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**PENNSYLVANIA GENERAL ASSEMBLY  
ENVIRONMENTAL SCORECARD  
2009-2010 SESSION**  
A COLLABORATIVE PROJECT OF  
SIERRA CLUB PENNSYLVANIA CHAPTER AND  
CLEAN WATER ACTION OF PENNSYLVANIA

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Special thanks to Lindsay Delp, whose significant contributions included research as well as formatting of the voting chart document

**PENNSYLVANIA GENERAL ASSEMBLY  
ENVIRONMENTAL SCORECARD  
2009-2010 SESSION**

**INTRODUCTION**

This Scorecard reports the votes of Pennsylvania Senate and House members on key environmental issues addressed during the 2009-2010 session of the General Assembly.

Legislative sessions in Pennsylvania run for two years, after which all bills that were not enacted automatically die, and will need to be reintroduced in the next General Assembly, which will convene in January, 2011.

During a typical two-year legislative session, the 203 Representatives introduce more than 4,000 bills and resolutions, and the 50 Senators introduce nearly 2,000. Of these, the vast majority, more than 90% fail to pass at least one of the Chambers and die. Those that see action may have amendments added in Committee or on the floor of one or both Chambers.

**HOW SCORING WAS DETERMINED:**

Sierra Club and Clean Water Action believe that the public has the right to know how their elected officials vote on matters related to the environment and public health, and that those officials should be held accountable for their actions. We have reviewed the actions of the Pennsylvania General Assembly, and have identified a number of votes that involved important environmental decisions. In some cases, we selected votes that were controversial. In some cases, we chose votes that achieved near unanimity to recognize significant legislative action. In some cases, we considered an amendment vote more defining than a final passage vote.

The issues covered in this chart are as far-ranging as the environmental community. They include: alternative energy and energy efficiency, Marcellus Shale drilling, clean water rules, environmental funding, recycling and waste disposal, and confirmation votes for DEP and DCNR Secretary. While not every environmental or conservation organization may have worked on all of these issues, there was environmental debate on all the controversial votes. In some cases, a bill passed one Chamber, but environmental opposition prevented it from passing the other Chamber. In some of these instances, an acceptable alternative was found, which then passed both Chambers easily.

In addition to voting, legislators can impact environmental policy through non-voting actions. This Scorecard selected important environmental regulations and proposed legislation that may not have had a floor vote. However, legislators demonstrated their support or opposition for pro-environmental policies through co-sponsorship of legislation or through writing to regulatory bodies.

**HOW TO READ THIS SCORECARD**

There is a vote description section that lists each vote, including the prime sponsor, the action of each Chamber, the correct environmental position and a narrative briefly explaining the issue/vote.

Following the vote description section is the actual chart that show how each member of the General Assembly voted. If a legislator voted in support of the pro-environment position, that vote is recorded on the chart as a PLUS (+). If a legislator voted against the pro-environmental position, it is shown on the chart as a MINUS (-).

If a legislator was absent for a vote, the letter 'A' is inserted in the chart. If a space appears blank on the chart, the legislator was not in office at the time of the vote. The chart contains an overall environmental score, reflected as a percentage (%). If a legislator voted pro-environmental 9 of 10 times, they would get a score of 90%. Absences will reduce the total number of votes that are used to calculate the overall environmental score. If a legislator is absent for 1 of 10 votes, they will get scored based on the 9 votes they cast. If a legislator voted correctly on 8 of 9 votes cast, they would receive an 89% score.

## **ADDITIONAL SCORECARD CALCULATIONS**

In some cases, additional percentage points were added to legislators who supported legislation through co-sponsorship of environmental bills. In these cases, the bills were never formally voted on, but the active support of them through co-sponsorship was considered to be an indicator of a pro-environmental position. Legislators in this category were awarded five extra percentage points, shown on the chart as a plus (+).

Additionally, some legislators chose to illustrate their environmental position was through writing letters in support or opposition to proposed regulations passing through the Independent Regulatory Review Commission. Legislators who wrote to the IRRC in support of pro-environmental regulations were awarded five extra percentage points, shown in the chart as a plus (+). Legislators who wrote to the IRRC in opposition of pro-environmental regulations were deducted five percentage points, shown in the chart as a minus (-).

# **Pennsylvania House of Representatives Environmental Voting Score Card 2009-2010 Session**

## **1) Land Use and Open Space (HB 842)**

- Introduced by Rep. McIlvaine Smith
- passed the House on April 1, 2009 by a vote of 134 – 58
- **YES is considered the pro-environment position**

Often when townships have their local zoning ordinances legally challenged by developers, the court system requires 'curative amendments'. HB 842 establishes a process for municipalities that will provide townships with additional tools for dealing with curative amendments, which often threaten local communities' ability to control development and preserve open space.

## **HB 80, Alternative Energy Portfolio Standards**

Sponsored by Representative Greg Vitali (D, Delaware), would amend the Alternative Energy Portfolio Standards (AEPS) law. The bill as introduced would require Pennsylvania's electricity providers to increase their use of renewable energy sold in PA from the 8% currently in Tier 1 of AEPS up to 20%. The environmental community supported this section of HB 80.

Unfortunately, HB 80 contained a controversial section that would require the Commonwealth to develop a "carbon capture and sequestration" (CCS) program that included establishing a geological

sequestration facility on state forest land. Pennsylvania electricity providers would be required to purchase a portion of their energy from a coal-burning facility that installed carbon capture (CC) equipment. The most problematic provision of HB 80 would have allowed an electric provider to get credit under AEPS for the purchase of coal-fired electricity from the CC-enabled facility, even if no sequestration of the captured carbon ever occurred. This had the effect of encouraging the development of new coal-burning electric generating plants; with no guarantee the carbon dioxide created would be prevented from escaping to the atmosphere. State and national environmental organizations opposed this section of HB 80.

## 2) **HB 80, Amendment 2337**

- Sponsored by Representative Steve Santarsiero
- The amendment passed 147 - 48.
- **YES is considered the pro-environment position**

Clarifies that if CO<sub>2</sub> pollution cannot be sequestered in PA, then coal-fired facilities installing the carbon capture technology can be reimbursed through clean energy credits for no more the actual cost to install the capture technology

## 3) **HB 80, Amendment 2338**

- Sponsored by Representative Steve Santarsiero
- The amendment passed 119 – 76
- **YES is considered the pro-environment position**

Clarifies coal-fired power plants that installed carbon capture technology would only get AEPS credit if they actually sequestered their carbon

**NOTE: While amendments were added to HB 80 that addressed the environmental community's concerns, opposition from the coal industry and the state Chamber of Business and Industry prevented the bill from passing the House**

## 4) **HB 1847, Amendment to the Coal Refuse Disposal Control Act**

- Sponsored by Representative Ted Harhai (D, Westmoreland),
- HB 1847 passed the House with a vote of 183 - 12.
- **NO is considered the pro-environment position**

Amends the Coal Refuse Disposal Control Act. Coal ash, a byproduct of coal-burning power plants, contains a variety of toxic material, but is exempted from hazardous waste disposal requirements. Sierra Club and other conservation groups have fought to make the coal industry properly manage coal waste ash by treating it as the hazardous waste it is.

Instead of tightening restrictions on coal waste, HB 1847 weakened disposal requirements by establishing as "preferred sites" property adjacent to existing disposal sites, even if the adjacent site is environmentally sensitive. Because it is much cheaper to dump coal ash adjacent to an existing site, power plants burning coal opposed the requirement to avoid environmentally sensitive areas.

#### 5) Green Schools (HB 689)

- Introduced by Rep. Drucker,
- Passed the House on March 15, 2010 by a vote of 106 – 85.
- **YES is considered the pro-environment position**

HB 689 promotes the use of green building standards for school construction through allowing any costs for meeting green building standards to be excluded from construction cost caps. on HB 689 which passed the House on March 15, 2010 by a vote of 106 – 85.

#### 6) HB 2235, Levdansky Amendment, A 6664

- Passed on May 3, 2010 by a margin of 150 – 41
- **YES is considered the pro-environment position**

Prior to a final passage vote, Representative Dave Levdansky (D, Washington) offered an amendment to HB 2235 that requires DCNR to prepare a Comprehensive Environmental Impact Review (CEIR) within 2 years of the start date of the moratorium. The CEIR would analyze the potential impacts of all associated facets of potential development of approved leases, including exploration, pad development, drilling operations, road/bridge development, collection and transmission lines, compressing facilities, treatment plans, waste disposal and water withdrawals. The CEIR would also analyze the workload requirements of leasing on DCNR, and its impacts on existing responsibilities, such as water supply protection, deer management, recreation and forest pest management. The Levdansky amendment also reduced from 5 to 3 the number of years the moratorium would be in place, as a compromise to gain House passage of the bill.

#### 7) HB 2235, Final Passage

- Introduced by Representative Greg Vitali (D, Delaware)
- On final House passage, HB 2235 was approved on May 5, 2010 with a strong bipartisan majority of 157 - 33.
- **YES is considered the pro environment position**

HB 2235 would impose a moratorium on additional natural gas leasing on state forest land. The Department of Conservation and Natural Resources (DCNR) controls 2,1 million acres of state forest land, of which approximately 700,000 acres are currently available for leasing by the gas industry. Current leases are expected to result in up to 1,000 separate wells to be drilled in the public forests owned by DCNR.

Due to the ongoing budget problems faced by the Commonwealth, some elected officials view the state forest system as a "cash cow" to be milked to plug the deficit. Sierra Club and others prefer the state adopt a severance tax on all natural gas produced in PA, rather than turn over more public land to the drilling industry. Conservationists believe that there needs to be a full analysis of the potential impacts of current leases undertaken.

With the adoption of the Levdansky amendment, support for HB 2235 increased. HB 2235 was assigned to the Senate Environmental Resources and Energy Committee, where it has languished.

***POST SCRIPT***

***Due to their failure of the Senate to act on HB 2235, Governor Rendell, on October 26, 2010, signed an Executive Order imposing a moratorium on future state forest leasing.***

**8) HB 708, Covered Device Recycling Act**

- Sponsored by: Rep. Chris Ross (R, Chester)
- HB 708 passed the House on June 15, 2010 by a margin of 169 - 30.
- **YES is considered the pro-environment position**

The bill requires manufacturers of computers and televisions to establish recycling programs for their equipment. HB 708 establishes a ban on the disposal in landfills of this equipment two years after the effective date. Recycling programs must meet minimum EPA standards.

**9) HB 2279, DEP Budget Cuts**

- Original bill was Sponsored by Dwight Evans
- HB 2279 passed 117-84 the House on June 30, 2010 by a margin of
- **NO is considered the pro-environment position**

The final state budget for 2010-2011 that passed the State House on June 30, 2010 continued to cut state support for the state Department of Environmental Protection's (DEP) budget. The 2010-2011 budget cut DEP by 9.2%. This was on top of a cut of 26% in the 2009-2010 budget.

***Severance Tax on Natural Gas***

A severance tax on the production of natural gas from the Marcellus Shale has been under discussion for several years. Pennsylvania is the only major natural gas-producing state that does not tax gas production. The gas drilling industry, which includes multinationals like Exxon / Mobil, have fought vigorously against a PA severance tax, claiming that the drilling industry was in its infancy, and imposition of a tax here would drive drilling companies away. The drillers have spent millions of dollars in campaign contributions and lobbying to kill the severance tax.

Sierra Club and other conservation organizations have supported a tax with revenues dedicated to environmental restoration programs like Growing Greener, as well as providing compensation to local communities whose roads and bridges are crumbling due to the impacts of drilling equipment.

Governor Rendell proposed a gas severance tax in part to help plug a gaping deficit in the Pennsylvania budget. During the final negotiations on the 2010 - 2011 state budget, leaders from each legislative caucus committed to having a severance tax vote by October 1. The PA House met the October 1 deadline, when it passed SB 1155 on September 29. The PA Senate missed the Oct 1 deadline, and, as we go to print have no plans for any severance tax vote this year.

Many Republicans who had complained that the bill failed to provide sufficient money for environmental programs supported the Harper amendment, but then turned around and voted against SB 1155 on final passage.

#### **10) Amendment 9235 to SB 1155, the Harper Amendment**

- Representative Kate Harper (R, Montgomery)
- In the end, it passed with a strong bipartisan vote of 154 – 45
- **YES is considered the pro-environment position**

SB 1155, as reported from Appropriations Committee, dedicated 60% of its revenues to the General Fund, and only 12% for environmental programs. The Harper amendment, which was supported by conservation groups, reduced the General Fund amount to 40%, and increased the environmental program funding to 32%. Representative Harper argued that the bill should be defeated, unless the money dedicated to the Environmental Stewardship Fund was increased. Initially Democratic House leadership did not want to allow any amendments, but Majority Leader Todd Eachus relented and supported the Harper amendment.

#### **11) SB 1155, Natural Gas Severance Tax Final Passage**

- Final passage of SB 1155 was by a much smaller margin. It still had bipartisan support, with the much closer margin of 104 - 94.
- **YES is considered the pro-environment position**

### ***Non-Voting Actions***

While floor votes on environmental legislation are the most important action that state legislators can take that affect the environment, there are often important non-voting actions that legislators can take that can have a critical impact. This has been especially true over the past two years as legislative leadership has often been reluctant to bring environmental legislation forward for floor votes. For the 2009-2010 legislative session, Sierra Club and Clean Water Action included four non-voting actions in our Scorecard.

#### **A. Co-sponsorship of bill to overhaul Oil and Gas Act (HB 2213)**

While many bills were introduced in the legislative session related to Marcellus Shale drilling, Rep. George (D-Clearfield) introduced a bill, HB 2213, that comprehensively addressed many of the environmental threats imposed by gas extraction from Pennsylvania's Marcellus Shale. HB 2213 would overhaul the state Oil and Gas Act, adding new requirements including better protections for private and public drinking water supplies, required DEP inspection of gas wells, and required disclosure of chemicals used in gas drilling. The bill passed the House Environmental Resources and Energy Committee 17-9 on May 25, 2010, however was never brought to the House floor for a vote.

#### **B. Letters supporting or opposing the Chapter 95 wastewater treatment regulations**

New regulations proposed by any state agency must be approved by the Independent Regulatory Review Commission (IRRC) which is controlled by the state legislature. The IRRC looks to legislative input

prior to voting final up or down approval of any proposed regulation. At the IRRC's meeting on June 17, 2010, they approved revisions to the Chapter 95 wastewater treatment requirements. DEP had proposed these revisions to establish strict new treatment standards for wastewater high in total dissolved solids (TDS) that are being produced in large quantities by drilling for natural gas in the Marcellus Shale. The new rules end any future untreated discharges of this highly toxic wastewater.

### **C. Letters supporting or opposing the Chapter 102 Stormwater Management regulations**

New regulations proposed by any state agency must be approved by the Independent Regulatory Review Commission (IRRC) which is controlled by the state legislature. The IRRC looks to legislative input prior to voting final up or down approval of any proposed regulation. At the IRRC's meeting on June 17, 2010, they approved revisions to the Chapter 102 erosion and sedimentation control and stormwater management rules. DEP proposed new stormwater control requirements for new development in Pennsylvania included a mandatory 150 foot undisturbed buffer area on either side of Exceptional Value or High Quality stream. These new rules provide important protections for the top 1/3 stream miles in the state.





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**CLEAN WATER ACTION**

**Pennsylvania House of Representatives  
Environmental Voting Score Card  
2009-2010 Session**

**+ = Supported the Environmental View    - = Opposed the Environmental View**

Score	Voting Items											Non-Voting Items			
	1 HB 842 Land Use/ Open Space	2 HB 80 CO2 Capture Cost Recov. A#2337	3 HB 80 CO2 Capture Cost Recov. A#2338	4 HB 1847 Coal Refuse Disposal Act Amend	5 HB 689 Green Schools	6 HB 2235 Impact Study	7 HB 2235 State Forest Gas Lease Morat orium	8 HB 708 Recycle E-Waste	9 HB 2279 DEP Budget Cuts	10 SB 1155 Harper Amend Inc. Env. Funding	11 SB 1155 Severa nce Tax	A Co- spon sor HB 2213 Reform of O&G Act	B Position on Chapter 95 Waste water Rules	C Position on Chapter 102 Stream Buffer Rule	
Adolph, William	64%	+	+	+	-	-	+	+	+	-	+	-			
Baker, Matthew	55%	-	+	-	-	-	+	+	+	+	+	-			
Barbin, Bryan	62%	+	A	A	-	+	+	+	+	-	+	-		-	
Barrar, Steve	64%	-	+	+	-	-	+	+	+	+	+	-			
Bear, John	30%	-	+	-	-	-	-	A	+	+	-	-			
Belfanti, Robert	76%	A	A	A	-	+	+	+	+	-	+	A	+		
Benninghoff, Kerry	25%	A	-	-	-	-	-	+	-	+	+	-		-	
Beyer, Karen	73%	+	+	+	-	-	+	+	+	-	+	+			
Bishop, Louise	73%	+	-	+	-	+	+	+	+	-	+	+			
Boback, Karen	69%	+	+	-	-	-	+	+	+	+	+	-	+		
Boyd, Scott	36%	+	+	-	-	-	-	-	+	+	-	-			
Boyle, Brendan	90%	+	-	+	A	+	+	+	+	-	+	+		+	+
Bradford, Matthew	105%	+	+	+	A	+	+	+	+	-	+	+	+	+	+
Brennan, Joseph	87%	+	+	+	-	+	+	+	+	-	+	+	+		
Briggs, Tim	115%	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Brooks, Michele	13%	-	+	-	-	-	-	-	-	+	-	-		-	
Brown, Vanessa	82%	+	+	+	-	+	+	+	+	-	+	+			
Burns, Frank	68%	+	-	+	-	+	+	+	+	-	+	+		-	
Buxton, Ronald	73%	-	+	+	-	+	+	+	+	-	+	+			
Caltagirone, Thomas	87%	+	+	+	-	+	+	+	+	-	+	+	+		
Carroll, Mike	82%	+	+	+	-	+	+	+	+	-	+	+	+		-

Casorio, James	59%	+	-	+	-	+	+	+	+	-	+	-		-	
Causer, Martin	13%	-	+	-	-	-	-	-	-	+	-	-		-	
Christiana, Jim	36%	-	+	-	-	-	-	-	+	+	+	-			
Civera, Mario	25%	A	+	-	-	-									
Clymer, Paul	27%	+	-	-	-	-	-	-	+	+	-	-			
Cohen, Mark	97%	+	+	+	-	+	+	+	+	-	+	+	+	+	+
Conklin, H. Scott	87%	+	+	+	-	+	+	+	+	-	+	+	+		
Costa, Dom	78%	+	-	+	-	+	+	+	+	-	+	+	+		
Costa, Paul	73%	+	-	+	-	+	+	+	+	-	+	+			
Cox, Jim	18%	-	+	-	-	-	-	-	-	+	-	-			
Creighton, Thomas	27%	-	-	-	-	-	+	+	-	+	-	-			
Cruz, Angel	63%	+	-	+	-	A	A	A	+	-	+	+			
Curry, Lawrence	90%	+	+	+	-	A	+	+	+	-	+	+		+	+
Cutler, Bryan	31%	+	+	-	-	-	-	-	+	+	-	-		-	
Daley, Peter	82%	+	+	+	-	+	+	+	+	-	+	+	+	-	
Dally, Craig	33%	-	+	-	-	A	+								
Day, Gary	73%	+	+	+	-	-	+	+	+	+	+	-			
Deasy, Daniel	87%	+	+	+	-	+	+	+	+	-	+	+	+		
DeLozier, Sheryl	55%	-	+	-	-	-	+	+	+	+	+	-			
DeLuca, Anthony	73%	+	-	+	-	+	+	+	+	-	+	+			
Denlinger, Gordon	27%	-	+	-	-	-	-	-	+	+	-	-			
DePasquale, Eugene	83%	+	-	+	-	+	+	+	+	-	+	+		+	+
Dermody, Frank	82%	+	+	+	-	+	+	+	+	-	+	+			
DeWeese, William H.	64%	+	-	+	-	+	+	+	+	-	+	-	+	-	
DiGirolamo, Gene	82%	+	+	+	-	+	+	+	+	-	+	+			
Donatucci, Robert	80%	+	+	+	-	A	+	+	+	-	+	+			
Drucker, Paul	80%	A	+	+	-	+	+	+	+	-	+	+			
Eachus, Todd	82%	+	+	+	-	+	+	+	+	-	+	+			
Ellis, Brian	22%	+	+	-	-	-	-	-	-	+	-	-		-	
Evans, Dwight	82%	+	+	+	-	+	+	+	+	-	+	+			
Evans, John	45%	-	+	-	-	-	-	+	+	+	+	-			
Everett, Garth	59%	+	+	-	-	-	+	+	+	+	+	-		-	
Fabrizio, Florindo	82%	+	+	+	-	+	+	+	+	-	+	+			
Fairchild, Russell	55%	-	+	-	-	-	+	+	+	+	+	-			
Farry, Frank	70%	+	-	+	-	A	+	+	+	+	+	-			
Fleck, Mike	50%	-	+	-	-	-	A	+	+	+	+	-			
Frankel, Dan	86%	+	+	+	-	+	+	+	+	-	+	+	+		
Freeman, Robert	106%	+	+	+	+	+	+	+	+	-	+	+	+	+	+
Gabig, William	36%	-	+	-	-	-	+	+	-	+	-	-			
Gabler, Matt	22%	-	+	-	-	-	-	-	-	+	+	-		-	
Galloway, John	70%	+	+	+	-	-	+	A	+	-	+	+			
Geist, Richard	45%	-	+	-	-	-	+	+	+	+	-	-			

George, Camille	92%	+	+	+	-	+	+	+	+	-	+	+	+	+	
Gerber, Michael	82%	+	+	+	-	+	+	+	+	-	+	+			
Gergely, Marc	82%	+	+	+	-	+	+	+	+	-	+	+			
Gibbons, Jaret	77%	+	+	+	-	+	+	+	+	-	+	+		-	
Gillespie, Keith	45%	-	+	-	-	-	+	+	-	+	+	-			
Gingrich, Mauree	36%	-	+	-	-	-	-	+	+	+	-	-			
Godshall, Robert	40%	-	+	-	-	-	+	+	-	-	+	A			
Goodman, Neal	87%	+	+	+	-	+	+	+	+	-	+	+	+		
Grell, Glen	45%	-	+	-	-	-	+	+	+	+	-	-			
Grove, Seth	50%	-	+	-	-	-	+	+	-	+	+	-			
Grucela, Richard	95%	+	+	+	A	+	+	A	+	-	+	+	+	+	+
Hahn, Marcia	50%								+	+	-	-			
Haluska, Gary	68%	+	-	+	-	+	+	+	+	-	+	+		-	
Hanna, Michael	97%	+	+	+	-	+	+	+	+	-	+	+	+	+	+
Harhai, Ted	73%	+	+	+	-	+	+	+	+	-	+	-	+	-	
Harhart, Julie	45%	+	+	-	-	-	-	+	+	+	-	-			
Harkins, Patrick	73%	+	-	+	-	+	+	+	+	-	+	+			
Harper, Kate	101%	+	-	+	+	+	+	+	+	+	+	+	+		+
Harris, Adam	55%	+	+	-	-	-	-	+	+	+	+	-			
Helm, Susan	27%	-	+	-	-	-	-	+	+	-	-	-			
Hennessey, Tim	73%	+	-	+	-	-	+	+	+	+	+	+			
Hess, Dick	55%	-	+	-	-	-	+	+	+	+	+	-	+	-	
Hickernell, David	36%	+	+	-	-	-	-	-	+	+	-	-			
Hornaman, John	106%	+	+	+	+	+	+	+	+	-	+	+	+	+	+
Houghton, Tom	106%	+	+	+	+	+	+	+	+	-	+	+	+	+	+
Hutchinson, Scott	13%	-	+	-	-	-	-	-	-	+	-	-		-	
Johnson, Kenyatta	78%	+	-	+	A	+	+	+	+	-	+	+	+		
Josephs, Babette	97%	+	+	+	-	+	+	+	+	-	+	+	+	+	+
Kauffman, Robert	31%	-	+	-	-	-	+	+	-	+	-	-		-	
Keller, Mark	36%	-	+	-	-	-	+	+	-	+	-	-			
Keller, William	73%	+	-	+	-	+	+	+	+	-	+	+			
Kessler, David	92%	+	+	+	-	+	+	+	+	-	+	+		+	+
Killion, Tom	82%	+	+	+	-	-	+	+	+	+	+	+			
Kirkland, Thaddeus	70%	A	-	+	-	+	+	+	+	-	+	+			
Knowles, Jerry	20%		+	-	-	-	-	-	-	+	-	-			
Kortz, Bill	87%	+	+	+	-	+	+	+	+	-	+	+	+		
Kotik, Nick	63%	A	A	A	-	+	+	+	+	-	+	-			
Krieger, Tim	18%	-	+	-	-	-	-	-	-	+	-	-			
Kula, Deberah	77%	+	+	+	-	+	+	+	+	-	+	+		-	
Lentz, Bryan	104%	+	A	A	+	+	+	+	+	-	+	+	+	+	+
Levdansky, David	97%	+	+	+	-	+	+	+	+	-	+	+	+	+	+
Longietti, Mark	73%	+	-	+	-	+	+	+	+	-	+	+			

Maher, John	55%	+	+	+	-	-	-	+	+	+	-	-			
Mahoney, Tim	80%	+	+	+	-	A	+	+	+	-	+	+	+	-	
Major, Sandra	45%	-	+	-	-	-	+	+	+	-	+	-			
Manderino, Kathy	83%	+	-	+	-	+	+	+	+	-	+	+		+	+
Mann, Jennifer	82%	+	+	+	-	+	+	+	+	-	+	+			
Markosek, Joseph	68%	+	+	+	-	+	+	+	+	-	+	-		-	
Marshall, Jim	45%	-	+	-	-	-	+	+	-	+	+	-			
Marsico, Ronald	45%	-	+	-	-	-	+	+	+	+	-	-			
Matzie, Robert	68%	+	-	+	-	+	+	+	+	-	+	+		-	
McCall, Keith	82%	+	+	+	-	+	+	+	+	-	+	+			
McGeehan, Michael	73%	+	-	+	-	+	+	+	+	-	+	+			
McIlvaine Smith, Barbara	106%	+	+	+	+	+	+	+	+	-	+	+	+	+	+
Melio, Anthony	106%	+	+	+	+	+	+	+	+	-	+	+	+	+	+
Mensch, Bob	25%	+	-	-	-	A									
Metcalfe, Daryl	18%	-	+	-	-	-	-	-	-	+	-	-			
Metzgar, Carl	50%	-	+	-	-	-	+	+	+	+	+	-		-	
Miccarelli, Nick	33%	A	A	A	A	A	A	A	+		-	-			
Micozzie, Nicholas	82%	+	+	+	-	+	+	+	+	-	+	+			
Millard, David	60%	+	+	-	-	-	+	+	A	+	+	-			
Miller, Ronald	45%	-	+	-	-	-	+	+	-	+	+	-			
Milne, Duane	78%	+	A	A	-	-	+	+	+	+	+	+			
Mirabito, Rick	83%	+	+	+	-	-	+	+	+	-	+	+		+	+
Moul, Dan	55%	-	+	-	-	-	+	+	+	+	+	-			
Mundy, Phyllis	97%	+	+	+	-	+	+	+	+	-	+	+	+	+	+
Murphy, Kevin	105%	+	+	+	-	+	+	+	+		+	+	+	+	+
Murt, Thomas	87%	+	-	+	-	+	+	+	+	+	+	+	+		
Mustio, Mark	30%	-	+	-	A	-	-	-	+	+	-	-			
Myers, John	73%	+	-	+	-	+	+	+	+	-	+	+			
Oberlander, Donna	35%	-	+	-	-	-	-	-	+	+	A	+		-	
O'Brien, Dennis	40%	+	+	-	-	+	+	A	-	-	-	-			
O'Brien, Michael	88%	+	-	+	-	+	+	+	+	-	+	+	+	+	+
Oliver, Frank	88%	+	+	+	-	+	A	A	+	A	+	+			
O'Neill, Bernard	82%	+	-	+	-	+	+	+	+	+	+	+			
Pallone, John	59%	+	+	+	-	+	+	-	+	-	+	-		-	
Parker, Cherelle	75%	+	-	+	A	+	+	+	+	-	A	A			
Pashinski, Eddie	87%	+	+	+	-	+	+	+	+	-	+	+	+		
Payne, John	36%	-	+	-	-	-	+	+	+	-	-	-			
Payton, Tony	83%	+	-	+	-	+	+	+	+	-	+	+		+	+
Peifer, Michael	55%	-	+	-	-	-	+	+	+	+	+	-			
Perry, Scott	24%	A	A	A	A	-	-	-	-	+	+	-		-	
Perzel, John	45%	-	-	-	-	+	+	+	+	-	+	-			
Petrarca, Joseph	59%	+	+	+	-	+	+	-	+	-	+	-		-	

Petri, Scott	64%	+	-	+	-	-	+	+	+	+	+	-			
Phillips, Merle	45%	-	+	-	-	-	+	+	+	-	+	-			
Pickett, Tina	55%	-	+	-	-	-	+	+	+	+	+	-			
Preston, Joseph	82%	+	+	+	-	+	+	+	+	-	+	+			
Pyle, Jeffrey	22%	+	+	-	-	-	-	-	-	+	-	-		-	
Quigley, Thomas	45%	-	-	-	-	-	+	+	+	+	+	-			
Quinn, Marguerite	78%	+	-	+	-	-	+	+	+	+	+	+		+	
Rapp, Kathy	13%	-	+	-	-	-	-	-	-	+	-	-		-	
Ravenstahl, Adam	75%								+	-	+	+			
Readshaw, Harry	92%	+	+	+	-	+	+	+	+	-	+	+		+	+
Reed, Dave	31%	-	+	-	-	-	-	-	+	+	+	-		-	
Reese, Mike	30%	-	+	-	-	-	-	-	A	+	+	-			
Reichley, Douglas	64%	+	+	+	-	-	-	+	+	+	+	-			
Roae, Brad	13%	-	+	-	-	-	-	-	-	+	-	-		-	
Rock, Todd	31%	-	+	-	-	-	+	+	-	+	-	-		-	
Roebuck, James	92%	+	+	+	-	+	+	+	+	-	+	+		+	+
Rohrer, Samuel	33%	+	+	-	-	A	A	A	-	+	-	-		-	
Ross, Chris	82%	+	-	+	-	+	+	+	+	+	+	+			
Sabatina, John	73%	+	-	+	-	+	+	+	+	-	+	+			
Sainato, Chris	59%	+	-	+	-	+	+	+	+	-	+	-		-	
Samuelson, Steve	91%	+	+	+	+	+	+	+	+	-	+	+			
Santarsiero, Steve	106%	+	+	+	+	+	+	+	+	-	+	+	+	+	+
Santoni, Dante	101%	+	+	+	+	+	+	+	+	-	+	+		+	+
Saylor, Stanley	33%	+	+	-	-	-	A	A	+	-	-	-			
Scavello, Mario	73%	-	+	+	-	+	+	+	+	+	+	-			
Schroder, Curt	74%	+	-	+	-	-	+	+	+	+	+	-	+	+	
Seip, Tim	87%	+	+	+	-	+	+	+	+	-	+	+	+		
Shapiro, Josh	82%	+	+	+	-	+	+	+	+	-	+	+			
Siptroth, John	92%	+	+	+	-	+	+	+	+	-	+	+	+	+	
Smith, Ken	87%	+	+	+	-	+	+	+	+	-	+	+	+		
Smith, Matthew	78%	+	A	A	-	+	+	+	+	-	+	+			
Smith, Samuel	4%	-	+	-	-	-	-	-	-	-	-	-		-	
Solobay, Timothy	59%	+	+	+	-	+	-	-	+	-	+	+		-	
Sonney, Curtis	27%	-	+	-	-	-	-	-	+	+	-	-			
Staback, Edward	92%	+	+	+	-	+	+	+	+	-	+	+		+	+
Stern, Jerry	31%	-	+	-	-	-	+	+	+	-	-	-		-	
Stevenson, Richard	13%	-	+	-	-	-	-	-	-	+	-	-		-	
Sturla, Mike	97%	+	+	+	-	+	+	+	+	-	+	+	+	+	+
Swanger, Rosemarie	28%	-	+	-	-	-	-	+	-	+	A	A		-	
Tallman, Will	27%	-	+	-	-	-	-	-	+	+	-	-			
Taylor, John	55%	-	-	-	-	+	+	+	+	-	+	+			
Taylor, Rick	90%	+	+	+	-	A	+	+	+	-	+	+		+	+

Thomas, Curtis	82%	+	-	+	-	A	A	+	+	-	+	+	+	+	+
Toepel, Marcy	25%								-	+	-	-			
True, Katie	40%	A	+	-	-	-	-	+	+	+	-	-			
Turzai, Mike	22%	+	+	-	-	-	-	-	+	-	-	-		-	
Vereb, Mike	55%	-	-	-	-	+	+	+	+	+	+	-			
Vitali, Greg	97%	+	-	+	+	+	+	+	+	-	+	+	+	+	+
Vulakovich, Randy	30%	A	+	-	-	-	-	-	+	+	-	-			
Wagner, Chelsa	101%	+	+	+	-	+	+	+	+	+	+	+	+		+
Walko, Don	50%	+	-	+	-	A		A		+					
Wansacz, Jim	80%	+	+	+	-	+	A	+	+	-	+	+			
Waters, Ronald	82%	+	+	+	-	+	+	+	+	-	+	+			
Watson, Katharine	60%	+	-	+	-	-	+	+	A	+	+	-			
Wheatley, Jake	82%	+	+	+	-	+	+	+	+	-	+	+			
White, Jesse	59%	+	+	+	-	+	+	-	+	-	+	-		-	
Williams, Jewell	73%	+	-	+	-	+	+	+	+	-	+	+			
Youngblood, Rosita	88%	+	-	+	-	+	+	+	+	-	+	+	+	+	+
Yudichak, John	87%	+	+	+	-	+	+	+	+	-	+	+	+		

Pennsylvania Senate  
Environmental Voting Record Score Card  
2009-2010 Scorecard

**1) SB 490, Oil and Gas Lease Fund Cuts**

- Introduced by Senator Mary Jo White (R, Venango)
- SB 490 passed the Senate on March 25, 2009 by a vote of 33 – 17
- **NO is considered the pro-environment position. The bill had bi-partisan opposition**

SB 490 was an extremely large diversion of money from conservation programs, enacted as an alternative to the imposition of a natural gas severance tax. The bill was part of the Senate Republican leadership's ongoing effort to weaken environmental programs by diverting dedicated funding from DCNR's Oil and Gas Lease Fund.

In 1955, Pennsylvania had the foresight to establish the Oil and Gas Lease Fund (Act 256), where gas leasing revenues from State Forest leases were deposited. Natural gas and oil deposits underneath State Forests are a publicly owned non-renewable resource. Maurice "Doc" Goddard, the father of our modern state park system, convinced the General Assembly to dedicate money from oil and gas leases on State Forest lands for re-investment in other public resources, such as the acquisition of public land, construction of park facilities, such as nature centers or campgrounds, construction of flood control projects and the acquisition of mineral rights under other public lands. For more than 50 years, the Oil and Gas Lease Fund was the primary source of money to build our modern State Park system.

However, some conservative legislators, as part of their goal to shrink government, have opposed the acquisition of more public land. The Oil and Gas Lease Fund became a major target. During the 2009 - 2010 state budget debates, when these same legislators successfully killed a natural gas severance tax, they chose to raid the O & G Fund, under the guise of helping to balance the state budget. Instead of reinvesting the "capital" represented by the oil and gas leases in conservation programs, Senate Republican leadership raided it to pay for the General Fund's deficit. This is the equivalent of selling the furniture in your house, in order to pay the rent.

**2) Quigley Confirmation**

- Following his Senate confirmation hearing, John Quigley was confirmed by the full Senate on April 14, 2009. The vote was 49 - 0
- **YES is considered the pro-environment position**

John Quigley was nominated by Governor Rendell to be Secretary of Conservation and Natural Resources, to replace Michael DeBerardinis, who resigned.

### 3) Hanger Confirmation

- John Hanger was confirmed on April 22, 2009 as DEP Secretary by a vote of 45 – 5
- **YES is considered the pro-environment position**

John Hanger was nominated by Governor Rendell to be the Secretary of Environmental Resources, after Kathleen McGinty resigned.

### 4) SB 850, 2009 Environmental Budget Cuts

- SB 850 passed by a 30 - 20 margin on May 6, 2009
- **NO is considered the pro-environment position**

The 2009 - 2010 budget debate focused on whether Pennsylvania would implement new revenue sources, like the Marcellus Shale gas tax, or dramatically scale back public services. SB 850 was the Republican budget proposal that would radically reduce environmental spending, as part of their effort to cut back government programs across the board.

The cutbacks in state spending contained in the amended SB 850 threatened to close State Parks, and by reducing DEP's budget, cut down on pollution enforcement programs. SB 850 failed to contain a natural gas severance tax.

### 5) Gas Drilling Reporting (SB 297)

- Introduced by Senator Yaw
- Passed the Senate on June 8, 2009 by a vote of 47 – 0
- **YES is considered the pro-environment position**

SB 297 requires operators of natural gas wells drilled in the Marcellus Shale to report every six months to the Department of Environmental Protection (DEP) on each gas well they operate. The semi-annual reports are required to contain information on the amount of gas produced and the current status of each well. DEP will make the information available to the public on its website.

### 6) SB 1416, Environmental Budget Cuts, Corman Amendment

- Offered by Senator Jake Corman (R, Centre)
- The Corman amendment to HB 1416 passed by a 31 - 19 margin on July 20, 2009. Then the Senate passed the entire bill by the same margin.
- **NO is considered the pro-environment position**

The 2009 - 2010 budget debate focused on whether Pennsylvania would implement new revenue sources, like the Marcellus Shale gas tax, or dramatically scale back public services. HB 1416 became a vehicle for Republican Senate leadership to radically



reduce environmental spending, as part of their effort to cut back government programs across the board.

Senator Jake Corman (R, Centre) Senate Appropriations Committee Chair, offered an amendment that represented the Republican budget alternative. The cutbacks in state spending contained in the amended HB 1416, threatened to close State Parks, and by reducing DEP's budget, cut down on pollution enforcement programs. The Corman amendment failed to contain a natural gas severance tax.

#### **7) Recycling Funding (HB 961)**

- passed the Senate on April 21, 2010 by a vote of 49 – 0
- **YES is considered the pro-environment position**

State support for municipal recycling programs is funded through a \$2 per ton tipping fee on all solid waste disposed in municipal landfills. HB 961, as introduced by Rep. Buxton (D, Dauphin), extends the waste disposal fee for four years, ensuring ongoing funding for recycling programs through 2015. Senator Mary Jo White (R, Venango) successfully inserted an amendment into HB 961 to extend the recycling fee until 2020.

#### **8) HB 708, Covered Device Recycling Act**

- Sponsored by: Rep. Chris Ross (R, Chester)
- HB 708 passed the Senate on October 13, 2010 by a margin of 48 - 1
- **YES is considered the pro-environment position**

The bill requires manufacturers of computers and televisions to establish recycling programs for their equipment. HB 708 establishes a ban on the disposal in landfills of this equipment two years after the effective date. Recycling programs must meet minimum EPA standards.

### ***Non-Voting Actions***

While floor votes on environmental legislation are the most important action that state legislators can take that affect the environment, there are often important non-voting actions that legislators can take that can have a critical impact. This has been especially true over the past two years as legislative leadership has often been reluctant to bring environmental legislation forward for floor votes. For the 2009-2010 legislative session, Sierra Club and Clean Water Action included four non-voting actions in our Scorecard.

#### **A. Co-sponsorship of the Safer Drinking Water Act (SB 777)**

On Earth Day in 2009, Senator McIlhinney (R-Bucks) introduced the Safer Drinking Water Act, SB 777, which would amend the state Safe Drinking Water Act. SB 777 establishes critical zones which cover the area 25 miles upstream of a public drinking water intake on a river, or a ½ mile radius around a public drinking water well.

Discharges that degrade water quality in critical zones would not be allowed. Further, municipalities that have zoning ordinances would be required to add restrictions on certain land uses in critical zones that could contaminate public water supplies. Despite the bill being co-sponsored by a bi-partisan group of 24 Senators (out of 50 total in the Senate), the legislation did not even receive a vote in the Senate Environmental Resources and Energy Committee.

#### **B. Letters supporting or opposing the Chapter 95 wastewater treatment regulations**

New regulations proposed by any state agency must be approved by the Independent Regulatory Review Commission (IRRC) which is controlled by the state legislature. The IRRC looks to legislative input prior to voting final up or down approval of any proposed regulation. At the IRRC's meeting on June 17, 2010, they approved revisions to the Chapter 95 wastewater treatment requirements. DEP had proposed these revisions to establish strict new treatment standards for wastewater high in total dissolved solids (TDS) that are being produced in large quantities by drilling for natural gas in the Marcellus Shale. The new rules end any future untreated discharges of this highly toxic wastewater.

#### **C. Letters supporting or opposing the Chapter 102 Stormwater Management regulations**

New regulations proposed by any state agency must be approved by the Independent Regulatory Review Commission (IRRC) which is controlled by the state legislature. The IRRC looks to legislative input prior to voting final up or down approval of any proposed regulation. At the IRRC's meeting on June 17, 2010, they approved revisions to the Chapter 102 erosion and sedimentation control and stormwater management rules. DEP proposed new stormwater control requirements for new development in Pennsylvania included a mandatory 150 foot undisturbed buffer area on either side of Exceptional Value or High Quality stream. These new rules provide important protections for the top 1/3 stream miles in the state.



McIlhinney, Chuck	90%	+	+	+	-	+	-	+	+	+	+	+
Mellow, Robert	88%	-	+	+	+	+	+	+	+			
Musto, Raphael	86%	-	+	+	+	+	+	A	+			
O'Pake, Michael	98%	-	+	+	+	+	+	+	+		+	+
Orie, Jane Clare	50%	-	+	+	-	+	-	+	-			
Piccola, Jeffrey	63%	-	+	+	-	+	-	+	+			
Pileggi, Dominic	63%	-	+	+	-	+	-	+	+			
Pippy, John	68%	-	+	+	-	+	-	+	+	+		
Rafferty, John	85%	+	+	+	-	+	-	+	+	+		+
Robbins, Bob	50%	-	+	-	-	+	-	+	+			
Scarnati, Joseph	63%	-	+	+	-	+	-	+	+			
Smucker, Lloyd	63%	-	+	+	-	+	-	+	+			
Stack, Mike	93%	-	+	+	+	+	+	+	+	+		
Stout, Barry	88%	-	+	+	+	+	+	+	+			
Tartaglione, Christine	103%	-	+	+	+	+	+	+	+	+	+	+
Tomlinson, Robert	85%	+	+	+	-	+	-	+	+	+	+	
Vance, Patricia	68%	-	+	+	-	+	-	+	+	+		
Vogel, Elder	63%	-	+	+	-	+	-	+	+			
Ward, Kim	63%	-	+	+	-	+	-	+	+			
Washington, Leanna	105%	+	+	+	+	+	+	+	+	+		
Waugh, Mike	63%	-	+	+	-	+	-	+	+			
White, Mary Jo	50%	-	+	-	-	+	-	+	+			
White, Don	50%	-	+	-	-	+	-	+	+			
Williams, Anthony	93%	-	+	+	+	+	+	+	+	+		
Wonderling, Robert	72%	+	+	+	-	A	-		+	+		
Wozniak, John	88%	-	+	+	+	+	+	+	+			
Yaw, Gene	75%	+	+	+	-	+	-	+	+			