

# VOTERS' GUIDE 2006

**an insider's guide to the  
environmental records of  
New York State lawmakers**

## EPL/Environmental Advocates

was one of the first organizations in the nation formed to advocate for the future of a state's environment and the health of its citizens. Through lobbying, advocacy, coalition building, citizen education and policy development, EPL/Environmental Advocates has been New York's environmental conscience for almost 40 years. We work to ensure environmental laws are enforced, that tough new measures are enacted, and that the public is informed of, and participates in, important policy debates. EPL/Environmental Advocates is a nonprofit corporation tax exempt under section 501(c)(4) of the Internal Revenue Code.

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# LEGISLATIVE WRAP-UP

## Big Bucks for the Environment, While State Senate Stymies Super Bill Success

While the Governor and Legislature increased the Environmental Protection Fund to \$225 million this year—no small feat—the State Senate made certain little else was accomplished in 2006.

The New York State Senate and Assembly took starkly contrasting approaches to addressing environmental concerns. A quick look at the average environmental score for each house underscores this distinction—the Assembly’s average is 93, while the Senate’s is only 67, showing the differences between the two houses and the majority parties within each. One of the biggest reasons for the differences in Assembly and Senate scores were their actions on the environmental community’s top policy priorities, called the “Super Bills.” See page 4 for details on the Super Bills.

The State Assembly passed all four of the Super Bills by wide margins for the second year in a row, largely due to the efforts of three-time Legislator of the Year, Assemblyman Tom DiNapoli (see page 7 for more information). The Senate, on the other hand, didn’t allow a

floor vote on a single Super Bill, despite unprecedented bipartisan support in that house.

But that’s how things work in Albany. Voters send 62 senators to Albany to make decisions, but only a handful of those senators’ opinions count. The result—good legislation gets bottled up and environmental concerns go unresolved, year after year.

**A quick look at the average environmental score for each house underscores this distinction—the Assembly’s average is 93, while the Senate’s is only 67.**

While action on the Super Bills was nonexistent in the State Senate for the second year in a row, some things did get done (see page 4 for information on just a few bills that have been signed into law).

The biggest news was the \$225 million Environmental Protection Fund. The Governor proposed a \$180 million Fund as part of his

continued on page 4

### How to use the *Voters’ Guide*

Scores are on pages 14-23. For details on how scores are derived, see page 21.

Name (Party - District)	2006 Score	2005 Score	Super Bill 1	Super Bill 2	Super Bill 3	Super Bill 4	Super Bill 5	Super Bill 6	Super Bill 7
Governor George Pataki			S						
Peter Abbate, Jr. (D-49)	93	100	✓	✓	N	✓	✓	✓	✓
Marc Alessi (D-1)	100	n/a	✓	✓	✓	✓	✓	✓	✓
Thomas Allano (R-21)	100	98	✓	✓	✓	✓	✓	✓	✓
Carmen Arroyo (D-84)	100	100	✓	✓	✓	✓	✓	✓	✓
Daniel Aubertine (D-118)	93	93	✓	X	X	✓	✓	✓	✓

Party and district

Governor’s Action: S-signed into law, V-vetoed, Blank-bill did not pass both houses

See pages 9-13 for detailed bill summaries

Not in office/ excused absence -not counted

Incorrect environmental vote

Correct environmental vote

Find out who represents you. Visit [www.eplvotersguide.org/capitolwatch/index](http://www.eplvotersguide.org/capitolwatch/index) or call the New York State Senate at (518) 455-2800 and the New York State Assembly at (518) 455-4100.

# LEGISLATIVE WRAP-UP

continued

budget in January, and the Assembly upped the ante to \$200 million. In the closing days of the session the Assembly, Senate, and Governor agreed to take the Fund to an all-time high of \$225 million.

The common-sense Super Bills represent the environmental community's policy priorities and include:

**The Community Preservation Act** (details on page 9) would allow towns to put preservation funding to a local vote, without first receiving the permission of the Legislature. This bill passed the Assembly 107 to 34 in March 2006. Thirty-three of 62 Senators were willing to sponsor the bill, but it was not allowed a vote in the Senate.

**The Wetland Protection Act** (details on page 9), also known as the 'wetlands bill', would close a gaping loophole in wetlands protections across the state. This Super Bill passed the Assembly 107 to 30 in February 2006. Thirty-two of 62 Senators were willing to sponsor the bill, but it was not allowed a vote in the Senate.

**The Bigger Better Bottle Bill** (details on page 9) would update New York's most successful recycling plan to fit the drinking habits of today's consumers. This Super Bill was the subject of intense opposition from Coke, Snapple, Pepsi and other major bottling companies. Despite this opposition, the Super Bill passed the Assembly 92 to 45 in May 2006 after more than three hours of floor debate. Twenty-four of 62 Senators were willing to sponsor the bill, but it was denied a vote in the Senate.

**The EPF Enhancement Act** (details on page 9) would increase the dedicated fund for land preservation and conservation efforts to \$300 million by 2009. This bill passed the Assembly 141 to zero toward the close of session. The Senate chose to not allow a vote on this bill, but did agree to increase the Environmental Protection Fund to \$225 million in 2007. In recognition of the record Fund approved this year, legislators received two bonus points toward their final scores in the 2006 *Voters' Guide*.

## NEW LAWS

A few bills that will benefit New York's environment will become law this year.

The State Diesel Vehicles Law (details on page 11) will require all diesel vehicles owned or operated by the state to decrease air pollution by using low-sulfur fuels and retrofitting vehicles with modern air emission controls. Because the state consumes more than 48 million gallons of diesel fuel each year, and owns thousands of diesel vehicles, this law will dramatically lessen the pollution caused by diesel in New York.

The Dam Inspection Records Act (details on page 12). Since our sister organization's *Endangered Agency II* report was released last year, several bills were introduced to address the problems Environmental Advocates of New York documented in the Department of Environmental Conservation's Dam Safety Program. One bill that passed both houses will see to it that municipalities with high or intermediate hazard dams receive dam safety reports. The reports must also be available to surrounding municipalities, giving local governments the tools to inform and prepare residents for potentially dangerous situations.

The New York Ocean Protection Act (details on page 12), sponsored by Assemblyman DiNapoli and Senator Johnson, will establish a council of state agencies to coordinate the management of our coastal resources, and enhance their protection through ecosystem-based management. The Council will also be required to issue a report to the legislature and executive on what changes to state law are necessary to improve management of our coastal resources.

This is just a sample of new laws. More new laws can be found in the bill summaries on pages 9-13.

# BY THE NUMBERS

## A Quick Look at NYS Lawmakers' Environmental Scores

### House Averages

- Senate **67**
- Senate Democrats **81**
- Senate Republicans **56**
- Assembly **92**
- Assembly Democrats **98**
- Assembly Republicans **80**

### Leadership Averages

- Senate Majority Leader Joseph Bruno **53**
- Senate Minority Leader David Paterson **86**
- Assembly Speaker Sheldon Silver **100**
- Assembly Majority Leader Paul Tokasz **94**
- Assembly Minority Leader James Tedisco **93**

### Senate Super Bill Sponsors

No Senator earned a perfect score of 100 in 2006, and not one of the Super Bills made it to the Senate floor for a vote. However, EPL/ Environmental Advocates, commends the following 15 members of the New York State Senate for sponsoring all four of the 2006 Super Bills.

- Neil Breslin (D)
- Martin Connor (D)
- Martin Malave Dilan (D)
- Liz Krueger (D)
- Vincent Leibell, III (R)
- Velmanette Montgomery (D)
- George Onorato (D)
- Suzi Oppenheimer (D)
- Frank Padavan (R)
- Kevin Parker (D)
- David Paterson (D)
- Eric Schneiderman (D)
- Jose Serrano (D)
- Ada Smith (D)
- Toby Ann Stavisky (D)

### PERFECT SCORES

EPL/Environmental Advocates commends the following members of the New York State Assembly for achieving a grade of 100 percent in this year's *Voters' Guide*. No member of the Senate earned a perfect score.

- |                          |                        |                         |
|--------------------------|------------------------|-------------------------|
| Marc Alessi (D)          | Diane Gordon (D)       | Matthew Mirones (R)     |
| Thomas Alfano (R)        | Richard Gottfried (D)  | Catherine Nolan (D)     |
| Carmen Arroyo (D)        | Alexander Grannis (D)  | Daniel O'Donnell (D)    |
| Jonathan Bing (D)        | Roger Green (D)        | Amy Paulin (D)          |
| William Boyland, Jr. (D) | Carl Heastie (D)       | Crystal Peoples (D)     |
| Karim Camara (D)         | Andrew Hevesi (D)      | Audrey Pheffer (D)      |
| Ronald Canestrari (D)    | Dov Hikind (D)         | Adam C. Powell, IV (D)  |
| Joan Christensen (D)     | Earlene Hooper (D)     | J. Gary Pretlow (D)     |
| Adele Cohen (D)          | Rhoda Jacobs (D)       | Naomi Rivera (D)        |
| William Colton (D)       | Susan John (D)         | Annette Robinson (D)    |
| James Conte (R)          | Ivan Lafayette (D)     | William Scarborough (D) |
| Vivian Cook (D)          | George Latimer (D)     | Anthony Seminerio (D)   |
| Steven Cymbrowitz (D)    | Charles Lavine (D)     | Sheldon Silver (D)      |
| Luis Diaz (D)            | Barbara Lifton (D)     | Robert Sweeney (D)      |
| Ruben Diaz, Jr. (D)      | Vito Lopez (D)         | Fred Thiele, Jr. (R)    |
| Thomas DiNapoli (D)      | Donna Lupardo (D)      | Darryl Towns (D)        |
| Jeffrey Dinowitz (D)     | William Magnarelli (D) | Helene Weinstein (D)    |
| Steven Englebright (D)   | Margaret Markey (D)    | Harvey Weisenberg (D)   |
| Adriano Espaillat (D)    | Nettie Mayersohn (D)   | Mark Weprin (D)         |
| Herman Farrell, Jr. (D)  | John McEneny (D)       | Keith Wright (D)        |
| Michael Gianaris (D)     | Jimmy Meng (D)         | Kenneth Zebrowski (D)   |
| Deborah Glick (D)        | Joan Millman (D)       |                         |

# PATAKI RETROSPECTIVE

For the past 12 years, George Pataki has earned a national reputation as a “green governor.” For most people this reputation is largely based on land preservation efforts, but it encompasses much more—and is also more checkered—than many realize.

## Increased lands & funding

The Governor is most often recognized for his goal to protect one million acres of New York State before leaving office. And protecting land requires funding, something that he has worked hard to address.

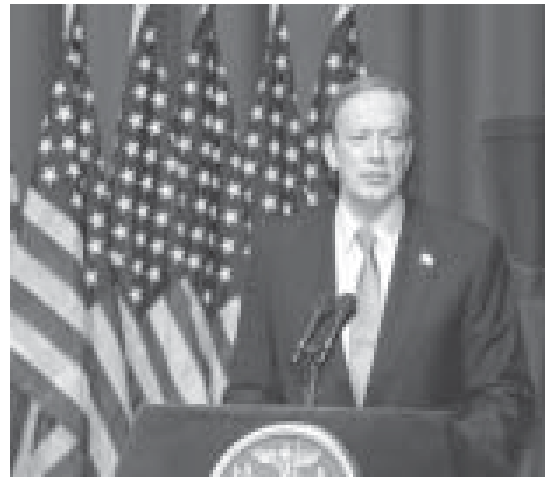
Early in his tenure, Governor Pataki pushed for the 1996 Clean Water/Clean Air Bond Act, a \$1.75 billion fund for improving air and water quality in New York. Funds have been used to improve drinking water and sewage treatment facilities around the state, to clean up municipal bus fleets and heating systems in schools, as well as to support solid waste reduction programs, including closing the Fresh Kills Landfill on Staten Island.

Pataki also helped to more than double the state’s Environmental Protection Fund from \$100 to \$225 million. The increase in the Fund will be a lasting part of his legacy, as these resources will be used to protect public lands and water quality, as well as a host of other efforts statewide.

## Staff cuts at New Yorkers’ expense

However, buying land and increasing environmental funding are only part of the picture. While the Governor was working to increase state funding for land conservation, he was simultaneously slashing staff at the Department of Environmental Conservation.

Since he took office in 1994, the agency has lost more than 800 scientists, engineers, and enforcement officials. With the loss of so



Pataki leaves an environmental legacy of land preservation and support for clean energy.

many, the Department has found it difficult to uphold its responsibilities and protect New Yorkers, a fact that has been documented by our sister organization Environmental Advocates of New York in two *Endangered Agency* reports. To Pataki’s credit, his final two budgets added 36 staff members to the agency.

## Clean energy leader

Other areas where the Governor left his mark on New York include air quality and energy policy. In the last few years, the Governor established the goal of generating one-quarter of our energy from clean, renewable sources. He also spearheaded a multi-state effort to limit carbon dioxide emissions from power plants—thereby lessening our state’s contribution to global warming. This multi-state effort, known as the Regional Greenhouse Gas Initiative, is a first-of-its-kind program that will require power plants to reduce emissions of climate-altering pollution in seven states across the northeast.

# LEGISLATOR OF THE YEAR

## THOMAS DiNAPOLI



Thomas DiNapoli (left) receiving his second Legislator of the Year award in 2005 from EPL executive director Robert J. Moore.

EPL/Environmental Advocates would be hard pressed to find someone who has demonstrated more tenacity and conviction than Thomas DiNapoli when it comes to protecting the environment and our families' health. For that reason, and for the third time, Assemblyman DiNapoli is our Legislator of the Year.

As Chair of the Assembly's Environmental Conservation Committee, DiNapoli led the way as the primary sponsor of all four of the environmental community's Super Bills. Thanks to his perseverance, all of the Super Bills passed the Assembly. The Super Bills include the Community Preservation Act, the Clean Water Protection / Flood Prevention Act, the Bigger Better Bottle Bill, and the Environmental Protection Fund (EPF) Enhancement Act.

The Assemblyman was also the primary sponsor of 18 of the bills supported by Environmental Advocates of New York and EPL/Environmental Advocates. In his work to protect New York's air, water, and land, he sponsored legislation to provide public access to records on hazardous waste, require state agencies to comply with smart growth criteria, prohibit large-scale water withdrawals from the Great Lakes, and protect New York's coastal areas.

"I would like to thank EPL/Environmental Advocates for selecting me as Legislator of the Year for the third time," said DiNapoli. "Protecting our environment has always been a passion of mine and I'm proud of the lead the Assembly has taken to ensure that the environment we leave for future generations is clean and healthy."

## HONORABLE MENTIONS

### Senators Vincent Leibell, III & Frank Padavan: Sponsors of all 4 Super Bills

Among the Republicans in the State Senate Majority, Senators Padavan and Leibell stand alone as the only supporters of all four of the environmental community's Super Bills. Not only did they add their names to all four Super Bills, they worked behind the scenes to try and get the common-sense Super Bills to the Senate floor for a fair vote.

### Senator Jose Serrano: Highest Senate Score

Newly elected, Jose Serrano has distinguished himself as someone who cares about New York's environment. A South Bronx native and former member of the New York City Council, Serrano has been a consistent advocate for clean air and green spaces. As city councilman, he sponsored legislation to address environmental threats to children, and as Senator he furthered these efforts, sponsoring legislation to promote community parks and limit hazardous waste siting.

### Senators Eric Schneiderman & Neil Breslin: Forcing a Vote

While some Senators were content to stick their name on a bill and not work for its passage this year, Senators Schneiderman and Breslin were not. After 2005, when the Community Preservation Act and Wetlands Protection Act were not allowed a floor vote, the senators decided to try and force votes on their own versions of the two Super Bills. In 2006, Schneiderman introduced the Freshwater Wetlands Preservation Act and Breslin introduced the Community Preservation Fund bill. In March, the Senators forced a floor vote on motions to petition the bills from the Environmental Conservation Committee. Unfortunately, in the highly partisan State Senate, these motions were defeated along party lines, with not one Republican Senator supporting the measures.

### Assemblyman Fred Thiele, Jr.: Super Bill Supporter

For the second year in a row, Assemblyman Fred Thiele, Jr. was the only Assembly Republican to sponsor and vote for all of the Super Bills. In 1998, Thiele was a prime sponsor of the first Community Preservation Fund in New York, the Peconic Bay Community Preservation Fund Act. The effort has generated more than \$300 million for farmland and historic preservation on Long Island, and serves as the model for the current statewide Community Preservation Act.

# THE 2006 NYS BUDGET

The environment fared pretty well in this year's budget, although it wasn't clear just how well until the final hours of the Legislative Session.

Late on June 23<sup>rd</sup>, the last night of session, **the Legislature and the Governor bumped up the Environmental Protection Fund to an all-time high of \$225 million**, an increase of \$75 million over last year, and \$25 million more than anticipated by Capitol insiders.

While the Fund was the biggest environmental news that came out of the budget, it was not the only positive development.

**The Department of Environmental Conservation (DEC) added staff**, creating 36 new positions in the water pollution control and dam safety programs, areas where staff cuts have endangered New Yorkers. Unfortunately, the Republican-controlled State Senate nixed the idea of adding seven additional staff members to DEC's overworked Wetlands Division, illustrating their long-standing opposition to protecting wetlands.

**New tax credits were authorized for New Yorkers donating conservation easements**, a powerful incentive for landowners to protect natural areas. In the long-term, these tax credits should make land conservation efforts more successful.

**The budget also had its share of mischief.** In April, the Governor and

Legislature authorized lucrative Empire Zone tax credits for coal-fired power plants. At a time when New York is trying to decrease its contribution to global warming, providing financial incentives to old-school coal plants was a step in the wrong direction. In July, Governor Pataki vetoed a measure that would have expanded this provision. The Legislature also approved Empire Zone tax incentives for renewable energy and energy-efficiency companies.

**The biggest environmental budget debate involved control of the state's clean energy funds.** Approximately \$200 million will be spent in New York this year to support renewable energy and highly successful energy-efficiency programs. But state lawmakers sought to gain control of these funds, currently administered outside the budget process. Worried that legislators would "pork up" clean energy funds if they fell under legislative control, a coalition of environmental groups,

renewable energy companies, labor unions, and businesses were joined by Attorney General Eliot Spitzer and Mayor Michael Bloomberg to fight off the money grab.

Thanks to the efforts of members of the Senate Minority, including Senator David Paterson, the funds were protected. Senate Democrats refused to go along with the majority parties' plan. As a result, when the Governor issued more than 200 budget vetoes in April, his clean energy veto was the only veto the Senate was unable to override.

## Budget (EPF BONUS)

In 2006, the Legislature and Governor increased the Environmental Protection Fund to \$225 million, a 50 percent increase over the previous year. In recognition of the record Fund, New York State legislators received two bonus points toward their final scores in the *Voters' Guide*.

## KILLED BILLS

Here are just a few of the bills that were killed by environmental groups during the Legislative Session.

### Clean Energy Veto Override

Environmental groups successfully urged the Governor to use a line-item veto and kill the Legislature's proposal to get budgetary control of the state's clean energy funds. Subjecting these funds to the annual budget process could disrupt the state's energy-efficiency and renewable energy programs and hurt the state's ability to enter into long-term contracts with renewable energy suppliers.

### Coal-fired Empire Zones (see bill summary #50)

Environmental groups successfully lobbied the Governor to veto this bill which would make municipal utilities eligible for the qualified Empire Zone Enterprise Tax Credit, therefore subsidizing the construction of a coal-fired power plant.

### Sprawl Subsidies

This bill would waive property tax payments for developers who pay for the initial construction of desired infrastructure improvements, while saddling existing businesses and residents with the costs of maintaining and operating the expanded infrastructure. This provision was passed in the Senate and killed in the Assembly.

### Windmills in Historic Districts

This bill, which never made it through either house, would prohibit the construction of wind energy facilities in any town in which a historic district is located or in any coterminous town without special authority—making wind power development almost impossible in New York State.

# BILL SUMMARIES

For details on how scores are derived, please see page 21.



## Super Bills (1-4)

**Bills with SUPER BILL status are our legislative priorities, chosen by the Green Panel, which includes representatives from New York State's leading environmental groups.** Bills 1a and 3a are "motions to petition" from Senate committees two bills almost identical to Super Bills 1 and 3. Legislators may ask for a floor vote on a motion to petition a bill out of committee if that bill has not been acted upon in a timely fashion. These two motions were scored this year because the closely matched Super Bills were not allowed a fair vote on the Senate floor. With regard to the Bigger Better Bottle Bill and the EPF Enhancement Act, Senators were scored on sponsorship of the bill. For more information on how Super Bills are scored, see page 21.

### 1. Wetland Protection

Provides the Department of Environmental Conservation with regulatory authority over the state's freshwater wetlands of an acre or more, regardless of whether that wetland has previously been mapped by the agency. A.2048 (DiNapoli)/S.2081 (Marcellino) passed the Assembly; died on the Senate Calendar.

### 3. Community Preservation Act

Gives New York towns the authority to create Community Preservation Funds using a local real estate transfer fee of 2 percent or less, if approved by local law and voter referendum. A.6450-b (DiNapoli) passed the Assembly. A similar bill, S.3153 (Marcellino), died in the Senate Rules Committee.

### 1a. Freshwater Wetland Protection/ *Motion to Petition from Committee*

Provides the Department of Environmental Conservation (DEC) with regulatory authority over the state's freshwater wetlands of an acre or more, regardless of whether that wetland has previously been mapped by the DEC. S.1587-a (Schneiderman) Floor vote on Motion to Petition from Committee in the Senate—defeated March 28, 2006.

### 3a. Community Preservation Fund/ *Motion to Petition from Committee*

Gives New York cities and towns the authority to create Community Preservation Funds using a local real estate fee of 2 percent or less, if approved by local law and voter referendum. S.6371 (Breslin) Floor vote on Motion to Petition from Committee in the Senate—defeated March 29, 2006.

### 2. Bigger Better Bottle Bill

Expands the definition of "beverage" in the state's returnable container act (the bottle bill) to include non-carbonated drinks other than milk and liquor, and to direct the unclaimed deposit money derived from that program to the Environmental Protection Fund. A.2517-d (DiNapoli)/S.1290-d (LaValle) passed the Assembly; died in the Senate Environmental Conservation Committee.

### 4. EPF Enhancement Act

Raises the Environmental Protection Fund to \$300 million over a two-year period, beginning in 2008. The increase would be supported with revenue from the state Real Estate Transfer Tax, which has grown exponentially in recent years. A.9283-a (DiNapoli)/S.6356-a (Marcellino) passed the Assembly; died in the Senate Finance Committee.



## Three Tree Bills (5-10)

**Bills with THREE TREES will bring major benefits to New York's environment if implemented.**

### 5. Environmental Access to Justice Act

Allows plaintiffs access to courts to challenge a State Environmental Quality Review Act (SEQRA) decision if demonstrated injury results from the environmental impact of a project. A.114-a (Bradley)/S.2380-a (Morahan) passed the Assembly; died in the Senate Environmental Conservation Committee.

### 6. Pesticide Phase-Out

Requires the phase-out of pesticide use by state agencies, departments and public benefit corporations, with exceptions for certain specified uses. A.1802-b (Brodsky) passed the Assembly; not introduced in the Senate.

### 7. Burn Barrel Ban

Extends the prohibition of the open burning of solid waste, excluding organic material such as yard debris, landscaping waste and some agricultural wastes, to towns with a population of less than 20,000. A.3073 (Koon) passed the Assembly. A similar bill, S.2961-a (Maziarz) died in the Senate Environmental Conservation Committee.

### 8. Recyclables in Landfills

Prohibits the disposal of recyclable materials in landfills and incinerators and identifies certain materials for mandatory recycling, such as newsprint, glass containers, metal containers and certain plastics. A.4793 (Colton) passed the Assembly; not introduced in the Senate.

### 9. Outdoor Lighting

Develops efficiency standards for new and replacement outdoor lighting used by state agencies and public corporations, and provides guidance to local governments for roadway and other nighttime lighting through model ordinances. A.7404 (Grannis)/S.4474 (Marcellino) passed the Assembly; died in the Senate Rules Committee.

# BILL SUMMARIES

continued



## Three Tree Bills (5-10) continued

**Bills with THREE TREES will bring major benefits to New York's environment if implemented.**



## Two Tree Bills (11-29)

**Bills with TWO TREES will bring substantial benefits to New York's environment if implemented.**

### 10. Great Lakes Compact

Prohibits large-scale withdrawals of Great Lakes water, while protecting the right of basin states to use water resources. In 2005, all eight Great Lakes governors signed the Compact; it must also be approved by each state legislature and Congress. A.11968 Rules (DiNapoli)/S.8187 (Marcellino) passed the Assembly; died in the Senate Rules Committee.



### 11. E-Waste Recycling Act

Creates an electronic waste (e-waste) program within the Department of Environmental Conservation, aids local governments in creating e-waste programs, and provides loans and grants for e-waste recycling. A.1454-a (Colton)/S1287-a (Marcellino) passed the Assembly; died in the Senate Environmental Conservation Committee.

### 12. School Water Lead Testing

Requires school districts to test drinking water for lead. If lead levels are too high, the school district would be required to provide a safe water supply for drinking and to notify parents of the contamination. A.1467-a (McEneny) passed the Assembly; not introduced in the Senate.

### 13. Cancer Mapping

Requires the Department of Environmental Conservation and the Health Department to conduct studies using computer modeling to examine cancer incidence in relation to environmental risk factors. A.1884 (Brodsky)/S.7080 (Libous) passed the Assembly; died in the Senate Finance Committee.

### 14. Alternative Fuels on the Thruway

Provides alternative fuel stations along the New York State Thruway every 120 miles for several types of alternative fuels, which could include ethanol, methanol, natural gas, propane, electricity or hydrogen. A.2717 (Tonko) passed the Assembly; not introduced in the Senate.

### 15. Used Oil Filter Recycling

Requires service stations and other on-premises oil changers to store source-separated oil filters for collection and recycling, prohibits the disposal of used oil filters in landfills, and establishes a system for registering scrap oil filter processors. A.2881-a (Pretlow) passed the Assembly; not introduced in the Senate.

### 16. Smart Growth Infrastructure Act

Requires that state agency projects that construct, expand, or reconstruct public infrastructures comply with certain criteria for smart growth and maximize the use of existing infrastructure to minimize associated costs to taxpayers. A.3574 (DiNapoli)/S.2070 (LaValle) passed the Assembly; died in the Senate Environmental Conservation Committee.

### 17. Environmental Justice Report

Requires the Department of Environmental Conservation to issue a biennial report listing areas of the state most adversely affected by existing environmental hazards. A.5982 (Diaz R) passed the Assembly; not introduced in the Senate.

### 18. Urban Pesticide Board

Creates an urban pesticide board to examine and make recommendations regarding pesticide use in urban areas. A.6448-a (Wright)/S.635-a (Marcellino) passed the Assembly; died in the Senate Environmental Conservation Committee.

### 19. Mercury Emissions Reductions

Cuts mercury emissions from power plants, solid and medical waste incinerators 90 percent by 2012. Requires the Department of Environmental Conservation to inventory emissions, establish emissions standards, and release reports on reduction methods and the health effects of mercury. A.6484 (Grannis) passed the Assembly; not introduced in the Senate.

### 20. Auto Dismantler Regulations

Requires automobile dismantlers and scrap processors to be permitted by the Department of Environmental Conservation and directs the agency to set minimum standards for governing these operations. A.7633-b (Eddington)/S.8405 (LaValle) passed the Assembly and the Senate. *Signed into law by the Governor on July 26, 2006.*

### 21. Farm Pesticide Collection

Establishes the agrichemical and pesticide collection program for the collection and proper disposal of agrichemicals and pesticides from farms within the state. A.8028-a (DiNapoli)/S.4884-b (Marcellino) passed the Assembly; died on the Senate Calendar.



## Two Tree Bills (11-29) continued

**Bills with TWO TREES will bring substantial benefits to New York's environment if implemented.**

### 24. Mercury in Motor Vehicles

Provides that within four years of the effective date of the statute motor vehicle manufacturers shall no longer be permitted to use mercury-added components on motor vehicles sold in New York State. A.10621-a (Colton)/S.7961 (Marcellino) passed the Assembly and the Senate. *Awaits Governor's signature.*

### 27. Dam Safety

Requires that all dams in New York State be assigned a hazard classification, and be inspected periodically. Also relates to the creation of emergency action plans and stipulates financial requirements for dams. A.11586 (Gunther) passed the Assembly; not introduced in the Senate.



## One Tree Bills (30-48)

**Bills with ONE TREE will be beneficial to New York's environment if implemented.**

### 32. Climate Risk Assessment

Amends the insurance law to direct the Insurance Superintendent, in consultation with the Commissioner of the Department of Environmental Conservation, to convene a special working group to consider the potential liability issues presented by the threat of global climate change. A.3730 (Grannis) passed the Assembly; not introduced in the Senate.

### 22. Power Procurement

Amends the Public Service Law with respect to managing the procurement of energy by utilities and the mix of sources and fuels available to meet demand. Requires utilities to supply customers' energy needs while taking appropriate measures to minimize volatility of energy prices. A.10370 (Tonko) passed the Assembly; not introduced in the Senate.

### 25. State Diesel Vehicles

Requires New York State to decrease air pollution from diesel powered vehicles which it owns or operates through the use of low-sulfur diesel fuel and retrofitting vehicles with more modern air emission controls. A.11340 (Grannis)/S.8185 (Marcellino) passed the Assembly and the Senate. *Signed into law by the Governor on August 16, 2006.*

### 28. Long Island Coastal Rights

Amends the Executive Law and empowers the Secretary of State to approve, disapprove, or require modifications of projects on Long Island that could have a major environmental impact or impact an important area protecting the state's natural and historic heritage. A.11625-b (DiNapoli)/S.6549-b (LaValle) passed the Assembly; died in the Senate Finance Committee.

### 30. Environmental Justice & Permits

Requires permit applicants to disclose if the siting of a new environmental facility in a low-income or minority neighborhood would result in a disproportionate or inequitable burden on the community where the facility is proposed. A.1808 (Brotsky) passed the Assembly; not introduced in the Senate.

### 33. Green Power Purchasing

Allows municipalities to spend up to 15 percent more to purchase electricity produced from wind, solar, and selected other clean, renewable sources. A.6571 (Galef)/ S.4472-a (Marcellino) passed the Assembly; died in the Senate Local Government Committee.

### 23. Article VI Reauthorization

Amends Article VI of the Energy Law that governs state energy planning. Under this legislation, a state energy planning board is responsible for analyzing and authorizing energy planning policy and for developing a state energy plan and reliability study every four years. A.10372 (Tonko) passed the Assembly; not introduced in the Senate.

### 26. Green State Buildings

Requires that construction of all new state buildings or substantial construction on existing buildings comply with the Leadership in Energy and Environmental Design (LEED) Silver Rating standards established by the United States Green Building Council. A.11537 (Lupardo) passed the Assembly; not introduced in the Senate.

### 29. Ocean Sludge Dumping

Prohibits the disposal of dredged spoils containing toxic pollutants into the waters of the marine district. A.3335 (Colton)/S.2071 (Marchi) passed the Senate; died in the Assembly Environmental Conservation Committee.

### 31. Cell-Phone Take Back

Requires vendors to take back wireless phones they sell or lease or provide shipping at no charge in order to commit the devices to reuse or recycling. A.3390-a (Colton)/S.8182-a (Marcellino) passed the Assembly and the Senate. *Awaits Governor's signature.*

### 34. Fish Advisories

Requires the Department of Environmental Conservation and the Health Department to issue and publicize fish and wildlife consumption advisories. A.6862 (DiNapoli)/S.3964 (Marcellino) passed the Assembly; died in the Senate Environmental Conservation Committee.

# BILL SUMMARIES

continued



## One Tree Bills (30-48) continued

**Bills with ONE TREE will be beneficial to New York's environment if implemented.**

### 35. Wetland Neighbor Notification

Requires that nearby landowners be notified when an activity is proposed in a tidal wetland that requires a permit under Section 25-0402 of the Environmental Conservation Law. A.7461-b (Cusick)/S.5169-b (Marchi) passed the Assembly; died in the Senate Rules Committee.

### 36. Peconic Bay Watershed Protection Act

Enacts the Peconic Bay Watershed Protection Act which empowers local communities to protect the lands and waters within the watershed through the adoption of a comprehensive management plan. A.7893-d (DiNapoli)/S.1365-d (LaValle) passed the Assembly and the Senate. *Signed into law by the Governor on July 26, 2006.*

### 37. Net Metering for Public Buildings

Expands the state's net metering provisions to allow public schools and libraries to sell back excess power they generate using solar power equipment installed at their facilities. A.7979 (Galef)/S.1285 (Marcellino) passed the Assembly; died in the Senate Rules Committee.

### 38. Dam Inspection Records

Requires that the Department of Environmental Conservation provide copies of inspection reports for high and intermediate hazard dams within 30 days of completion to the Chief Executive Officer of a municipality in which the dam is located. A.9517-a (Gunther)/S.6417-a (Bonacic) passed the Assembly and the Senate. *Signed into law by the Governor on March 28, 2006.*

### 39. Tax Exemption for Renewables

Extends the real property tax exemption for solar, wind, and farm waste energy systems until the end of 2010. A.9888 (Magee)/S.5966-a (Flanagan) passed the Assembly and the Senate. *Signed into law by the Governor on July 5, 2006.*

### 40. Landlord Disclosure

Requires that prior to the execution of a rental or lease agreement a landlord notify prospective tenants of the results of tests for known contamination. Additionally, landlords would be required to notify current tenants of the results of such tests. A.10120-c (Lupardo)/S.7301-a (Libous) passed the Assembly and the Senate. *Vetoed by the Governor on August 16, 2006.*

### 41. Article X Reauthorization

Reauthorizes Article X of the Public Service Law governing the siting of power plants and extends it until December 31, 2016. Requires power plants of 30 megawatts capacity or higher to comply with proposed siting provisions. A.10371-c (Tonko) passed the Assembly; not introduced in the Senate.

### 42. New York Ocean Protection

Creates a policy to guide state and local agencies as they affect the state's marine fisheries and resources. Establishes a council to review New York's ocean protections and coordinates activities between agencies. A.10584-b (DiNapoli)/S.8380 (Johnson) passed the Assembly and the Senate. *Signed into law by the Governor on July 26, 2006.*

### 43. Creosote Phase-Out

Phases out the sale, manufacture, and use of creosote in New York State, prohibits its incineration, and regulates its disposal. The bill exempts the two largest consumers of creosote-treated material—railroads and utilities. A.10737 (Brodsky)/S.7804 (Spano) passed the Assembly and the Senate. *Awaits Governor's signature.*

### 44. Red Hook Community Preservation Fund

Authorizes the establishment of a Community Preservation Fund in the Town of Red Hook in Dutchess County for the purpose of acquiring park lands and agricultural lands and preserving historic properties. A.10760 (Manning)/S.7328 (Saland) passed the Assembly and the Senate. *Awaits Governor's signature.*

### 45. Community Right to Know

Ensures that the state provide free public access, via the Internet, to information concerning the release of hazardous substances into the environment. A.11479-a (DiNapoli)/S.1773-b (Fuschillo) passed the Assembly and the Senate. *Vetoed by the Governor on August 16, 2006.*

### 46. Life Cycle Procurement Policy

Requires state offices to conduct a "life cycle analysis" prior to the purchase of energy consuming equipment or before constructing or renovating facilities in order to ensure that purchasing decisions are cost-effective over the lifetime of the equipment or facility being renovated or built. A.11480 (Tonko) passed the Assembly; not introduced in the Senate.

### 47. National Grid Adirondack Amendment

Allows construction of a power line along County Route 56 in St. Lawrence County on forest preserve lands in return for adding land to the preserve elsewhere. By using lands along an existing right of way, the amount of disturbed land will be minimized. A.11614 (DiNapoli)/S.8074 (Little) passed the Assembly and the Senate. *Delivered to the Secretary of State July 24, 2006.*

### 48. Littering Penalties

Increases the fines assessed for littering under Section 1220 of the vehicle and traffic law. A.9122 (Fields)/S.6709 (DeFrancisco) passed the Senate; died in the Assembly Transportation Committee.



## One Stack Bills (49-55)

**Bills with ONE STACK will be detrimental to New York's environment if implemented.**

### 49. Striped Bass Commercial Fishing Ban

Prohibits commercial fishing of striped bass from the Hudson River and sets a repeal date for its provisions of April 1, 2009. A.1811 (Brotsky)/S.4550 (Leibell) passed the Assembly; died in the Senate Environmental Conservation Committee.

### 50. Coal-fired Empire Zones

Makes municipal corporations eligible for the Empire Zone Enterprise Tax Credit which would subsidize the construction of a coal-fired power plant. A.11832 (Parment)/S.7760 (Young) passed the Assembly and the Senate. *Vetoed by the Governor on July 26, 2006.*

### 51. Building Moratorium Criteria

Authorizes cities, towns, and villages to enact temporary land use planning and zoning moratoriums. A.7994 (Latimer)/S.722 (Little) passed the Senate; died in the Assembly Local Governments Committee.

### 52. Segways on Sidewalks

Exempts the "electric personal assistive device" known as the Segway from the definition of motor vehicle and allows them to be driven on sidewalks. Regulates the use of Segways on roadways in the same way as bicycles. A.8711-c Rules(Gantt)/S.5517-c (Johnson) passed the Senate; died in the Assembly Codes Committee.

### 53. Natural Gas Pilot Projects

Gives local land use authorities jurisdiction over the siting of 39 "pilot projects" encompassing seven different types of natural gas facilities. A.8836-a Rules (Tonko)/S.5675-a (Wright) passed the Senate; died in the Assembly Energy Committee.

### 54. Islip Incineration Expansion

Allows the Islip Resource Recovery Agency to increase its debt limit from \$50 million to \$75 million without public referendum. A.5268-a (Ramos)/S.5808 (Trunzo) passed the Senate; died in the Assembly Corporations, Authorities & Commissions Committee.

### 55. Campground Health Codes

Limits the Adirondack Park Agency's (APA) authority to regulate land use and development activities in campgrounds in the Adirondack Park if such regulations are inconsistent with New York State Department of Health (DOH) regulations. A.9456 (Aubertine)/S.5980 (Little) passed the Senate; died in the Assembly Environmental Conservation Committee



# ASSEMBLY SCORES



Super Bills



Environmental Access to Justice Act



Smart Growth Infrastructure Recycling

Budget (EPF BONUS) 2006 Score  
 2005 Score  
 Wetland Protection 1  
 Community Preservation Act 2  
 Bigger Better Bottle Bill 3  
 EPF Enhancement 4  
 Pesticide Access to Justice Act 5  
 Recyclables in Landfills 6  
 Burn Barrel Ban 7  
 Outdoor Lighting 8  
 Great Lakes Compact 9  
 E-Waste Recycling Act 10  
 School Water Lead Testing 11  
 Alternative Fuels on the Thruway 12  
 Cancer Mapping 13  
 Used Oil Filter Recycling 14  
 Environmental Justice Act 15  
 Mercury Emissions Reductions 16  
 Auto Dismantler Regulations 17  
 Farm Pesticide Regulations 18  
 Power Procurement 19  
 Power Procurement 20  
 Power Procurement 21  
 Power Procurement 22

Name  
(Party - District)

Name (Party - District)	2006 Score	2005 Score	Budget (EPF BONUS)	Wetland Protection 1	Community Preservation Act 2	Bigger Better Bottle Bill 3	EPF Enhancement 4	Pesticide Access to Justice Act 5	Recyclables in Landfills 6	Burn Barrel Ban 7	Outdoor Lighting 8	Great Lakes Compact 9	E-Waste Recycling Act 10	School Water Lead Testing 11	Alternative Fuels on the Thruway 12	Cancer Mapping 13	Used Oil Filter Recycling 14	Environmental Justice Act 15	Mercury Emissions Reductions 16	Auto Dismantler Regulations 17	Farm Pesticide Regulations 18	Power Procurement 19	Power Procurement 20	Power Procurement 21	Power Procurement 22
Governor George Pataki			S																				S		
Peter Abbate, Jr. (D-49)	99	100	✓	✓	N	✓	✓	✓	✓	N	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓
Marc Alessi (D-1)	100	n/a	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Thomas Alfano (R-21)	100	98	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	N	✓	✓
Carmen Arroyo (D-84)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Darrel Aubertine (D-118)	89	93	✓	✗	✗	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓
Jeffrion Aubry (D-35)	97	95	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓
James Bacalles (R-136)	74	77	✓	✗	✗	✓	✓	✓	✗	✓	✓	✗	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✗	✓	✗
Will Barclay (R-124)	78	71	✓	✗	N	✗	✓	✓	✗	N	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✗	✓	✗
Robert Barra (R-14)	96	94	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Michael Benedetto (D-82)	98	100	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓
Michael Benjamin (D-79)	94	96	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jonathan Bing (D-73)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
William Boyland, Jr. (D-55)	100	100	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Philip Boyle (R-8)	95	n/a	✓	N	✓	N	✓	N	N	✓	N	✓	✓	N	N	N	N	✓	N	N	✓	N	✓	✓	✓
Adam Bradley (D-89)	99	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
James Brennan (D-44)	99	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Richard Brodsky (D-92)	99	100	✓	✓	N	✓	✓	✓	✓	N	✓	N	✓	N	N	✓	✓	✓	✓	✓	N	N	N	✓	✓
Jeff Brown (R-121)	75	78	✓	✓	✗	✗	✓	✓	N	✗	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Daniel Burling (R-147)	69	70	✓	✗	✗	✗	✓	✓	✗	✗	✓	✗	✓	✓	✗	✓	✓	✓	✓	✗	✓	✓	✓	✓	✗
Marc Butler (R-117)	78	77	✓	✗	✗	✓	✓	✓	N	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✗	✗
Kevin Cahill (D-101)	97	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Nancy Calhoun (R-96)	78	80	✓	✗	✗	✓	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
Karim Camara (D-43)	100	n/a	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓
Ronald Canestrari (D-106)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ann-Margaret Carrozza (D-26)	95	94	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Pat Casale (R-108)	82	82	✓	✗	✗	✗	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Joan Christensen (D-119)	100	96	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Barbara Clark (D-33)	99	99	✓	✓	N	✓	✓	✓	✓	N	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Adele Cohen (D-46)	100	99	✓	✓	✓	✓	✓	✓	✓	N	✓	N	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	N
Mike Cole (R-142)	72	n/a	✓	N	✗	N	✓	N	N	✓	N	✗	✓	N	N	N	N	✓	N	N	✓	N	✓	✗	✗
William Colton (D-47)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
James Conte (R-10)	100	98	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	N	N	N	N	✓	✓	✓	✓	✓	✓	✓	✓
Vivian Cook (D-32)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Clifford Crouch (R-107)	81	77	✓	✗	✗	✓	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Michael Cusick (D-63)	95	96	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Steven Cymbrowitz (D-45)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Francine DelMonte (D-138)	94	96	✓	✓	N	✓	✓	✓	✗	N	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
RoAnn Destito (D-116)	87	92	✓	✓	✓	✓	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓
Luis Diaz (D-86)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ruben Diaz, Jr. (D-85)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓
Thomas DiNapoli (D-16)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jeffrey Dinowitz (D-81)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Patricia Eddington (D-3)	96	100	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Steven Englebright (D-4)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Joseph Errigo (R-130)	75	73	✓	✗	✗	✗	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Adriano Espailat (D-72)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Herman Farrell, Jr. (D-71)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ginny Fields (D-5)	99	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Gary Finch (R-123)	73	71	✓	✗	✗	✗	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Michael Fitzpatrick (R-7)	76	75	✓	✗	✗	✗	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗

KEY: ✓ Correct Environmental Vote, ✗ Incorrect Environmental Vote (Includes Unexcused Absences), N Not in Office/Excused-Not Counted  
 GOVERNOR'S ACTION: S Signed into Law, V Vetoes, ? Awaiting Action at Time of Print, a Blank Space Means Bill Did Not Pass Both Houses



# ASSEMBLY SCORES



Super Bills



Environmental Access to Justice Act



Environmental Infrastructure Act

Name  
(Party - District)

Budget (EPF BONUS) 2006 Score  
 Wetland Protection 1  
 Bigger Better Bottle Bill 2  
 Community Preservation Act 3  
 EPF Enhancement 4  
 Pesticide Phase-Out 5  
 Recyclables in Landfills 6  
 Burn Barrel Ban 7  
 Great Lakes Compact 8  
 Outdoor Lighting 9  
 E-Waste Recycling 10  
 School Water Lead Testing Act 11  
 Alternative Fuels on the Thruway 12  
 Cancer Mapping 13  
 Smart Growth Infrastructure Act 14  
 Environmental Justice Act 15  
 Mercury Emissions Reductions Report 16  
 Urban Pesticide Board 17  
 Auto Dismantler Regulations 18  
 Farm Pesticide Regulations 19  
 Power Procurement 20  
 Power Procurement 21  
 Power Procurement 22

Name (Party - District)	2006 Score	Budget (EPF BONUS)	Wetland Protection 1	Bigger Better Bottle Bill 2	Community Preservation Act 3	EPF Enhancement 4	Pesticide Phase-Out 5	Recyclables in Landfills 6	Burn Barrel Ban 7	Great Lakes Compact 8	Outdoor Lighting 9	E-Waste Recycling 10	School Water Lead Testing Act 11	Alternative Fuels on the Thruway 12	Cancer Mapping 13	Smart Growth Infrastructure Act 14	Environmental Justice Act 15	Mercury Emissions Reductions Report 16	Urban Pesticide Board 17	Auto Dismantler Regulations 18	Farm Pesticide Regulations 19	Power Procurement 20	Power Procurement 21	Power Procurement 22	
Governor George Pataki			S																				S		
Sylvia Friedman (D-74)	99	n/a	✓	N	✓	✓	✓	N	N	✓	N	✓	✓	N	N	N	✓	N	N	✓	N	✓	✓	✓	✓
Sandra Galef (D-90)	99	100	✓	✓	✓	✓	✓	✓	N	✓	N	✓	N	N	✓	N	✓	✓	N	N	✓	N	✓	✓	✓
David Gantt (D-133)	89	100	✓	N	✗	✓	✓	N	✓	N	N	✓	N	N	✓	N	✓	✓	N	N	✓	N	✓	N	✓
Michael Gianaris (D-36)	100	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Joe Giglio (R-149)	75	n/a	✓	✗	✗	✓	✓	✓	✓	✗	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗	✗
Deborah Glick (D-66)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Diane Gordon (D-40)	100	100	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	N	✓
Richard Gottfried (D-75)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Alexander Grannis (D-65)	100	98	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Roger Green (D-57)	100	100	✓	✓	✓	N	✓	✓	N	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓
Aurelia Greene (D-77)	99	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N
Aileen Gunther (D-98)	75	86	✓	✗	✗	✗	✓	✓	✗	✗	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Stephen Hawley (R-139)	51	n/a	✓	N	✗	✗	✓	N	N	✗	N	✗	✓	N	N	N	✗	N	N	✗	N	✗	✗	✗	✗
James Hayes (R-148)	78	80	✓	✗	✗	✗	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗	✓
Carl Heastie (D-83)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Andrew Hevesi (D-28)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Dov Hikind (D-48)	100	53	✓	✓	✓	N	✓	✓	✓	✓	N	✓	N	N	✓	✓	✓	✓	✓	✓	✓	✓	N	N	✓
Daniel Hooker (R-127)	2	0	✓	N	✗	N	N	N	N	✗	N	✗	N	N	N	N	N	N	N	✗	N	N	N	N	N
Earlene Hooper (D-18)	100	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sam Hoyt (D-144)	98	96	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Vincent Ignizio (R-62)	92	90	✓	✓	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rhoda Jacobs (D-42)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Susan John (D-131)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ryan Karben (D-95)	88	92	✓	✓	✗	✗	N	✓	✓	✓	✓	✓	N	✓	✓	✓	N	✓	✓	✓	✓	✓	N	N	✓
Thomas Kirwan (R-100)	73	72	✓	✗	✗	✗	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✗
Brian Kolb (R-129)	73	71	✓	✗	✗	✗	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
David Koon (D-135)	95	94	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ivan Lafayette (D-34)	100	96	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	N
George Latimer (D-91)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
John Lavelle (D-61)	95	96	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Charles Lavine (D-13)	100	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Joseph Lentol (D-50)	99	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Barbara Lifton (D-125)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Vito Lopez (D-53)	100	98	✓	✓	✓	N	N	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	N
Donna Lupardo (D-126)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
William Magee (D-111)	82	82	✓	✗	✗	✓	✓	✓	N	✗	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
William Magnarelli (D-120)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Alan Maisel (D-59)	99	n/a	✓	N	✓	✓	✓	N	N	✓	N	✓	✓	N	N	N	✓	✓	✓	✓	✓	✓	✓	✓	✓
Patrick Manning (R-103)	96	99	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Margaret Markey (D-30)	100	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Nettie Mayersohn (D-27)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Roy McDonald (R-112)	83	90	✓	✗	✗	✓	✓	✓	N	✓	✓	✗	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓
David McDonough (R-19)	93	94	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
John McEnery (D-104)	100	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Tom McKevitt (R-17)	93	n/a	✓	N	✓	✗	✓	N	N	✓	N	✓	✓	N	N	N	✓	✓	✓	✓	✓	✓	✓	✓	✓
Brian McLaughlin (D-25)	99	91	✓	N	N	N	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jimmy Meng (D-22)	100	98	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	N	N	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Joel Miller (R-102)	87	90	✓	✗	✗	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Joan Millman (D-52)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Matthew Mirones (R-60)	100	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓



# ASSEMBLY SCORES



Super Bills



Environmental Access to Justice Act



Environmental Infrastructure Act

2006 Score  
 2005 Score  
 Budget (EPF Bonus)  
 Wetland Protection  
 Bigger Better Bottle Bill  
 Community Preservation Act  
 EPF Enhancement Act  
 Pesticide Phase-Out  
 Pesticide Access to Justice Act  
 Recyclables in Landfills  
 Burn Barrel Ban  
 Great Lakes Lighting  
 E-Waste Recycling Act  
 School Water Lead Testing  
 Alternative Fuels on the Thruway  
 Cancer Mapping  
 Smart Growth Infrastructure Act  
 Used Oil Filter Recycling  
 Environmental Justice Board  
 Mercury Justice Report  
 Auto Dismantler Regulations  
 Farm Pesticide Reductions  
 Power Procurement  
 Super Bills  
 Environmental Access to Justice Act  
 Pesticide Phase-Out  
 Recyclables in Landfills  
 Burn Barrel Ban  
 Great Lakes Lighting  
 E-Waste Recycling Act  
 School Water Lead Testing  
 Alternative Fuels on the Thruway  
 Cancer Mapping  
 Smart Growth Infrastructure Act  
 Used Oil Filter Recycling  
 Environmental Infrastructure Act  
 Mercury Justice Report  
 Auto Dismantler Regulations  
 Farm Pesticide Reductions  
 Power Procurement





Name  
(Party - District)

Name (Party - District)	2006 Score	2005 Score	Budget (EPF Bonus)	Wetland Protection	Bigger Better Bottle Bill	Community Preservation Act	EPF Enhancement Act	Pesticide Phase-Out	Pesticide Access to Justice Act	Recyclables in Landfills	Burn Barrel Ban	Great Lakes Lighting	E-Waste Recycling Act	School Water Lead Testing	Alternative Fuels on the Thruway	Cancer Mapping	Smart Growth Infrastructure Act	Used Oil Filter Recycling	Environmental Infrastructure Act	Mercury Justice Report	Auto Dismantler Regulations	Farm Pesticide Reductions	Power Procurement	
Governor George Pataki			S																				S	
Joseph Morelle (D-132)	93	93	✓	✓	✗	✗	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Louis Mosiello (R-93)	84	76	✓	N	✗	✗	N	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	N	✓	✓	✓	✗
Catherine Nolan (D-37)	100	100	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Robert Oaks (R-128)	67	72	✓	✗	✗	✗	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Daniel O'Donnell (D-69)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Tom O'Mara (R-137)	67	72	✓	✗	✗	✗	✓	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Felix Ortiz (D-51)	99	100	✓	✓	N	✓	✓	✓	✓	N	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓
Chris Ortloff (R-114)	76	74	✓	✗	✗	✗	✓	✓	N	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	N	✗
William Parment (D-150)	73	87	✓	✗	✗	✗	✓	✗	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Amy Paulin (D-88)	100	98	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Crystal Peoples (D-141)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jose Peralta (D-39)	96	98	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Nick Perry (D-58)	99	100	✓	✓	✓	N	✓	N	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Audrey Pheffer (D-23)	100	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Adam Clayton Powell, IV (D-68)	100	90	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
J. Gary Pretlow (D-87)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jack Quinn (R-146)	69	78	✓	✗	✗	✗	✓	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Annie Rabbitt (R-97)	73	81	✓	✗	✗	✓	✓	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✗
Andrew Raia (R-9)	92	89	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Philip Ramos (D-6)	95	100	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Bill Reilich (R-134)	72	73	✓	✗	✗	✗	✓	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
Robert Reilly (D-109)	96	99	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jose Rivera (D-78)	97	96	✓	✓	✗	N	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Naomi Rivera (D-80)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Peter Rivera (D-76)	99	100	✓	✓	N	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Annette Robinson (D-56)	100	100	✓	✓	N	✓	✓	✓	✓	N	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	N
Linda Rosenthal (D-67)	98	n/a	✓	N	✓	✓	✓	✓	✓	N	N	✓	✓	✓	N	N	N	N	✓	✓	✓	✓	✓	✓
Joseph Saladino (R-12)	92	92	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Teresa Sayward (R-113)	68	71	✓	✗	✗	✗	✓	✓	✓	N	✗	✓	✗	N	✗	✓	✓	✓	✓	✓	✓	✓	N	N
William Scarborough (D-29)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Robin Schimminger (D-140)	85	65	✓	✗	N	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mark Schroeder (D-145)	89	89	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Dierdre Scozzafava (R-122)	90	79	✓	✗	✗	✓	✓	✓	✓	N	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Anthony Seminerio (D-38)	100	100	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sheldon Silver (D-64)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Willis Stephens, Jr. (R-99)	98	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Robert Sweeney (D-11)	100	99	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
James Tedisco (R-110)	93	90	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
Fred Thiele, Jr. (R-2)	100	98	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Michele Titus (D-31)	99	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N
Paul Tokasz (D-143)	94	96	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Paul Tonko (D-105)	97	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Darryl Towns (D-54)	100	99	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
David Townsend, Jr. (R-115)	71	76	✓	✗	✗	✗	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
Rob Walker (R-15)	97	98	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
Helene Weinstein (D-41)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Harvey Weisenberg (D-20)	100	97	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mark Weprin (D-24)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Keith Wright (D-70)	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Kenneth Zebrowski (D-94)	100	96	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

KEY: ✓ Correct Environmental Vote, ✗ Incorrect Environmental Vote (Includes Unexcused Absences), N Not in Office/Excused-Not Counted  
 GOVERNOR'S ACTION: S Signed into Law, V Vetoes, ? Awaiting Action at Time of Print, a Blank Space Means Bill Did Not Pass Both Houses



# SENATE SCORES

 Super Bills  
 Auto Dismantler Regulations  
 Tax Exemption for Renewables  
 Building Moratorium Criteria

Community Preservation (MTP) 1a  
 Bigger Better Bottle Bill 2  
 EPA Enhancement 3a  
 Mercury in Motor Vehicles 4  
 Ocean Sludge Dumping 20  
 State Diesel Vehicles 24  
 Cell-Phone Take Back 25  
 Dam Inspection Protection Act 29  
 Red Hook Community Preservation Fund 31  
 New York Ocean Protection 36  
 Landlord Disclosure 38  
 Creosote Phase-Out 39  
 National Grid Adirondack Amendment 40  
 Community Right to Know 42  
 Littering Penalties 43  
 Coal-fired Empire Zones 44  
 Segways on Sidewalks 45  
 Building Moratorium Criteria 47  
 Coal-fired Empire Zones 48  
 Segways on Sidewalks 50  
 Building Moratorium Criteria 51  
 Coal-fired Empire Zones 52

Name  
(Party - District)

Name (Party - District)	2006 Score	2005 Score	Wetland Protection (MTP)	Bigger Better Bottle Bill	EPA Enhancement	Mercury in Motor Vehicles	Auto Dismantler Regulations	Ocean Sludge Dumping	State Diesel Vehicles	Cell-Phone Take Back	Dam Inspection Protection Act	Tax Exemption for Renewables	New York Ocean Protection	Landlord Disclosure	Creosote Phase-Out	National Grid Adirondack Amendment	Community Right to Know	Littering Penalties	Coal-fired Empire Zones	Segways on Sidewalks	Building Moratorium Criteria	Coal-fired Empire Zones	Segways on Sidewalks	Building Moratorium Criteria	
Governor George Pataki			S					S	?	S		?	S	S	S	V	S	?	?	V			V		
James Alesi (R-55)	53	60	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗	✗
Carl Andrews (D-20)	83	61	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	N	✓	✓	✓	✓	✗	N	✓
Michael Balboni (R-7)	59	62	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗	✗
John Bonacic (R-42)	59	64	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✗	✗	✗
Neil Breslin (D-46)	83	73	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Joseph Bruno (R-43)	53	56	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗	✗
Martin Connor (D-25)	78	76	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Marc Coppola (D-60)	77	n/a	✓	✓	✗	✓	✗	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
John DeFrancisco (R-50)	55	56	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✗	✗	✗
Ruben Diaz, Sr. (D-32)	78	55	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Martin Malave Dilan (D-17)	86	76	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Thomas Duane (D-29)	78	73	✓	✓	✓	✓	✗	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hugh Farley (R-44)	51	56	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✗	✗
John Flanagan (R-2)	52	68	✓	✗	✗	✗	✗	N	N	✓	✓	✓	✓	✓	✓	N	N	✓	✓	✓	✓	N	✓	✗	✗
Charles Fuschillo, Jr. (R-8)	53	68	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Martin Golden (R-22)	55	55	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Efrain Gonzalez, Jr. (D-33)	82	46	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Kemp Hannon (R-6)	53	72	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Ruth Hassell-Thompson (D-36)	73	70	✓	N	✗	N	✗	✓	✓	✓	N	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	N	N	✗
Owen Johnson (R-4)	53	56	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Jeffrey Klein (D-34)	80	72	✓	✓	✗	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Liz Krueger (D-26)	88	73	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Carl Kruger (D-27)	62	54	✓	✗	✗	✓	✗	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
William Larkin, Jr. (R-39)	60	56	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Kenneth LaValle (R-1)	74	74	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Vincent Leibell, III (R-40)	75	78	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Thomas Libous (R-52)	51	56	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Elizabeth Little (R-45)	45	60	✓	✗	✗	✗	✗	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Serphin Maltese (R-15)	57	60	✓	✗	✓	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Carl Marcellino (R-5)	63	74	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
John Marchi (R-24)	55	68	✓	✗	✓	✗	✗	✓	✓	✓	✓	N	N	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✗	N
George Maziarz (R-62)	51	60	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Raymond Meier (R-47)	51	51	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Valmanette Montgomery (D-18)	82	73	✓	✓	✓	✓	✓	N	N	N	✓	N	✓	✓	✓	N	N	✓	✓	✓	✓	✓	N	✓	✗
Thomas Morahan (R-38)	63	68	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Michael Nozzolio (R-54)	51	56	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
George Onorato (D-12)	86	62	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Suzi Oppenheimer (D-37)	80	76	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Frank Padavan (R-11)	70	72	✓	✗	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Kevin Parker (D-21)	86	73	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
David Paterson (D-30)	86	75	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mary Lou Rath (R-61)	55	56	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Joseph Robach (R-56)	53	56	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
John Sabini (D-13)	84	76	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Stephen Saland (R-41)	60	56	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
John Sampson (D-19)	74	74	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Diane Savino (D-23)	84	72	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Eric Schneiderman (D-31)	83	73	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jose Serrano (D-28)	91	73	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
James Seward (R-51)	51	56	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

KEY: ✓ Correct Environmental Vote, ✗ Incorrect Environmental Vote (Includes Unexcused Absences), N Not in Office/Excused-Not Counted  
 GOVERNOR'S ACTION: S Signed into Law, V Vetoes, ? Awaiting Action at Time of Print, a Blank Space Means Bill Did Not Pass Both Houses

					Name
					Governor George Pataki
X	X	X	60	53	James Alesi
✓	X	✓	61	83	Carl Andrews
X	N	X	62	59	Michael Balboni
X	X	X	64	59	John Bonacic
✓	X	X	73	83	Neil Breslin
X	X	X	56	53	Joseph Bruno
X	X	✓	76	78	Martin Connor
✓	X	✓	n/a	77	Marc Coppola
X	X	X	56	55	John DeFrancisco
X	X	N	55	78	Ruben Diaz, Sr.
✓	X	✓	76	86	Martin Malave Dilan
✓	X	X	73	78	Thomas Duane
X	X	X	56	51	Hugh Farley
N	X	N	68	52	John Flanagan
X	X	X	68	53	Charles Fuschillo, Jr.
X	X	N	55	55	Martin Golden
✓	X	X	46	82	Efrain Gonzalez, Jr.
X	X	X	72	53	Kemp Hannon
✓	N	N	70	73	Ruth Hassell-Thompson
X	X	X	56	53	Owen Johnson
✓	X	✓	72	80	Jeffrey Klein
✓	X	✓	73	88	Liz Krueger
X	X	✓	54	62	Carl Kruger
X	X	X	56	60	William Larkin, Jr.
✓	✓	✓	74	74	Kenneth LaValle
✓	✓	✓	78	75	Vincent Leibell, III
X	X	X	56	51	Thomas Libous
X	X	X	60	45	Elizabeth Little
X	X	X	60	57	Serphin Maltese
X	X	X	74	63	Carl Marcellino
X	X	X	68	55	John Marchi
X	X	X	60	51	George Maziarz
X	X	X	51	51	Raymond Meier
N	X	✓	73	82	Valmanette Montgomery
✓	X	X	68	63	Thomas Morahan
X	X	X	56	51	Michael Nozzolio
✓	X	✓	62	86	George Onorato
✓	X	✓	76	80	Suzi Oppenheimer
✓	✓	X	72	70	Frank Padavan
✓	X	✓	73	86	Kevin Parker
✓	X	✓	75	86	David Paterson
X	X	X	56	55	Mary Lou Rath
X	X	X	56	53	Joseph Robach
✓	X	✓	76	84	John Sabini
X	X	X	56	60	Stephen Saland
X	X	X	74	74	John Sampson
✓	X	✓	72	84	Diane Savino
✓	X	N	73	83	Eric Schneiderman
✓	X	✓	73	91	Jose Serrano
X	X	X	56	51	James Seward

continued

## How Lawmakers' Scores Are Calculated in the *Voters' Guide*

To calculate legislators' scores, EPL/Environmental Advocates uses ratings developed by our sister organization Environmental Advocates of New York.

Legislators earn between 1 and 3 points respectively for votes in support of bills rated by Environmental Advocates as 1, 2, or 3 "tree" bills. Tree-rated bills are those that will be beneficial to New York's environment. Likewise, legislators earn between 1 and 3 points for votes against bills that were given a rating of 1, 2, or 3 "stacks." Stack-rated bills are those that will harm the environment.

**Lawmakers' scores are based on floor votes on bills rated by Environmental Advocates.**

**However, in the Senate, because none of the Super Bills received a floor vote, senators' scores on two of these four bills are based on sponsorship. Scores for the other two Super Bills are based on votes for or against "motions to petition" similar bills out of committee. For more information, see page 9.**

Legislators earn points for supporting Super Bills as follows:

**Co-sponsoring:** Lawmakers receive half-credit (1.5 points of a 3 tree bill) for Super Bills they sponsored or co-sponsored. If a Super Bill was voted on, the vote is counted in the score, but credit is not given for co-sponsorship. Members of the minority party who requested to be added as a co-sponsor also receive co-sponsorship credit.

**Votes on motions to petition:** Because two motions to petition a Super Bill out of committee were brought on nearly identical bills, votes on those motions are counted as regular votes on the Super Bill. Legislators voting in favor of a motion to petition a Super Bill out of committee receive 3 points. If the Super Bill itself was voted on, that floor vote counts, rather than support for the motion to petition.

**Becoming law:** If a Super Bill were passed by both houses and signed into law, all legislators who voted for it would receive 3 points plus 2 bonus points.

# SENATE SCORES

Name (Party - District)	2006 Score	2005 Score	Super Bills	Wetland Protection (MTP)	Bigger, Better Bottle Bill	Community Preservation (MTP)	Auto Dismantler Regulation	Mercury in Motor Vehicles	State Diesel Vehicles	Ocean Sludge Dumping	Cell-Phone Take Back	Tax Exemption for Renewables	Dam Inspection Records	Red Hook Community Protection	New York Ocean Protection	Landlord Disclosure	National Grid Adirondack Amendment	Community Right to Know	Community Presentation Fund	Creosote Phase-Out	Littering Penalties	Coal-fired Empire Zones	Building Moratorium Criteria	Segways on Sidewalks	
Governor George Pataki			S						S	?	S		?	S	S	S	V	S	?	?	V			V	
Dean Skelos (R-9)	53	56	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Ada Smith (D-10)	88	76	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Malcolm Smith (D-14)	71	55	✓	✓	✗	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	N	✓	✓	✓	✓	✓	✓	✗
Nicholas Spano (R-35)	66	71	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
William Stachowski (D-58)	82	76	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Toby Ann Stavisko (D-16)	88	76	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Caesar Trunzo (R-3)	57	64	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
David Valesky (D-49)	71	64	✓	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Dale Volker (R-59)	57	55	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
George Winner, Jr. (R-53)	51	56	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✗	✓	✓	✓	✗	✓
James Wright (R-48)	57	56	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗
Catharine Young (R-57)	55	57	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗

KEY: ✓ Correct Environmental Vote, ✗ Incorrect Environmental Vote (Includes Unexcused Absences), N Not in Office/Excused-Not Counted  
 GOVERNOR'S ACTION: S Signed into Law, V Vetoes, ? Awaiting Action at Time of Print, a Blank Space Means Bill Did Not Pass Both Houses

## WHAT YOU CAN DO NOW THAT YOU KNOW THE SCORE

**1. Hold your legislators accountable** if they voted with the polluting and pro-sprawl interests working to weaken New York's environmental safeguards. Send a short note expressing your disapproval of their performance in Albany. If your legislators are working to protect New York's natural heritage, please write to thank them for doing so.

**2. Vote** at the local, state and federal level. Your vote is critical to whether New York State has a Legislature that protects the air we breathe, the water we drink, and the health of our families.

**3. Become a Member of EPL/ Environmental Advocates.** Join us and lend your voice to New York's first environmental advocacy group in the Capitol. Look on the next page for information on how you can act to protect New York's water, air and land.

### How to Contact Your Lawmakers

New York State lawmakers are in regular session beginning every year in January through June. While they are scheduled to meet for six months, in recent years budget problems have led to lengthier sessions and additional special sessions.

Write your legislators: New York State Assembly, Albany, NY 12248, or New York State Senate, Albany, NY 12247.

You can also call the Assembly at (518) 455-4100 and the Senate at (518) 455-2800.


### Find out who represents you.

Visit [www.eany.org/capitolwatch/index](http://www.eany.org/capitolwatch/index), call your county elections office (in your telephone book), or call EPL/ Environmental Advocates at (518) 462-5526.

Learn the score.

Tell your friends.

Take action.


 Campground Health Expansion 2005 Score  
 Iselp Incineration Pilot Projects 53  
 Natural Gas Pilot Projects 54  
 55

				Name
				Governor George Pataki
X	X	X	56 53	Dean Skelos
✓	X	✓	76 88	Ada Smith
X	X	X	55 71	Malcolm Smith
X	✓	✓	71 66	Nicholas Spano
X	X	✓	76 82	William Stachowski
✓	X	✓	76 88	Toby Ann Stavisky
X	X	X	64 57	Caesar Trunzo
X	X	✓	64 71	David Valesky
X	X	X	55 57	Dale Volker
X	X	X	56 51	George Winner, Jr.
X	X	X	56 57	James Wright
X	X	X	57 55	Catharine Young

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Please sign me up to receive online advocacy emails from EPL's sister organization Environmental Advocates of New York

Please make check payable to:  
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 353 Hamilton Street  
 Albany, New York 12210  
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