# The Maine League of Conservation Voters

Environmental Voting Record of the 113th Maine Legislature (1987 and 1988)

Including Ratings
of all
Members
of the
MAINE STATE SENATE
and
MAINE HOUSE OF REPRESENTATIVES

**FALL 1988** 

## Bottle Bill



House Roll Call #61 Senate Roll Call #61 LD 895 An Act to Extend Maine's Bottle Bill House Motion: Acceptance of Minority Ought To

Pass Report

Correct Vote: YES

House Vote: May 20, 1987; Yes 103, No 37, Absent

11; Motion Prevailed

Senate Motion: Indefinite Postponement of Senate

Amendment E (\$-94) Correct Vote: YES

Senate Vote: May 27, 1987; Yes 15, No 20, Absent 0;

Motion Failed

Description: This bill requires that wine cooler containers be returnable under the Maine Bottle Bill. Amendment S-94 postponed enactment of the law for one year, weakening the measure by extending the period during which wine cooler containers would not be returnable. The bill passed with the amendment attached.

# Land Acquisition Bond



#### Senate Roll Call #107

LD 1027 An Act to Authorize a General Fund Bond Issue in the Amount of \$50,000,000 to Finance the Acquisition of Land for Conservation, Outdoor Recreation and Wildlife

Motion: Acceptance of Majority Ought to Pass as

Amended (by H-394) Report

Correct Vote: YES

Senate Vote: June 16, 1987; Yes 20, No 14, Absent 1;

Motion Prevailed

Description: This bill, as amended, authorized the expenditure of \$35,000,000 toward the purchase of tracts of land with sensitive natural areas and wildlife habitat. The measure was passed by both houses, sending it to referendum.

# **Groundwater Protection**



Senate Roll Call #109

LD 836 An Act to Provide Comprehensive Protection for Ground Water

Motion: Passage to be Enacted

Correct Vote: YES

Senate Vote: June 16, 1987; Yes 30, No 4, Absent 1;

Motion Prevailed

Description: This bill instituted legal protection for residential users of groundwater in the event of removal or contamination. It also restricted the construction of landfills near aquifers and tightened regulations concerning underground oil storage tanks.

#### Office of Energy Resources



#### House Roll Call #137

LD 1482 An Act to Reassign the Duties of the Office of Energy Resources

Motion: Acceptance of Majority Ought Not To Pass Report

Correct Vote: YES

House Vote: June 11, 1987; Yes 74, No 59, Absent 18; Motion Prevailed

Description: This bill would have dissolved the Office of Energy Resources, dividing the responsibilities between other departments. The Office of Energy Resources being primarily responsible for energy policy in the state, its continued existence is important for maintaining a strong, consistent energy policy.

# DESCRIPTION

# Turnpike Widening



House Roll Call #159 Senate Roll Call #110 LD 1806 An Act to Amend the Maine Turnpike

Authority Act

Motion: Indefinitely Postpone

Correct Vote: YES

Senate Vote: June 16, 1987; Yes 5, No, 30, Absent 0;

Motion Failed

House Vote: June 16, 1987; Yes 12, No 128, Absent

11: Motion Failed

Description: This bill authorized expansion of the Maine Turnpike south of Portland. The environmental ramifications of this massive undertaking are not taken into account, nor are traffic management or other alternatives considered. These votes cleared the way for passage of the measure.

## Underground Tanks

Senate Roll Call #111

LD 1785 An Act to Alter the Fee on the Registration of Underground Tanks

Motion: Reconsider Action to Recede and Concur to be Engrossed

Correct Vote: YES

Senate Vote: June 16, 1987; Yes 20, No 13, Absent 2;

Motion Prevailed

Description: This bill would have significantly reduced the registration fee for commercial operators of underground oil storage tanks. This would have reduced funds available for the Groundwater Oil Clean-up Fund by over \$83,000 annually. This vote created the opportunity for the Senate to indefinitely postpone the bill, which died due to non-concurrence with the House.

### Solid Waste

Senate Roll Call #16

LD 1896 An Act to Prevent Any Landfill from being Constructed Over or Near an Aquifer, to Maintain Regional Landfills and to Clarify the Intent of the Solid Waste Law

Senate Motion: Accept Minority Ought To Pass as Amended ( by C"B" H-418) Report

Correct Vote: YES

Senate Vote: October 9, 1987; Yes 9, No 20, Absent 6; Motion Failed

Description:This bill expanded the siting requirements for landfills to further protect groundwater from contamination. It also involved residents of unorganized territories in solid waste decisions, by enabling County Commissioners in these areas to prepare landfill ordinances.

House Roll Call #231

LD 2368 An Act to Revise the Solid Waste Law

Motion: Indefinitely Postpone

Correct Vote: YES House Vote: March 31, 1988; Yes 40, No 92, Absent 19; Motion Failed

Description; This bill removed the recently enacted enabling legislation for County Commissioners in unorganized territories to prepare landfill ordinances. This makes the process of siting landfills in this region subject to one less level of review, and therefore

considerably easier.

# OF VOTES

#### **Energy Standards**



House Roll Call #275 Senate Roll Call #33 LD 2539 An Act to Revise the Energy Building

Standards Act

Senate Motion: Indefinitely Postpone Senate

Amendment A (S-341) Correct Vote: YES

Senate Vote: March 17, 1988; Yes 26, No 8, Absent

1: Motion Prevailed

House Motion: Indefinitely Postpone

Correct Vote: NO

House Vote: April 19,1988; Yes 66, No 70, Absent

11, Paired 4; Motion Failed

Description: This bill set mandatory minimum energy-

efficiency standards for new construction. Amendment A, voted on by the Senate would have weakened the provisions of the Act by applying the standards only to multi-family structures. It was defeated. The House vote cleared the way for passage of the bill. The measure is now law.

# Speculation Tax



House Roll Call #215 Senate Roll Call #37 LD 2318 An Act to Impose a Tax on Capital Gains

from Speculative Land Sales

Senate Motion: Reconsider Acceptance of the Majority Ought Not To Pass Report

Correct Vote: YES

Senate Vote: March 23, 1988; Yes 9, No 24, Absent

0, Paired 2; Motion Failed

House Motion: Acceptance of Majority Ought Not To

Pass Report

Correct Vote: NO

House Vote: March 22, 1988; Yes 91, No 35, Absent

21, Paired 4; Motion Prevailed

Description: This bill was designed to discourage speculation in land by imposing a progressive rate tax on capital gains from rapid turnover land sales. The law specifically exempted property used for personal residences, and other non-speculative transactions. These votes killed the measure.

#### **Endangered Species**



House Roll Call #219

LD 2164 An Act to Amend the Endangered Species Act to Provide for Injunctive Relief and Other

Enforcement Remedies

Motion: Acceptance of Majority Ought to Pass in

New Draft(LD 2567) Report

Correct vote: YES

House Vote: March 23, 1988; Yes 96, No 41, Absent

12, Paired 2; Motion Prevailed

Description: This bill significantly strengthened the Maine Endangered Species Act. It extended legal protection to include critical habitat, prohibited licensing of any project degrading this habitat, and granted opportunities for injunctive and restorative relief. These changes have been passed into law.

# Land Banks



House Roll Call #237 Senate Roll Call #45 LD 2415 An Act Enabling Municipalities to Establish Municipal Investment Land Banks Funded by a Local Option Real Estate Transfer Tax

Senate Motion: Insist to Accept the Minority Ought To Pass as Amended (by C"A" H-587) Report

Correct Vote: YES

Senate Vote: April 7, 1988; Yes 8, No 21, Absent 2,

Paired 4: Motion Failed

House Motion: Accept the Minority Ought To Pass as

Amended ( by C"A" H-587) Report

Correct Vote: YES

House Vote: April 4, 1988; Yes 102, No 41, Absent 8;

Motion Prevailed

Description: This bill would have provided local governments with a tool for preservation of open space areas and critical habitats. Specifically, communities are granted the option of imposing an additional tax on real estate transactions, with the revenues to be used for land purchases. The bill died for lack of support in the Senate.

#### 40 Acre Exemption



House Roll Call #263

LD 2265 An Act to Establish A Resource Protection

Motion: Indefinitely Postpone Amendment H"A" H-737

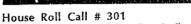
Correct Vote: No

House Vote: April 18, 1988; Yes 99, No 42, Absent

10; Motion Prevailed

Description: This substantially amended bill required State review of subdivisions between 40-500 acres in extent, only within the shoreland zone. H-737 would have strengthened the bill by requiring that certain non-shoreland large lot subdivisions within the jurisdiction of the Maine Land Use Regulation Commission undergo State subdivision review. The amendment was deleated.

## Dept. of Env. Protection



LD 2648 An Act to Return Certain Positions within the Department of Environmental Protection to Classified

Service Under the Civil Service Law

Motion: Passage to Be Enacted

Correct Vote: YES

House Vote: May 5, 1988; Yes 72, No 47, Absent 30,

Paired 2; Motion Prevailed

Description: This bill reversed provisions which made

Division Director positions at DEP political

appointments. Both the House and Senate passed this measure, however the Governor has failed to sign it, thus killing the bill. This has opened these DEP staff positions to political influence.

#### Pesticide Notice



Senate Roll Call #44

LD 2441 An Act to Require Farms to Post Notice of

Pesticides Used

Motion: Acceptance of Minority Ought To Pass as Amended Report

Correct Vote: YES

Senate Vote: April 6, 1988; Yes 10, No 21, Absent 0,

Paired 4; Motion Failed

Description: This bill required that those on farm property be notified of pesticides used within the past 30 days and of their possible impacts. An amendment exempted farm employees from these provisions. The bill did not survive this vote.

# MLCV Maine League of Conservation Voters 1987-1988 Maine Legislative Environmental Voting Record

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STROUT, Berbara E. Windham STROUT, Donald A.	20 -	Υ .	n n	y n n Y y y n
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MALKER, Joseph S. Norway WARREN, Daniel R.]	60 58	Y	Y n	y Y n Y y N Y
Scerborough VEBSTER, Mary Clark Cope Elizobeth	88 100 20 25		Y ń	NYY-NN- YnnYyvn
VENTWORTH, Alberta M.	10 25		<b>n</b> п n п	Y n n Y y y n Y n n Y y y n
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		1986	61	107	109	110	111	16	33	37	44	45
ANDREWS, Thomas H.	. 8 9	100	Y	, <u>, Y</u>	Y	n	Υ	_	Y	Υ	Υ	Υ
Cumberland BALDACCI, John E.	38	80	'n		n	Υ	Y	n	•	n	Ý	n.
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Cumberland BRANNIGAN, Joseph C.	20		n.,	n Y	Y	×#-040-000000000000000000000000000000000	Y	n	Y	Y	Y	Y
Cumberland BRAWN, Linda Curtis	70	83H	ภ		Ÿ	ก	an silkinida		Ϋ́	n	'n	'n
Knox BUSTIN, Beverly Miner	3.0		Y	. 0	10000000000000000000000000000000000000	n -	n	n.	Y	Y	Y	Υ
Kennebec CAHILL, Pamela Lee	80	88	ת	Y	Y	n	Y	Y	SAMPLE SA	P. 1749	10 TO	
Sagadahoe CLARK, Nancy Randall	20	27H	Y	n	Y.₩	n .	n	n	n	n -	ก	S n
Cumberland COLLINS, Donald E	80	75	Y	Y	Y	n N	Y	Y	Y	n Table	Y ->=12011	Y
Argostopk DILLENBACK, Robert G.	3.0	(j) <b>-</b> (j)	Y	n	<b>Y</b>	n	<b>ី</b> ព	n	Y	9.0	in <b>n</b>	i n
Cumberland DOW, Charles G.	30	36H	Y	n	Y	n	n	n	Y	n	n	n Magana
Kennebec	4.4	- 50	n.	Y	Y	, n	<b>Y</b>	JO.	Y	, n	្រូក	ento nece
DUTREMBLE, Dennis L. York	50	*	n	Υ	Y	n	Y	Y	Y	n	п	n
EMERSON, Jerome &	4 0	0	Υ	Y	Υ.	n	n	n	Y	n	n	n
ERWIN, Edger E Oxford	67	25	n	Y	Υ	Υ	Y	= Egyptokregen	Y	n	Υ	n
ESTES, Steven C. York	7.0	in igi <sub>l</sub> ani y	ก	₩ <b>Y</b>	₩ <b>Y</b> *	Y	Y	n	у.	¥ ⊕	n	Y
GAUVREAU, N. Paul Androscoggin	60	62	n	Y	Y	n	Y	n	Y	n	Y	Y
GILL, Barbare A. Cumberland	30	. O	Y	ח	. Y.	n	en,	n	Y	n.	'n	n
GOULD, Robert R. Waldo	10	_	n	n	Υ	n	n	n	n	n	n	n
KANY, Judy C. *** Kemebec	100	1.00	Y	Y	Ϋ́	Υ	Υ	Υ	Υ	¥Υ	Υ	Y
KERRY, John M. York	6 7	_	n	Y	Y	n	Υ		Υ	Υ	γ	n
LUDWIG, Mergeret G. Argostook	44		Υ	n	Y	n	Υ		Υ	n	n	n
MATTHEWS, Zachary Kennebec	67	100	n	Υ	Υ	n	Υ	Υ	Υ	n	Υ	-
MAYBURY Mary-Ellen Penobacot	l	12	n	n	n	n	n	n	n	ii n	, n	n
PEARSON, Michael D. Penobscot	6 7	57	Υ	Υ	Y	n		Π	Υ	Υ	n	Υ
PERKINS, Thomas R.	10	Ö	'n	'n	Y	n	n	n	n	n	'n	'n
PRAY, Charles P.	8 9	38	   n	Y	Y	Y	Y		Υ	Y	Υ	Y
Penobscol RANDALL, Edwin C.	30	70H	»gr	'n	Ÿ	'n	'n	Y	l i	'n	'n	'n
Washington [SEWALL, Charlotte Z.]	0	14	7-9:1366-9311.0	orna occidence cessos		n	ist determination	n	n	n	n	n
Lincoln THERIAULT, Raynold	40	58H	n In	n Y	Ϋ́	'n	n Y	'n	Ÿ	'n	'n	'n
Arcostock TUTTLE, John L., Jr.	10,7000 40000 - 1117	100	Y	Y	Y	00.0.02 mm	Y	. <b>Y</b>	Y	Y	Y	Y
York TWITCHELL, H. Donald	90	percenture in state	15 CORN STATE		aces of refer	n			Ý	na Oléma		'n
Oxford [USHER, Ronald E.]	50	38	Y	Y	Y	n	Y I	n	Y	0.0	n	n
Cumberland WEBSTER, Charles M.	40	25	n	Y	Y	n	Y			n	n P	ookookiko sii s
Franklin WHITMORE, R. Peter	2.0	12	ch/c	n	n	n ,	n n	Y	n.	0.3	n.	adA.
Androscoggin	10	-	n	n	Y	n	n	n_	n	n	n	n

#### Summary Energy and Natural Resources Committee

S	Usher, Chair	40
•	Tuttle	90
	Ludwig	44
HŔ	Michaud, Chair	56
	Jacques '	56
	Mitchell	90
	Ridley	13
	Coles	89
	Hoglund	60
	Dexter	0
	Holloway	50
	Lord	30
	Anderson	10

#### **KEY**

y= yes, anti-conservation vote Y= Yes, pro-conservation vote n= no, anti-conservation vote N= No, pro-conservation vote

- = absent, not voting, or not a member at the time of the vote. \*= voted on fewer than 1/2 of the votes used, and so did not receive

(S)= Representative running for the Senate. H= 1986 rating based on votes in the House of Representatives.

J= Legislators not running for re-election.

Absences: Absences were not figured into a legislator's rating. The rating is the percentage of pro-conservation votes cast relative to the total number of votes cast on the roll call votes used on these charts.

Paired Votes: Legislators may "pair" their vote with the opposite vote of another legislator. In the official legislative tally, paired votes are not counted. In these charts, however, paired votes are used.

#### THE MAINE LEAGUE OF CONSERVATION VOTERS

The Maine League of Conservation Voters (MLCV) is an independent, non-partisan political action group organized to protect environmental quality through the electoral process.

The League analyzes and publishes the environmental voting records of public officials. The League's board of directors consists of leaders of major environmental groups in Maine and other prominent conservationists. The members of the board serve as individuals and not as representatives of any other organizations.

#### **BOARD OF DIRECTORS**

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#### EXPLANATION OF VOTING CHART

The charts you will find by folding out these pages represent the voting record of each State Legislator on key bills relating to a broad range of environmental and natural resource issues. The votes tabulated are considered by the Maine League of Conservation Voters to be the most relevant roll call votes for each bill.

Any vote by itself may not be a fair benchmark of a legislator's environmental record. However, the percentage of pro-conservation votes cast, based on a series of votes, as presented here, should give a good indication of an individual's overall environmental record.

A couple of other cautions: In comparing ratings among legislators, differences of 10 or 15% may be insignificant, but differences of 25 or 50% are very revealing. Also, the votes only measure decisions on roll call votes on the floor of the House and Senate.

Leadership on environmental issues is not measured on these charts. Sponsoring bills, forging important compromises, derailing environmentally damaging proposals and convincing other legislators to vote correctly are critical activities in which some legislators are far more active than others on environmental issues.

Absences make it impossible to compare the record of individual legislators on every vote. The validity of a legislator's overall rating may also be reduced by a large number of absences. You should note the number of times your legislator did not vote, in addition to the overall percentage rating.

Finally, the combined ratings of the individual legislators should not be taken as descriptive of the environmental performance of the Legislature as a whole, which is not being rated here.

#### HOW YOU CAN HELP

The most effective way to express your approval or disapproval of the environmental performance of legislators is to communicate with them directly. When the legislature is not in session, call or write to them at home. When in session, you can contact them in Augusta by calling (Senate, 1-800-423-6900; House, 1-800-423-2900) or writing c/o State House, Augusta, Maine 04333.

Two useful publications: Senate and House Registers, available for \$1.00 from Clerk of the House, State House, Augusta, ME 04333. Citizens Guide to the Maine Legislature, available for \$15.00 from the Maine People's Resource Center, PO Box 17534, Portland, ME 04101.

You can support the work of the Maine League of Conservation Voters by contributing funds or by volunteering time.

Enclosed is my contribution of\$100\$50\$25 \$10 c	ther \$
Name	Telephone
Address Please make checks payable to the Maine League of Conservation V P.O. Box 5271, Augusta, Maine	oters, and return to