

Environment Council of Rhode Island

Rhode Island General Assembly 2004 Green Report Card

The Environment Council of Rhode Island's (ECRI) 2004 Green Report Card provides a comprehensive look at the environmental voting records of Rhode Island General Assembly members during the 2003 and 2004 legislative session. The report card covers a broad range of environmental issues reflecting the diverse interests of ECRI's member organizations. The issue specifically tracks legislators' voting records on bills pertaining to clean air, clean water, renewable energy, wildlife habitat, sustainable land use, transportation, toxic chemicals and open accountable governance.

General Assembly Earns 'B' for Environmental Legislation

In a major improvement over recent sessions, the Environment Council of Rhode Island gives the Rhode Island General Assembly a 'B' grade for its handling of environmental issues. The Assembly passed six top priorities of the Council and its members in this past session. These are listed below with their Senate and House sponsors.

- The **Clean Energy Act** to require increasing amounts of the state's electricity to come from clean, renewable sources like solar and wind power (**Bates, Moura**).
- The **Smoke-Free Workplaces Act** which protects the health of employees and customers by mandating almost all workplaces go smoke-free (**Sosnoswski, Fox**).
- **Separation of powers** bills allowing a ballot initiative to remove legislators and their appointees from environmental boards and commissions (**Lenihan, Gorham**).
- Budget Article 44A which approves ongoing annual funding of a **coastal and estuary habitat restoration trust fund (Paiva Weed, Malik)**.
- A bill to strengthen the **Freshwater Wetlands Act** by significantly increasing fines for willful violations (**Sosnowski, Ginaitt**).
- Legislation to help finance **burying of high voltage power lines at India Point** in Providence (**DaPonte, Moura**).

A summary of other important environmental
See General Assembly page 2

Gov. Carcieri Shows Potential But Needs Improvement

After two years in office, Gov. Carcieri has attended to Narragansett Bay pollution and air quality in a direction that benefits our environment, but his performance needs improvement in working with the environmental community.

The Governor's early accomplishments include:

- Vetoing the proposed megaport at Quonset
- Supporting strict standards on auto emissions
- Signing the Clean Energy Act
- Signing the Smoke-Free Workplace Act
- Supporting RIPTA
- Leveraging enforcement of a ban on leaf and yard waste at the Central Landfill
- Supporting health studies at Green Airport

Process issues, however, dampen the record. The governor's choice of a chair of the

See Governor's Record page 3

Environment Council of Rhode Island ♦ 298 West Exchange St. ♦ Providence RI 02940
p: (401) 621-8048 f: (401) 331-5266 ♦ www.environmentcouncilri.org

The Environment Council of Rhode Island is a coalition of organizations and individuals whose mission is to serve as an effective voice for developing and advocating policies and laws that protect and enhance the environment.

General Assembly (continued)

legislation that passed is listed below followed by Senate and House sponsors.

- Several bills will strengthen **protection of Narragansett Bay and its watersheds**. The Bay and Watershed Planning Management Act, the Watershed Management Act, the Narragansett Bay Nutrient Reduction Act, and the Bay and Watershed Monitoring Act (**McCaffrey Sosnowski, Roberts, Lenihan, and Naughton**)
- FY2005 budget articles authorizing a **ballot initiative for \$70 million in bonds** for open space, farmland preservation and recreation, and protecting the state's water resources
- **Parking Cash-Out bills** requiring certain large employers who subsidize employee parking, to offer transit passes as an alternative to a parking spot (**Tassoni, Ajello**).
- **A Transit Commission** including a representative of the environmental community, to study ways to maximize the effectiveness of a public transit system the state can afford to sustain (**Goodwin, McNamara**).
- Resolutions to encourage **less toxic landscaping** (**Perry, Fox**).
- Resolutions urging the Mercury Reduction Oversight Commission to develop plans to **reduce mercury pollution from auto parts and electronic waste** (**Ruggerio, Ginaitt, Handy**).
- Also, bills to: encourage organically produced **biodiesel** (**McCauley**), strengthen the role of **Conservation Commissions** in our cities and towns (**Flaherty**), study the impact and safety of **LNG terminals** (**Gallison**), strengthen oversight of **sanitation standards at beaches** (**Walaska**), and the **Airport Noise Monitoring Act** (**Trillo, Naughton**).

Missed Opportunities

Despite this laudable list of accomplishments for the session, the General Assembly missed opportunities to pass other key environmental protection legislation. ECRI is disappointed that certain important bills failed including legislation that would have: reduced mercury pollution (**Ruggerio, Ginaitt**); required manufacturers of toxic electronic equipment to take responsibility for their disposal (**Handy**); phased out cesspools (**Gibbs, Watson**); established minimum energy efficiency standards for some commonly used appliances (**Handy**). Also failing were bills to

establish incentives for purchase of more efficient vehicles, to require ongoing monitoring of noise around the airports (**Trillo, Naughton**), to improve the usefulness of on-road bike lanes (**Breene, McNamara, Handy**) and to set aside some highway safety money for improving conditions for students to walk or bike to school (**Roberts, Dennigan**).

ECRI opposed bills this session that would weaken the Mercury Education and Reduction Act (**Blais, Naughton**) and delay implementation of lead abatement legislation (**Montalbano, Picard**), as well as passage of a bill to allow electric motor scooters on sidewalks that should be left safe for pedestrians (**Celona, Kennedy**).

Green Report Card Honor Roll

Senate

J. Michael Lenihan
V. Susan Sosnowski
David Bates
Teresa Paiva-Weed
Elizabeth Roberts

House of Representatives

Edith Ajello
Gordon Fox
Raymond Gallison
Peter Ginaitt
Art Handy
Joseph McNamara
Paul Moura

Legislative Honor Roll

ECRI is proud to honor as environmental heroes, the legislators earning a spot on our Green Report Card Honor Roll. These leaders not only consistently voted in support of environmental bills, but also sponsored key bills and worked both publicly and behind the scenes to secure legislative success. They have improved the environment of our state, and thus helped protect our health, our economy, and our quality of life.

We also want to commend the new legislative leadership, which worked with us to win our environmental victories. Special thanks go to **Speaker Murphy, Majority Leader Fox, Senate President Montalbano, and Senate Majority Leader Paiva-Weed**.

Governor's Record *(continued)*

Governor's Narragansett Bay Planning Commission lacked technical background and the slow response to the committee's reports was disappointing. ECRI is also concerned that the Governor's appointee to chair his Mercury Reduction Oversight Commission had testified in opposition to the Mercury Education and Reduction Act. Similarly, the Governor's failure to appoint a permanent Director of the Department of Environmental Management (DEM) is a weak signal for the importance of environmental protection in Rhode Island state government.

The Governor's support for California auto emission standards to reduce pollutants was welcomed, however, ECRI would like to see stronger support for rigorous implementation of the standard from his staff. The Governor's budget package proposed level funding for DEM and a modest bond referendum that was later amended for more generous allocations for land acquisition and water quality improvements. DEM's budget, however, is insufficient for enforcement and does not provide the necessary funding for many programs to fulfill their mandate.

Needs Improvement

ECRI has deep concerns about relations with the Governor's policy office, which has been cool to requests for communication and has shown a

general lack of expertise on environmental issues. This lack of quality communication has made it unnecessarily difficult to work with the Governor on environmental policy.

In a June letter to the U.S. Ocean Policy Commission, Gov. Carcieri's review of the commission's report included a nod to watershed-based planning, sustainable fisheries, and proposed amendments of the Coastal Zone Management Act to include estuarine shoreline conservation. We urge the Governor to reflect these laudable positions in future budgets with adequate support for the agencies and state institutions to implement them.

Although the Governor provided funds to keep RIPTA operating on schedule, a long-term plan to support public transit has not emerged, and, on the contrary, cuts to service are proposed. An appealing public transportation system to reduce reliance on the individual automobile will do much to reduce air pollution in the state and region.

The Governor's appreciation of Narragansett Bay for its aesthetic and economic value is strong. However, ECRI believes that the Governor should ensure that his policy staff has an equally strong understanding of the issues that affect the ecosystem of the Narragansett Bay watershed. Only then will their advice to the Governor support the potential of his enthusiasms.

The Rating System

Rating systems cannot adequately account for work that goes on behind the scenes at the legislature. Good bills are often defeated in committee or through procedural maneuvers that do not result in floor votes that can be counted. By the same token, bad bills are often defeated the same way. Counting only votes on the floor of the Assembly, therefore, would fail to capture the true contribution of individual legislators to the outcome of environmental legislation.

In an attempt to allocate credit – and blame – more accurately, we include not only floor votes but also sponsorship of bills, both good and bad, in our tally. For the floor votes included in the tally, an individual legislator can receive a +3 (vote good for the environment), a -3 (vote bad for the environment) or a 0 for absence. Principal sponsorship of environmental bills likewise earns either a +3 (good for the environment and passed), +2 (good for the environment but did not pass); -3 (bad for the environment and passed), -2 (bad for the environment but did not pass). Principal sponsorship of environmental resolutions earns +1 (good for the environment) and -1 (bad for the environment). An additional 1-point is added to the scale if the bill or resolution sponsored relates to an ECRI priority.

We recognize that leadership in both the House and Senate plays a role far beyond their individual votes in setting the tone for and against environmental protection. Once most bills come to the floor their fate has already been decided. Although leadership control cannot be as objectively measured, as are the votes, it is useful to remember that leadership should be held accountable for the overall tone of the session on environmental matters.

Senator	Separation of Powers 180	Segway 546	Clean Energy Act 2082	Transit Commission 3008	Smoke Free Workplaces 2029	Powerlines 2869	Freshwater Wetlands 2975	BILL POINTS	SPONSOR POINTS	TOTAL BILL AND SPONSOR POINTS	Grade
Algiere	+	-	+	+	+	+	+	15	0	15	C+
Alves	+	-	+	+	+	o	o	9	0	9	C-
Badeau	+	-	+	+	o	+	+	12	0	12	C
Bates	+	-	+	+	+	+	o	12	4	16	B-
Blais	+	-	+	+	+	o	o	9	-4	5	F
Breene	+	-	+	+	+	+	+	15	4	19	B
Caprio	+	-	+	+	+	o	+	12	0	12	C
Celona											Resigned
Cicccone	+	-	+	+	o	+	+	12	0	12	C
Connors	+	o	+	+	+	+	+	18	0	18	B
Cote	+	-	+	+	+	o	+	12	0	12	C
Damiani	+	-	+	+	+	+	+	15	0	15	C+
DaPonte	+	o	+	+	o	+	o	12	6	18	B
Felag	+	-	+	+	+	+	+	15	0	15	C+
Fogarty	+	-	+	+	+	+	+	15	0	15	C+
Gallo	+	-	+	+	o	+	+	12	0	12	C
Gibbs	+	-	+	+	+	+	+	15	4	19	B
Goodwin	+	o	+	+	+	+	+	18	4	22	B+
Irons											Resigned
Issa	+	-	+	+	+	+	+	15	0	15	C+
Lanzi	+	-	+	+	+	+	+	15	0	15	C+
Lenihan	+	-	+	+	+	o	+	12	5	17	B-
McBurney	+	-	+	+	+	+	+	15	0	15	C+
McCaffrey	+	-	+	+	o	+	+	12	3	15	C+
Montalbano	+	-	o	+	+	+	+	12	-3	9	C-
Paiva Weed	+	-	+	+	o	+	+	12	4	16	B-
Parella	+	-	+	+	+	+	+	15	0	15	C+
Perry	+	-	+	+	+	+	+	15	1	16	B-
Pichardo	+	-	+	o	+	+	+	12	0	12	C
Polisena	+	-	+	o	+	+	+	12	0	12	C
Raptakis	+	o	+	+	+	+	+	18	0	18	B
Revens	+	-	+	o	+	+	+	12	0	12	C
Roberts	+	-	+	+	+	+	+	15	9	24	A-
Ruggerio	+	-	+	+	+	+	+	15	4	19	B
Sheehan	+	-	+	+	+	+	+	15	0	15	C+
Sosnowski	+	-	+	+	+	+	+	15	15	30	A+
Tassoni	+	-	+	+	+	+	+	15	3	18	B
Walaska	+	-	+	+	+	o	+	12	3	15	C+

Key to the Grades

- + = Voted for the ECRI position
- = Voted against the ECRI position
- o = Did not vote

Note: The House votes for Anderson reflect the combined votes of Stephen Anderson and his wife, Rita Anderson, who replaced him midway through the session.

Representative	RIPDES Sub A to H 6174	Separation of Powers 5081	Segway 5917	EPA Resolution 5201	Clean Energy Act 7375	Mercury Free Vehicles 7179/ 8639	Transit Commission 7887	Smoke Free Workplaces 8392	Powerlines 8673	Budget Article 44A aa	Freshwater Wetlands 8070/ 2975	E-waste 7527	BILL POINTS	SPONSOR POINTS	TOTAL BILL AND SPONSOR POINTS	Grade
Ajello	+	+	-	+	+	+	+	+	+	+	+	+	30	7	37	A+
Almeida	+	+	o	+	o	o	+	+	+	+	+	+	27	0	27	B
Amaral	+	+	-	+	+	+	o	+	+	+	+	+	27	0	27	B
Anderson *	o	o	+	+	+	+	+	+	+	+	o	+	27	0	27	B
Anguilla	+	+	+	+	+	+	+	+	+	+	+	+	36	0	36	A
Aubin	+	+	+	+	+	+	+	+	+	+	+	+	36	0	36	A
Benson	+	+	+	+	+	o	+	+	o	+	o	+	27	0	27	B
Brien, T	-	+	+	+	+	+	+	+	+	+	+	o	27	0	27	B
Callahan	+	+	o	+	+	+	o	+	+	o	+	+	27	0	27	B
Caprio	+	+	+	+	+	+	o	+	+	+	+	+	33	0	33	A
Carter	+	+	+	o	+	+	o	+	+	+	+	+	30	0	30	B+
Cerra	o	+	o	+	+	+	+	+	+	+	+	+	30	0	30	B+
Coderre	-	+	+	+	+	+	+	+	+	+	+	+	30	0	30	B+
Coogan	-	+	-	o	+	+	o	+	+	+	o	o	12	0	12	D
Corvese	-	+	+	+	+	+	+	+	+	+	+	o	27	0	27	B
Costantino	-	+	+	+	o	+	+	+	+	+	+	+	27	0	27	B
Crowley	o	+	o	+	+	o	o	+	+	+	o	o	18	0	18	C+
Dennigan	+	+	+	+	+	+	+	+	+	+	+	o	33	3	36	A
DeSimone	-	+	+	+	+	+	+	+	+	o	+	+	27	0	27	B
Enos	o	+	+	+	+	+	+	+	+	+	+	+	33	0	33	A
Faria	o	-	o	+	+	+	+	+	+	+	+	+	24	0	24	B-
Flaherty	-	+	+	+	+	o	o	+	+	o	o	o	15	6	21	C+
Fox	o	+	+	+	+	+	+	+	+	+	+	+	33	5	38	A+
Gallison	-	+	+	+	+	+	+	+	+	+	+	+	30	1	31	A-
Gemma	o	o	o	o	+	+	+	+	+	+	+	o	21	0	21	C+
Giannini	-	+	+	+	+	+	+	+	o	+	+	+	27	0	27	B
Ginaitt	o	+	+	+	+	+	o	+	+	+	+	o	27	15	42	A+
Gorham	+	+	-	o	+	o	o	o	+	+	+	o	15	2	17	C+
Handy	+	+	-	+	+	+	o	o	+	+	+	+	24	13	37	A+
Harwood	o	o	+	o	o	o	o	o	o	o	o	o	3	0	3	F
Jacquard	o	+	o	+	+	+	o	+	o	+	+	o	21	0	21	C+
Kennedy	-	+	+	+	+	+	+	+	+	+	+	+	30	-3	27	B
Kilmartin	-	o	o	+	+	+	o	+	+	+	+	+	21	0	21	C+
Lally	+	+	+	+	o	o	+	o	+	+	+	o	24	0	24	B-
Landroche	-	+	o	+	+	+	+	+	+	+	+	+	27	0	27	B
Laroche	-	+	-	+	+	+	+	+	+	+	+	o	21	0	21	C+
Lewiss	o	+	+	+	+	+	+	+	+	+	+	+	33	0	33	A

Representative	RIPDES Sub A to H 6174	Separation of Powers 5081	Segway 5917	EPA Resolution 5201	Clean Energy Act 7375	Mercury Free Vehicles 7179/8639	Transit Commission 7887	Smoke Free Workplaces 8392	Powerlines 8673	Budget Article 44A aa	Freshwater Wetlands 8070/2975	E-waste 7527	BILL POINTS	SPONSOR POINTS	TOTAL BILL AND SPONSOR POINTS	Grade
Lima	0	+	+	0	+	+	0	+	+	+	+	+	27	0	27	B
Long	+	+	-	0	+	+	+	+	+	+	+	+	27	0	27	B
Lowe	-	+	+	+	+	+	+	+	+	0	+	0	24	0	24	B-
Malik	-	+	+	+	+	+	+	+	+	+	+	0	27	4	31	A-
McCauley	0	+	0	+	0	+	0	+	0	+	+	0	18	3	21	C+
McHugh	-	+	-	+	+	+	+	+	+	+	+	0	21	0	21	C+
McManus	+	+	-	+	+	+	+	+	+	+	+	+	30	0	30	B+
McNamara	-	+	-	+	+	+	+	+	+	+	+	0	21	5	26	B
Menard	-	+	0	+	+	+	+	+	+	+	+	+	27	0	27	B
Moffitt	-	+	-	+	+	+	0	+	+	+	+	+	21	0	21	C+
Montanaro	-	+	+	+	+	+	0	+	0	+	+	0	21	0	21	C+
Moran	-	+	-	+	+	0	0	0	+	+	+	+	15	0	15	C-
Moura	0	+	+	0	+	+	+	+	+	+	+	+	30	8	38	A+
Mumford	+	+	-	0	+	0	0	0	+	+	0	+	15	0	15	C-
Murphy, W.J.	-	+	+	+	+	0	+	0	+	0	0	+	18	1	19	C+
Naughton	-	+	+	+	+	+	0	+	+	+	+	+	27	10	37	A+
Palumbo	-	+	0	+	0	0	0	0	0	0	0	0	3	0	3	F
Petrarca	-	+	+	0	+	+	+	+	+	+	0	0	21	0	21	C+
Picard	-	+	+	+	+	+	+	0	+	+	+	0	24	-3	21	C+
Reilly	+	+	0	+	+	+	+	+	+	+	+	+	33	0	33	A
Rose	+	+	-	+	+	+	+	+	0	+	+	+	27	0	27	B
San Bento	-	+	+	0	+	+	+	+	+	+	+	+	27	0	27	B
Savage	+	+	-	+	0	+	+	+	+	+	+	+	27	0	27	B
Schadone	-	+	0	+	+	+	+	+	0	+	+	+	24	0	24	B-
Scott	0	+	-	+	0	0	0	0	+	+	+	0	12	0	12	D
Shanley	+	+	+	+	+	+	+	+	+	+	+	-	30	0	30	B+
Shavers	+	+	0	+	+	+	+	+	0	+	0	+	27	0	27	B
Slater	0	+	+	+	+	+	+	+	+	+	0	+	30	0	30	B+
Smith	-	+	+	+	0	0	+	0	0	+	+	+	18	0	18	C+
Story	+	+	-	0	+	+	+	+	+	+	+	+	27	0	27	B
Tejada	-	+	+	0	+	0	0	0	+	+	+	0	15	0	15	C-
Trillo	-	+	-	+	+	0	+	+	+	+	0	+	18	2	20	C+
Voccola	0	+	-	+	0	0	0	0	0	+	0	0	6	0	6	F
Wasylyk	+	+	-	0	+	+	+	+	+	+	+	0	24	0	24	B-
Watson	+	+	-	0	+	0	+	0	+	0	+	0	15	2	17	C+
Williams	+	+	-	+	+	+	+	+	+	+	+	+	30	0	30	B+
Williamson	-	+	+	+	0	+	+	+	0	+	+	0	21	0	21	C+
Winfield	-	+	+	+	+	+	+	+	+	+	+	+	30	0	30	B+

