hampden	R	0/7	7%	0%	*	-	-	a	-	-	-	-
EBERLE, Jane	South Portland	D	6/7	*	*	*	+	+	+	+	+	+	-
EDER, John	Portland	G	6/7	93%	*	*	+	+	+	+	+	+	-
EDGECOMB, Peter	Caribou	R	1/7	*	*	*	-	-	+	-	-	-	-
EMERY, Harold	Cutler	R	1/7	*	*	*	a	-	+	-	-	-	-
FAIRCLOTH, Sean	Bangor	D	5/7	100%	*	*	+	+	+	+	a	+	-
FARRINGTON, David	Gorham	D	6/7	*	*	*	+	+	+	+	+	-	+
FINCH, Edward	Fairfield	D	5/7	64%	*	*	+	+	+	+	+	-	-
FISCHER, Jeremy	Presque Isle	D	5/7	57%	*	*	+	+	+	+	+	-	-
FISHER, Charles	Brewer	D	4/7	*	91%	75%	+	+	+	+	-	-	-
FITTS, Stacey Allen	Pittsfield	R	1/7	*	*	*	-	-	+	-	-	-	-
FLETCHER, Kenneth	Winslow	R	1/7	7%	*	*	-	-	+	-	-	-	-
FLOOD, Patrick	Winthrop	R	2/7	*	*	*	-	+	+	-	-	-	-
GERZOFISKY, Stan	Brunswick	D	7/7	86%	91%	*	+	+	+	+	+	+	+
GLYNN, Kevin	South Portland	R	1/7	7%	9%	25%	+	-	-	-	-	-	-
GOLDMAN, Connie	Cape Elizabeth	D	7/7	*	*	*	+	+	+	+	+	+	+
GREELEY, Christian	Levant	R	2/7	0%	*	*	-	a	+	+	-	-	a
GROSE, Carol	Woolwich	D	5/7	79%	*	*	a	+	+	+	+	-	+
HALL, Darren	Holden	R	1/7	*	*	*	-	-	+	-	-	-	-
HAMPER, James	Oxford	R	0/7	*	*	*	-	-	-	-	-	-	-
HANLEY, Bruce	Paris	R	1/7	*	*	*	-	-	+	-	-	-	-
HANLEY, Stephen	Gardiner	D	4/7	*	*	*	+	+	+	+	a	-	-
HARLOW, Charles	Portland	D	7/7	*	*	*	+	+	+	+	+	+	+
HOGAN, George	Old Orchard Beach	D	6/7	*	*	*	+	+	+	+	+	-	+
HOTHAM, Randy	Dixfield	R	2/7	21%	*	*	-	-	+	+	-	-	-
HUTTON, Deborah	Bowdoinham	D	7/7	100%	91%	*	+	+	+	+	+	+	+
JACKSON, Troy	Fort Kent	D	4/7	57%	*	*	+	+	+	a	+	-	a
JACOBSEN, Lawrence	Waterboro	R	1/7	7%	*	*	-	-	+	-	-	-	-
JENNINGS, Rodney	Leeds	D	4/7	57%	*	*	+	+	+	+	a	-	-



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NAME	TOWN	PARTY	Pro Environment Votes				2005 SESSION						
			2005	2003-2004	2001-2002	1999-2000	Federal Property LD 73	Land Use LD 668	Bond Package LD 998	Lead LD 1034	Business Climate LD 1219	Appliance Standards LD 1435	Water Quality LD 1450
JODREY, Arlan	Bethel	R	1/7	7%	18%	33%	-	-	+	-	-	-	-
JOY, Henry	Crystal	R	0/7	0%	*	8%	-	-	a	-	-	-	-
KAELIN, Jeff	Winterport	R	3/7	14%	*	*	-	+	+	+	a	-	-
KOFFMAN, Theodore	Bar Harbor	D	6/7	100%	64%	*	+	+	+	+	+	+	-
LANSLEY, Scott	Sabattus	R	0/7	*	*	*	-	-	-	-	-	-	-
LERMAN, Arthur	Augusta	D	6/7	93%	*	*	+	+	a	+	+	+	+
LEWIN, Sarah	Eliot	R	0/7	0%	*	*	-	-	-	-	-	-	-
LINDELL, R. Kenneth	Frankfort	R	2/7	*	*	*	-	-	+	-	-	a	+
LUNDEEN, Jacqueline	Mars Hill	D	6/7	71%	82%	*	+	+	+	+	+	a	+
MAKAS, Elaine	Lewiston	D	7/7	100%	*	*	+	+	+	+	+	+	+
MAREAN, Donald	Hollis	R	1/7	*	*	*	-	-	+	-	-	-	-
MARLEY, Boyd	Portland	D	6/7	100%	100%	*	+	+	+	+	+	+	-
MARRACHÉ, Lisa	Waterville	D	5/7	50%	36%	*	+	+	+	+	+	-	-
MAZUREK, Edward	Rockland	D	5/7	*	*	*	+	+	+	+	+	-	a
MCCORMICK, Earle	West Gardiner	R	1/7	21%	*	*	-	-	+	-	-	-	-
MCFADDEN, Howard	Dennysville	R	1/7	*	*	*	-	-	+	-	-	-	-
MCKANE, Jonathan	Newcastle	R	1/7	*	*	*	-	+	-	-	-	-	-
MCKENNEY, Terrence	Cumberland	R	1/7	7%	27%	25%	-	-	+	-	-	-	-
MCLEOD, Everett	Lee	R	0/7	*	*	*	-	a	-	-	-	-	-
MERRILL, Barbara	Appleton	D	6/7	*	*	*	a	+	+	+	+	+	+
MILLER, Elizabeth	Somerville	D	7/7	*	*	*	+	+	+	+	+	+	+
MILLETT, H. Sawin	Waterford	R	1/7	14%	*	*	-	-	+	-	-	-	-
MILLS, Janet	Farmington	D	6/7	71%	*	*	+	+	+	+	+	+	a
MOODY, Stanley	Manchester	D	4/7	57%	*	*	+	+	+	+	-	-	-
MOORE, Gary	Standish	R	2/7	7%	*	*	-	-	+	+	-	a	a
MOULTON, Bradley	York	R	2/7	*	*	*	-	+	+	-	-	-	-
MUSE, Roberta	Fryeburg	R	4/7	*	*	*	+	+	+	+	a	-	-
NASS, Joan	Acton	R	2/7	*	*	*	-	-	+	-	+	-	-
NORTON, Jacqueline	Bangor	D	7/7	93%	64%	*	+	+	+	+	+	+	+
NUTTING, Robert	Oakland	R	1/7	7%	18%	66%	-	-	+	-	-	-	-
O'BRIEN, Lillian	Lewiston	D	5/7	64%	73%	82%	a	+	+	+	a	+	+
OTT, David	York	R	1/7	*	*	*	-	-	+	-	-	-	a
PARADIS, Rosaire "Ross"	Frenchville	D	4/7	86%	91%	*	+	+	+	+	-	-	-
PATRICK, John	Rumford	D	7/7	71%	91%	*	+	+	+	+	+	+	+
PELLETIER-SIMPSON, Deborah	Auburn	D	6/7	86%	91%	*	+	+	+	+	+	+	-
PERCY, Leila	Phippsburg	D	6/7	100%	*	*	+	+	+	+	+	+	-
PERRY, Anne	Calais	D	5/7	64%	*	*	+	+	+	+	-	+	-
PILON, Donald	Saco	D	5/7	*	*	*	+	+	+	+	+	-	-
PINEAU, Raymond	Jay	D	6/7	93%	82%	*	+	+	+	+	+	+	-
PINGREE, Hannah	North Haven	D	6/7	93%	*	*	+	+	+	+	+	+	-
PINKHAM, Wright	Lexington Twnshp	R	1/7	*	*	*	-	-	+	-	-	-	-
PIOTTI, John	Unity	D	6/7	79%	*	*	+	+	+	+	+	+	a
PLUMMER, Gary	Windham	R	2/7	*	*	*	-	+	+	-	a	-	-
RECTOR, Christopher	Thomaston	R	4/7	71%	*	*	-	+	+	+	+	a	-
RICHARDSON, David	Carmel	R	1/7	*	*	*	-	a	+	-	-	-	-
RICHARDSON, Earl	Greenville	R	1/7	0%	*	25%	a	-	+	-	-	a	-
RICHARDSON, John	Brunswick	D	5/7	79%	73%	100%	+	+	+	+	+	a	-
RICHARDSON, Maitland	Skowhegan	R	1/7	0%	*	*	-	a	+	-	-	-	-
RICHARDSON, Wesley	Warren	R	1/7	*	*	*	-	-	+	-	-	-	a
RINES, Peter	Wiscasset	D	7/7	57%	91%	*	+	+	+	+	+	+	+
ROBINSON, John	Raymond	R	0/7	*	*	*	-	-	-	-	-	-	-
ROSEN, Kimberley	Bucksport	R	3/7	*	*	*	-	+	+	-	+	-	-
SAMPSON, Sonya	Auburn	D	4/7	71%	*	*	+	a	+	+	+	a	-
SAVIELLO, Thomas	Wilton	I	3/7	64%	*	*	a	+	+	+	-	-	-
SCHATZ, James	Blue Hill	D	5/7	*	*	*	+	a	+	+	+	+	a
SEAVEY, H. Stedman	Kennebunkport	R	1/7	*	*	*	-	-	+	-	-	-	-
SHERMAN, Roger	Hodgdon	R	1/7	7%	9%	17%	-	-	+	-	-	-	-
SHIELDS, Thomas	Auburn	R	1/7	0%	9%	33%	-	-	+	-	-	-	-
SMITH, Nancy	Monmouth	D	5/7	93%	*	*	+	+	+	+	+	a	a
SMITH, William	Van Buren	D	6/7	71%	64%	*	+	+	+	+	+	-	+
STEDMAN, Vaughn	Hartland	R	1/7	*	0%	8%	-	-	+	-	a	-	-
SYKES, Richard	Harrison	R	0/7	0%	*	*	-	-	-	-	-	-	-
TARDY, Joshua	Newport	R	1/7	7%	*	*	-	-	+	-	-	-	-
THOMAS, Douglas	Ripley	R	0/7	*	*	*	-	-	-	-	-	-	-
THOMPSON, Judd	China	D	5/7	79%	*	*	a	+	+	+	+	+	-
TRAHAN, A. David	Waldoboro	R	3/7	29%	27%	33%	a	-	+	+	+	-	-
TUTTLE, John	Sanford	D	6/7	*	45%	50%	+	+	+	+	+	-	+
TWOMEY, Joanne	Biddeford	D	6/7	86%	100%	100%	+	+	+	+	+	-	+
VALENTINO, Linda	Saco	D	7/7	*	*	*	+	+	+	+	+	+	+
VAUGHAN, Michael	Durham	R	1/7	0%	*	*	-	-	-	-	-	+	a
WALCOTT, William	Lewiston	D	6/7	93%	*	*	a	+	+	+	+	+	+
WATSON, Thomas	Bath	D	6/7	86%	*	*	+	+	+	+	+	+	-
WEBSTER, David	Freeport	D	6/7	*	*	*	+	+	+	+	+	+	-
WHEELER, Walter	Kittery	D	6/7	79%	*	*	+	+	+	+	+	+	-
WOODBURY, Richard	Yarmouth	I	6/7	86%	*	*	+	+	+	+	+	+	-

# MAINE LEAGUE OF CONSERVATION VOTERS – 2005 SENATE SCORECARD

NAME	COUNTY	PARTY	Pro Environment Votes				2005 SESSION						
			2005	2003-2004	2001-2002	1999-2000	Federal Property LD 73	Rule-Making LD 562	Bond Package LD 998	Lead LD 1034	Business Climate LD 1219	Appliance Standards LD 1435	Water Quality LD 1450
ANDREWS, Mary Black	York	R	2/7	14%	27%	42%	-	-	+	+	-	-	-
BARTLETT, Philip	Cumberland	D	6/7	*	*	*	+	+	+	+	+	+	-
BRENNAN, Michael	Cumberland	D	7/7	100%	100%	100%	+	+	+	+	+	+	+
BROMLEY, Lynn	Cumberland	D	6/7	88%	86%	*	+	+	-	+	+	+	+
BRYANT, Bruce	Oxford	D	6/7	75%	82%	83%	+	+	+	+	+	+	-
CLUKEY, Dean	Aroostook	R	1/7	*	*	*	-	-	+	-	-	-	-
COURTNEY, Jonathan	York	R	2/7	0%	*	*	-	-	+	+	-	-	-
COWGER, Scott	Kennebec	D	6/7	79%	100%	92%	+	+	+	+	+	+	-
DAMON, Dennis	Hancock	D	5/6	88%	*	*	+	+	+	+	E	+	-
DAVIS, Paul	Piscataquis	R	1/7	25%	29%	25%	-	-	+	-	-	-	-
DIAMOND, Bill	Cumberland	D	5/7	*	*	*	+	a	+	+	+	+	-
DOW, Dana	Lincoln	R	2/7	*	*	*	-	-	+	+	-	-	-
EDMONDS, Beth	Cumberland	D	7/7	100%	100%	*	+	+	+	+	+	+	+
GAGNON, Kenneth	Kennebec	D	6/7	75%	100%	83%	+	+	+	+	+	+	-
HASTINGS, David	Oxford	R	2/7	*	*	*	-	-	+	+	-	-	-
HOBBINS, Barry	York	D	6/7	*	*	*	+	+	+	+	+	+	-
MARTIN, John	Aroostook	D	6/7	75%	83%	92%	+	+	+	+	+	+	-
MAYO, Arthur	Sagadahoc	D	7/7	38%	73%	66%	+	+	+	+	+	+	+
MILLS, Peter	Somerset	R	3/7	79%	43%	63%	-	-	+	+	+	-	-
MITCHELL, Elizabeth	Kennebec	D	6/7	*	*	*	+	+	+	+	+	+	-
NASS, Richard	York	R	2/7	25%	45%	58%	-	-	+	+	-	-	-
NUTTING, John	Androscoggin	D	4/7	*	*	63%	+	-	+	+	a	+	-
PERRY, Joseph	Penobscot	D	6/7	43%	64%	42%	+	+	+	+	+	+	-
PLOWMAN, Debra	Penobscot	R	2/7	*	*	8%	-	-	+	+	-	-	-
RAYE, Kevin	Washington	R	2/7	*	*	*	-	-	+	+	-	-	-
ROSEN, Richard	Hancock	R	1/7	21%	27%	42%	-	-	+	-	-	-	-
ROTUNDO, Margaret	Androscoggin	D	7/7	100%	100%	*	+	+	+	+	+	+	+
SAVAGE, Christine	Knox	R	2/7	25%	29%	58%	-	-	+	+	-	-	-
SCHNEIDER, Elizabeth	Penobscot	D	6/7	*	*	*	+	+	+	+	+	+	-
SNOWE-MELLO, Lois	Androscoggin	R	2/7	0%	9%	25%	-	-	+	+	-	-	-
STRIMLING, Ethan	Cumberland	D	6/7	100%	*	*	+	+	+	+	+	+	-
SULLIVAN, Nancy	York	D	6/7	79%	100%	92%	+	+	+	+	+	+	-
TURNER, Karl	Cumberland	R	4/7	63%	57%	*	-	a	+	+	+	+	-
WESTON, Carol	Waldo	R	1/7	25%	18%	42%	-	-	+	-	-	-	-
WOODCOCK, Chandler	Franklin	R	2/7	25%	43%	*	-	-	+	+	-	-	-

(See key below for explanation of symbols.)

## Maine's Path of Legislation

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### Idea Developed

A legislator decides to sponsor a bill, sometimes at the suggestion of a constituent, interest group, public official or the Governor. The legislator may ask other legislators in either chamber to join as co-sponsors.



### Bill Drafted

At the legislator's direction, the Revisor's Office, Office of Policy and Legal Analysis, and Office of Fiscal and Program Review staff provides research and drafting assistance and prepare the bill in proper technical form.



### Bill Introduction

The legislator gives the bill to the Clerk of the House or Secretary of the Senate. The bill is numbered, a suggested committee recommendation is made and the bill is printed. The bill is placed on the respective body's calendar.



### Committee Reference

The bill is referred to one of the Joint Standing or Joint Select committees in the originating branch and then sent to the other body for concurrence.



### Committee Action

When scheduled by the chairs, the committee conducts a public hearing where it accepts testimony supporting and opposing the proposed legislation from any interested party. Notices of public hearings are printed in newspapers with statewide distribution.



### General Order

When the bill is reported to the floor it receives its first reading and any committee amendments are adopted at this time. The committee reports the bill to the originating body as is, with amendment, with a divided report or with a unanimous recommendation of Ought Not to Pass.



### Second Reading

The next legislative day the bill is given its second reading and floor amendments may be offered. When one chamber has passed the bill to be engrossed, it is sent to the other body for its consideration. The House has a consent calendar for unanimous Ought to Pass or Ought to Pass as amended bills which takes the place of First and Second readings.



### Second Chamber

The bill goes through a similar process. If the second chamber amends the bill, it is returned to the first chamber for a vote on the changes. It may then be sent to a conference committee to work out a compromise agreeable to both chambers. A bill receives final legislative approval when it passes both chambers in identical form.



### Governor

After final passage (enactment) the bill is sent to the Governor. The Governor has ten days in which to sign or veto the bill. If the Governor does not sign the bill and the Legislature is still in session, the bill after ten days becomes law as if the Governor signed it. If the Legislature has adjourned for the year the bill does not become law. This is called a "pocket veto." If the Legislature comes back into special session, the Governor on the 4th day must deliver a veto message to the chamber of origin or the bill becomes law.



### Law

A bill becomes law 90 days after the end of the legislative session in which it was passed. A bill can become law immediately if the Legislature, by a 2/3 vote of each chamber, declares that an emergency exists. An emergency law takes effect on the date the Governor signs it unless otherwise specified in its text. If a bill is vetoed, it will become law if the Legislature overrides the veto by a 2/3 vote of those members present and voting of both chambers.

### KEY TO SCORECARDS (found on pages 4 & 5 and above)

- + Pro Environment vote
- Anti Environment vote
- a Absent
- E Excused from voting
- \* Was not legislator during session
- D Democrat
- R Republican
- I Independent
- G Green Independent

**Rating:** The rating is the number of Pro Environment votes cast by each legislator out of the bills tracked.

**Absences:** Unexcused absences are counted as Anti Environment votes. Excused absences and vacancies are not figured into a legislator's ratings.



# A RIVER COMPROMISED:

## a timeline of actions affecting the Androscoggin



Senator Ed Muskie

**Pre-1972** — The Androscoggin river is identified as one of the 10 dirtiest rivers in the nation.

**1972** — Congress passes the Clean Water Act (CWA) with the goal that all pollution into the country's rivers must cease by 1985. Maine Senator Edmund Muskie, native of Rumford, champions the Act.

**1985** — Maine Legislature enacts a bill that exempts portions of the Androscoggin and Penobscot rivers from meeting water quality standards. The federal Environmental Protection Agency (EPA) rejects the move as illegal unless the state conducts a Use Attainability Analysis to demonstrate "widespread social and economic harm" if the mills were forced to comply with standards; state declines to do UAA. Exemption does not take effect.

**1986** — Maine Department of Environmental Protection (DEP) begins applying a standard for dissolved oxygen recommended by the federal Environmental Protection Agency (EPA) to Class C rivers in Maine. Class C rivers are the most polluted, and include the Androscoggin, Kennebec and Penobscot.

**1989** — The DEP conducts a "Color, Odor, Foam" study to assess ways to curb the river's most obvious pollution. Though written with a conclusion that recommends drastic pollution reductions, the study is issued without those recommendations.

**1989** — State Rep. John Nutting and citizen activist Bonnie Lounsbury force the release of the DEP's Color, Odor, Foam recommendations, which Nutting then incorporates into proposed legislation. The legislation passes but is vetoed.

**1991** — After two more attempts, a version of the law less stringent than the original is passed and enacted.

**1992** — DEP orders mills and Central Maine Power (owner of the Gulf Island Pond dam) to install an oxygenation bubbler. Much like an aquarium pump, the bubbler introduces needed oxygen into an impoundment where pollution loads are too high for native fish to thrive.

**1997** — Legislature passes additional legislation limiting dioxin and color pollution, but standards for reduction of both dioxin and color pollution are weak.

**1999** — DEP begins rulemaking to incorporate EPA's dissolved oxygen (DO) criterion to protect trout and salmon into DEP rules. The EPA's criterion would have required significant cleanup efforts by International Paper and the other Androscoggin mills, as well as the Domtar mill on the St. Croix. A workshop is held, as well as a hearing at the Board of Environmental Protection (BEP) but the process is shelved by DEP staff to allow analysis of new information.

**2001** — DEP goes back to rulemaking on dissolved oxygen before the BEP, but the Maine Attorney General's office says that BEP may lack authority to set DO standards and recommends that the DEP bring the issue to the legislature.

**2003** — DEP files a bill to adopt the EPA's DO criterion to protect trout and salmon, which would require significant cleanup by the Androscoggin and St. Croix mills. The legislature postpones addressing the bill, and directs the DEP to study the issue further, and to include a stakeholders' group in that process.

**2003** — DEP empanels the stakeholders' group, consisting of paper industry, environmental, agricultural and municipal representatives. After several months, the DEP Commissioner announces that the mills can and should meet the same protective standards as other mills on similar rivers must meet. The next planned meeting of the stakeholders' group never takes place.

**2004** — The DEP files legislation to adopt the same dissolved oxygen standard for the Androscoggin and St. Croix as for other similar rivers, but later reverses its position and requests approval of a weaker standard.

**2004** — Legislature passes LD 1899, which sets a lower dissolved oxygen water quality standard for Androscoggin and St. Croix rivers than for other similar rivers, like the Kennebec and Penobscot.

**2005** — Because of a technical problem in LD 1899's wording, the legislature must again consider Androscoggin and St. Croix river water quality issues.

**2005** — A negotiation group is assembled by the Governor. The Governor states he wants the St. Croix and the Androscoggin to meet the same standards as other similar rivers. Mills protest.

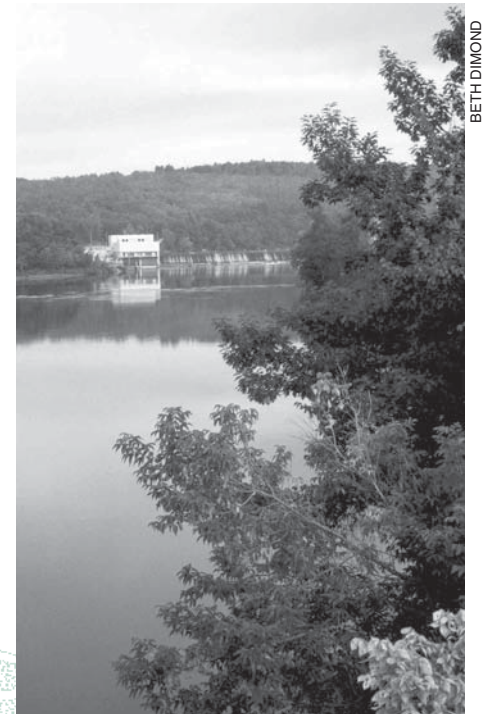
**2005** — Legislature's Natural Resources Committee holds a day long hearing on competing bills, attended by a standing-room-only crowd.

**2005** — At a subsequent work session, the DEP Commissioner states that a negotiated agreement has been made, and that the mills will have ten years to meet standards. Environmental groups say that they were not part of the agreement, and that ten years is not legal.

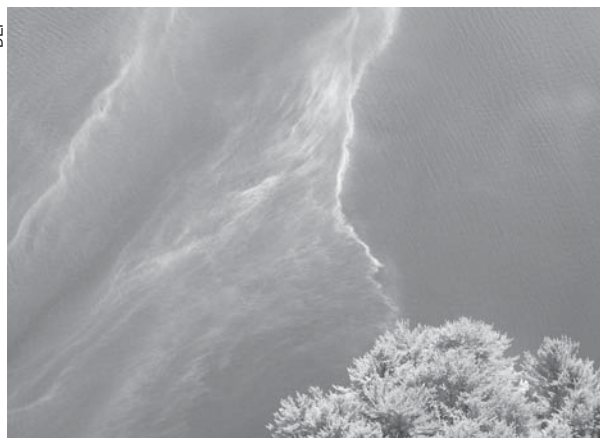
**2005** — The Natural Resources committee unanimously defeats the proposal to hold the St. Croix and the Androscoggin to the same standards as other rivers.

**2005** — Natural Resources Committee unanimously passes LD 1450, which is then passed by legislature and signed by the Governor. LD 1450 not only sets weaker DO standards for the St. Croix and Androscoggin than for other similar rivers but also sanctions a 10 year timeframe for International Paper to clean up, although the Clean Water Act and state law require no more than 5 years.

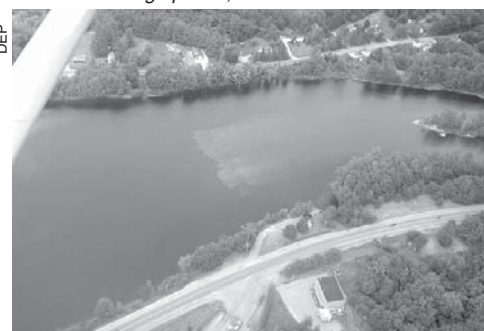
**Today, 33 years after Congress passed the Clean Water Act** — Because of paper mill pollution, there still isn't enough oxygen in the Androscoggin for native trout and salmon to thrive. Also, large amounts of phosphorus from the mills (phosphorus is a kind of nutrient that makes algae grow rapidly) cause massive, green blooms that form in thick mats in the river every summer and render it unfit for swimming. Pollution from the mills also settles to the bottom of the river when conditions are dry and it flows slowly, smothering and killing the bottom-dwelling critters that are an important food source for fish.



BETH DIMOND



Above: Algal bloom, August 2004  
Below: Discharge plume, June 2004



DEP



BETH DIMOND



# About the Maine League of Conservation Voters

The mission of the Maine League of Conservation Voters is to make the protection of our natural resources a priority for Maine voters, candidates, and elected officials. We are an independent, non-partisan organization with a unique role in Maine's conservation community.

The Maine League outlines the real impact of decisions made in the Maine Legislature and gives Maine citizens information on the performance of legislators on environmental matters.



U.S. FISH AND WILDLIFE SERVICE



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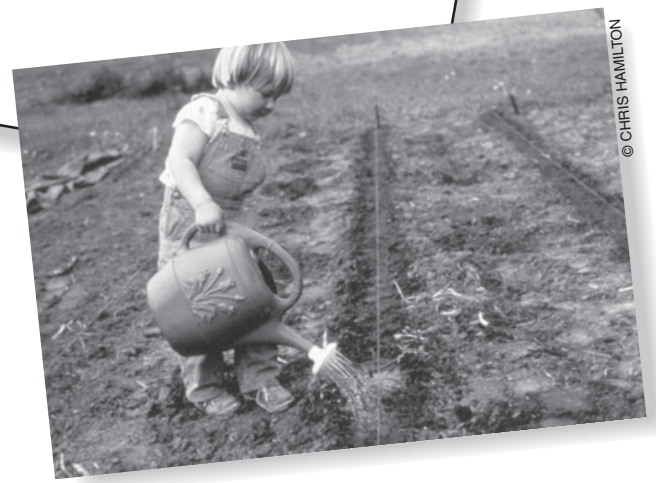
## To Do... to make Maine's environment a political priority

- ✓ Read the Environmental Scorecard
- Send a contribution to MLCV
- Contact my legislators to let them know how I feel about their work
- Join Maine ECO for updates and to contact decision makers at -- <http://maineeco.e-actionmax.com/>
- Write a letter to my local paper calling attention to my legislator's record
- Visit [www.mlcv.org](http://www.mlcv.org) for events and to volunteer
- Visit MLCV at the Common Ground Country Fair

## The Legislature's Website

<http://janus.state.me.us/legis>

The legislature's website is a very useful tool for citizens interested in public policy. The site puts an enormous amount of information at your finger tips, from legislation to schedules to information on laws and lawmakers. You can listen to broadcasts of proceedings including committee hearings and work sessions.



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## Support the Maine League of Conservation Voters!

Yes! I want to help protect Maine's natural resources and elect environmentally responsible candidates.

Enclosed is my contribution of:  \$500  \$250  \$100  
 \$50  \$35  Other \$ \_\_\_\_\_

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I want to volunteer! Let me know how I can work to elect environmentally responsible candidates.



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