

2004

Illinois Environmental Council

ENVIRONMENTAL SCORECARD



Illinois Environmental Council
www.ilenviro.org

Dear Reader,

The 2004 spring legislative session was a busy one, although substantive legislation was overshadowed by the budget crisis. This Scorecard looks at a number of the most important bills and how our legislators voted on them. It provides objective and factual information about the voting records of all members of the Illinois General Assembly in 2004. Four votes in both the House of Representatives and the Senate are included, covering a wide range of issues, including mercury contamination, land use and energy efficiency.

What is not reflected in this scorecard is the successful outcome of the fight to save open space funding in the Fiscal Year 2005 budget. The only vote taken on this issue was the budget itself, and we have chosen not to include that vote here. The budget contained funding for thousands of programs, and it is impossible to separate them out. However, in the weeks and months leading up to that vote, dozens of legislators from both parties spoke out about the need to maintain these programs. We thank those legislators for their leadership on this issue.

The Illinois Constitution states that "the public policy of the State and the duty of each person is to provide and maintain a healthful environment for the benefit of this and future generations." Our legislators have a responsibility to carry out this duty, and this Scorecard is intended to provide the citizens of Illinois a tool for understanding how well their legislators accomplished this task.

Illinois voters care about their environment. They routinely approve local ballot measures that increase funding for additions to park and forest preserve districts. Environmental issues consistently rank near the top of voter's concerns in election year polls. We also expect our elected representatives to show leadership on these same issues, and this year there was an abundance of leadership. Fourteen Senators and twenty-one Representatives scored perfect 100% ratings, far more than in previous years. We commend them for their actions, and encourage others to show similar leadership in the future.

I hope you find this voting record helpful.

Best Regards,

Jonathan Goldman
Executive Director
Illinois Environmental Council

100% Environmental Voting Record Awards

Senator James Clayborne
Senator Jacqueline Collins
Senator Dan Cronin
Senator John Cullerton
Senator Susan Garrett
Senator William Haine
Senator Terry Link
Senator Edward Maloney
Senator Barack Obama
Senator Carol Ronen
Senator Peter Roskam
Senator Jeffrey Schoenberg

Senator Patrick Welch
Senator Richard Winkel
Representative Elizabeth Coulson
Representative Barbara Flynn Currie
Representative Monique Davis
Representative William Davis
Representative Sara Feigenholtz
Representative Deborah Graham
Representative Julie Hamos
Representative Jay Hoffman
Representative Naomi Jakobsson
Representative Robin Kelly

Representative Carolyn Krause
Representative Rosemary Kurtz
Representative Eileen Lyons
Representative Karen May
Representative Larry McKeon
Representative Elaine Nekritz
Representative Harry Osterman
Representative Sandra Pihos
Representative Kathleen Ryg
Representative Ricca Slone
Representative Cynthia Soto

Explanation of Scoring

For each bill, legislators are evaluated as to whether they voted with the pro-environment position (“+”) on the bill, or against it (“-“). The votes are then tallied, with an overall score calculated. For instance, someone who voted pro-environment on three bills and against on one bill is given a 75% score.

The only votes not counted are those when a legislator had an excused absence (noted in the chart as “A”), which generally meant that the legislator was not in Springfield on that day due to an illness or other unexpected circumstances. Legislators who had excused absences were scored on the remaining votes they cast.

Two other voting possibilities are included. On occasion, a legislator may vote “Present” which is essentially an abstention. We have counted these votes the same as a no vote on the bill, because the impact is the same as if that legislator had voted no. These are shown in the voting chart as “P” and counted the same as a “+” when it helps the pro-environment position, and shown as “p” and counted as “-“ when it hurts. Similarly, when a legislator is in Springfield but does not vote on a bill, we have counted it the same as a “no” vote on the bill. This is noted in the chart as “NV” and counted the same as a “+” when this action supports the pro-environment position and noted as “nv” and counted as “-“ when it denies support to the pro-environment position.

Legislators have many reasons for voting present or for not voting at all. They may vote present because of a philosophical conflict on the issue, or simply because they don’t want to commit publicly one way or the other. They may miss a vote because they were in an important meeting, were in the bathroom at

the time of the vote, or were at their desk but decided not to vote. Regardless of the reason, all of these actions have consequences that can impact whether or not a bill passes, and we have decided that it is appropriate to hold legislators accountable for these consequences.

Lastly, some legislators were not in office at the time of a vote, and this is noted in the chart as “*”. These legislators are scored just on the number of votes for which they were in office.

A number of changes took place this year:

Senator Vince Demuzio passed away on April 27, 2004 due to colon cancer. Prior to his death he missed a number of session days due to his health, and did not vote on any of the bills considered in this scorecard. He was replaced by his wife, Deanna Demuzio. Her score is based on three votes.

Senator Larry Woolard resigned to take a position with the Blagojevich administration. He was replaced by Representative Gary Forby, who was then replaced in the House by John Bradley.

Representative David Wirsing passed away on November 16, 2003. He was replaced by Bob Pritchard.

Representative Phil Novak resigned to become Chairman of the Illinois Pollution Control Board, and was replaced by Lisa Dugan.

Representative Mary K. O’Brien resigned in December 2003 and was appointed to fill a vacancy on the Illinois Appellate Court. She was replaced by Careen Gordon.

About the Bills in the 2004 Environmental Voting Record

HB 4099: Energy Efficient Building Act

Sponsors: Rep. Hamos and Sen. Jacobs

Culminating a two-year advocacy campaign, the Illinois General Assembly passed the Illinois Energy Efficient Commercial Building Act, HB 4099, which has now been signed into law by Governor Blagojevich. HB 4099 requires all new construction or substantial rehab of existing buildings to meet energy efficiency standards established by the International Energy Conservation Code. It covers all commercial, industrial and multi-unit residential properties, but does not cover single-family home construction.

Doing energy efficiency "right" at the new construction and major rehab stage is by far the most cost-effective time to make these pro-environmental and energy cost reduction investments. This is the single most important policy step that a state can take to increase energy efficiency in buildings and reduce pollution through avoided electric power and natural gas use. Nationwide, Illinois was the largest energy-consuming state in the nation without an energy efficient building code, and one of only twelve states with no energy code for commercial construction.

HB 4099 passed the Senate by a vote of 45-11, and was approved by the House on concurrence 70-48.

Pro-Environment Vote: Yes

HB 5823: Environmental Protection

Sponsors: Rep. Currie and Sen. Haine

House Bill 5823 addresses a recent Second District Appellate Court ruling (*State of Illinois v. AgPro, Inc. and David Schulte*) in which the court said the Attorney General and local States Attorneys have only limited authority to force polluters to clean up environmental damage they cause. The Appellate Court held that in most cases, all the trial court can do is order the polluter to stop adding to its mess.

House Bill 5823 amends the state's Environmental Protection Act to provide that the Court can issue an injunction ordering polluters to clean up the damage they cause.

In the AgPro case, the Ogle County Circuit Court held that the Attorney General's office had proven its case that AgPro, Inc., had contaminated the drinking water of its neighbors with pesticides from its operations. The Attorney General's office subsequently asked the court to order the defendants to clean up the contaminants, reimburse taxpayers for costs of the investigation and prosecution and pay fines. However, in a significant

reversal of decades of cases, the court held that Illinois law does not give the court the authority to order the defendants to clean up their pollution. The court reasoned that since AgPro had stopped dumping the pesticides, the company currently was not taking any action that could be "restrained."

HB 5823 passed the House 79-38 and the Senate 56-0.

Pro-Environment Vote: Yes

SB 2272: Off Highway Trails Fund

Sponsors: Sen. Jacobs and Rep. Black

For the second year in a row, off road vehicle enthusiasts pushed through legislation that would open the door to ATV trails and facilities on state property including parks. The bill would allow money from the Off-Highway Vehicle Trails Fund to be used for the construction of motorized recreational trails on state owned land, with the exception of nature preserves. A similar bill passed in 2003 and was vetoed by the Governor.

SB 2272 passed the Senate 43-13-1 and passed the House by a vote of 91-22-2. It was vetoed by Governor Blagojevich.

Pro-Environment Vote: No

SB 2551: Mercury Reduction Act Sen. Hunter and Rep. May

The bill prohibits schools from purchasing mercury for use in classrooms; bans the sale of many kinds of mercury switches and relays; requires new rules to facilitate the collection and recycling of mercury-added products; and requires Illinois EPA to issue a report by January 1, 2005 with recommendations for reducing and recycling mercury-containing thermostats and mercury-containing vehicle components.

As introduced, the bill went further towards banning the sale of all mercury-containing switches and relays, including those in thermostats, and mandating recovery of mercury switches from cars when they are junked or recycled. After discussions with numerous stakeholders, the bill was amended to its final form, and the provision requiring EPA to further study these issues and make recommendations was added.

SB 2551 passed the House 97-16-4, and was approved by the Senate on concurrence 57-0.

Pro-Environment Vote: Yes

Senate Voting Record

	HB 4099	HB 5823	SB 2272	SB 2551	2004 Score	2003 Score
Althoff (R-32)	-	+	-	+	50	40
Bomke (R-50)	+	+	-	+	75	50
Brady (R-44)	-	+	-	+	50	50
Burzynski (R-35)	+	+	-	+	75	30
Clayborne (D-57)	+	+	+	+	100	90
Collins (D-16)	+	+	+	+	100	100
Cronin (R-21)	+	+	+	+	100	50
Crotty (D-19)	+	+	-	+	75	90
Cullerton (D-6)	+	+	+	+	100	90
DeLeo (D-10)	+	+	-	+	75	90
del Valle (D-2)	+	+	-	+	75	90
Demuzio, Deanna (D-49)	-	+	*	+	67	*
Dillard (R-24)	nv	nv	NV	+	50	40
Forby (D-59)	-	+	-	+	50	50
Garrett (D-29)	+	+	+	+	100	100
Geo-Karis (R-31)	+	+	-	+	75	60
Haine (D-56)	+	+	P	+	100	90
Halvorson (D-40)	+	+	-	+	75	90
Harmon (D-39)	+	+	-	+	75	90
Hendon (D-5)	+	+	-	+	75	90
Hunter (D-3)	+	+	-	+	75	90
Jacobs (D-36)	+	+	-	+	75	80
Jones, Emil (D-14)	+	+	-	+	75	90
Jones, John (R-54)	-	+	-	+	50	40
Jones, Wendell (R-27)	-	+	-	+	50	40
Lauzen (R-25)	+	+	-	+	75	50
Lightford (D-4)	+	+	-	+	75	90
Link (D-30)	+	+	+	+	100	100
Luechtefeld (R-58)	+	+	-	+	75	30
Maloney (D-18)	+	+	+	+	100	90
Martinez (D-20)	+	+	-	+	75	90
Meeks (I-15)	+	+	-	nv	50	90
Munoz (D-1)	+	+	-	+	75	70
Obama (D-13)	+	+	+	+	100	100
Peterson (R-26)	+	+	-	+	75	40
Petka (R-42)	-	+	-	+	50	50
Radogno (R-41)	+	+	-	+	75	70
Rauschenberger (R-22)	nv	+	-	+	50	60
Righter (R-55)	+	+	-	+	75	30
Risinger (R-37)	+	+	-	+	75	30
Ronen (D-7)	+	+	+	+	100	100
Roskam (R-48)	+	+	+	+	100	40
Rutherford (R-53)	-	+	-	+	50	30
Sandoval (D-12)	+	+	-	+	75	90
Schoenberg (D-9)	+	+	+	+	100	100
Shadid (D-46)	A	A	-	+	50	90
Sieben (R-45)	+	+	-	+	75	50
Silverstein (D-8)	+	+	-	+	75	90
Soden (R-23)	-	A	-	+	33	67
Sullivan, Dave (R-33)	+	+	-	+	75	60
Sullivan, John (D-47)	-	+	-	+	50	80
Syversen (R-34)	+	+	-	nv	50	40
Trotter (D-17)	+	+	-	+	75	90
Viverito (D-11)	+	+	+	+	75	90
Walsh (D-43)	+	+	-	+	75	90
Watson (R-51)	+	+	-	+	75	30
Welch (D-38)	+	+	+	+	100	80
Winkel (R-52)	+	+	+	+	100	40
Wojcik (R-28)	-	+	-	+	50	50

KEY

Pro-Environment Vote. +
 Anti-Environment Vote -
 Not Voting + NV

Not Voting - nv
 Voting Present + P
 Voting Present - p

Excused Absence. A
 Not in Office. *

House Voting Record

	HB 4099	HB 5823	SB 2272	SB 2551	2004 Score	2003 Score
Acevedo (D-2)	+	+	-	+	75	80
Aguilar (R-24)	-	-	-	+	25	60
Bailey (D-6)	+	+	-	+	75	90
Bassi (R-54)	-	+	-	+	50	50
Beaubien (R-52)	-	+	-	+	50	50
Bellock (R-47)	-	+	-	+	50	60
Berrios (D-39)	+	+	-	+	75	90
Biggins (R-41)	+	-	-	+	50	50
Black (R-104)	-	-	-	-	0	10
Boland (D-71)	+	+	-	+	75	70
Bost (R-115)	-	-	-	-	0	30
Bradley, John (D-117)	-	+	-	-	25	*
Bradley, Richard (D-40)	+	ny	-	p	25	70
Brady (R-88)	-	-	-	p	0	50
Brauer (R-100)	-	-	-	+	25	20
Brosnahan (D-36)	+	+	-	-	50	70
Burke (D-23)	+	+	-	+	75	80
Capparelli (D-15)	+	+	-	p	50	70
Chapa LaVia (D-83)	-	+	-	+	50	100
Churchill (R-62)	-	-	-	+	25	30
Collins (D-10)	+	+	-	+	75	80
Colvin (D-33)	+	+	-	+	75	60
Coulson (R-17)	+	+	+	+	100	100
Cross (R-84)	-	-	-	+	25	50
Cultra (R-105)	-	-	-	-	0	20
Currie (D-25)	+	+	+	+	100	100
Daniels (R-46)	-	-	-	+	25	67
Davis, Monique (D-27)	+	+	+	+	100	90
Davis, Steve (D-111)	+	+	-	+	75	50
Davis, Will (D-30)	+	+	p	+	100	70
Delgado (D-3)	+	+	-	+	75	88
Dugan (D-79)	-	+	-	+	50	*
Dunkin (D-5)	+	+	-	+	75	80
Dunn (R-96)	-	-	-	+	25	30
Eddy (R-109)	-	-	-	-	0	25
Feigenholtz (D-12)	+	+	+	+	100	100
Flider (D-101)	+	+	-	+	75	60
Flowers (D-31)	+	+	-	+	75	70
Franks (D-63)	-	+	-	+	50	80
Fritchey (D-11)	+	+	+	-	75	80
Froehlich (R-56)	+	+	-	+	75	70
Giles (D-8)	+	+	-	+	75	80
Gordon (D-75)	-	+	-	+	50	*
Graham (D-78)	+	+	-	+	100	90
Granberg (D-107)	+	+	-	+	75	70
Grunloh (D-108)	-	+	-	+	50	57
Hamos (D-18)	+	+	+	+	100	100
Hannig (D-98)	+	+	-	+	75	70
Hassert (R-85)	-	-	-	+	25	50
Hoffman (D-112)	+	+	A	+	100	60
Holbrook (D-113)	+	+	-	+	75	60
Howard (D-34)	+	+	-	+	75	90
Hultgren (R-95)	-	-	A	+	33	30
Jakobsson (D-103)	+	+	+	+	100	100
Jefferson (D-67)	-	+	-	+	50	90
Jones (D-26)	+	+	-	+	75	90
Joyce (D-35)	+	+	-	+	75	80
Kelly (D-38)	+	+	+	+	100	90
Kosel (R-81)	-	-	-	-	0	40

	HB 4099	HB 5823	SB 2272	SB 2551	2004 Score	2003 Score
Krause (R-66)	+	+	+	+	100	80
Kurtz (R-64)	+	+	+	+	100	100
Lang (D-16)	+	+	-	+	75	80
Leitch (R-73)	-	-	-	+	25	40
Lindner (R-50)	+	+	-	+	75	70
Lyons, Eileen (R-82)	+	+	+	+	100	100
Lyons, Joe (D-19)	+	+	-	+	75	100
Madigan (D-22)	+	+	-	+	75	60
Mathias (R-53)	+	+	-	+	75	60
Mautino (D-76)	-	+	-	+	50	50
May (D-58)	+	+	+	+	100	100
McAuliffe (R-20)	-	-	-	+	25	60
McCarthy (D-37)	+	+	-	-	50	70
McGuire (D-86)	+	+	-	+	75	80
McKeon (D-13)	+	+	+	+	100	89
Mendoza (D-1)	+	+	-	+	75	90
Meyer (R-48)	-	+	-	+	50	50
Miller (D-29)	+	+	+	-	75	80
Millner (R-55)	-	-	-	+	25	50
Mitchell, Bill (R-87)	-	-	-	-	0	20
Mitchell, Jerry (R-90)	-	-	-	+	25	30
Moffitt (R-74)	-	-	-	+	25	40
Molaro (D-21)	+	+	-	+	75	80
Morrow (D-32)	+	+	NV	p	75	70
Mulligan (R-65)	-	+	+	+	75	80
Munson (R-43)	+	-	-	+	50	60
Myers (R-94)	-	-	-	+	25	30
Nekritz (D-57)	+	+	+	+	100	100
Osmond (R-61)	-	-	+	+	50	40
Osterman (D-14)	+	+	+	+	100	100
Pankau (R-45)	-	-	-	+	25	56
Parke (R-44)	-	-	-	+	25	30
Phelps (D-118)	-	+	-	+	50	40
Pihos (R-42)	+	+	+	+	100	100
Poe (R-99)	-	-	-	+	25	30
Pritchard (R-70)	-	-	-	+	25	*
Reitz (D-116)	+	+	-	-	50	60
Rita (D-28)	+	+	-	+	75	90
Rose (R-110)	+	-	-	nv	25	20
Ryg (D-59)	+	+	+	+	100	100
Sacia (R-89)	-	-	-	+	25	30
Saviano (R-77)	+	+	-	+	75	70
Schmitz (R-49)	-	-	-	+	25	40
Scully (D-80)	+	+	-	+	75	80
Slone (D-92)	+	+	+	+	100	100
Smith (D-91)	+	+	-	+	75	70
Sommer (R-106)	-	-	-	-	0	20
Soto (D-4)	+	+	P	+	100	90
Stephens (R-102)	-	-	-	-	0	40
Sullivan (R-51)	-	-	-	+	25	50
Tenhouse (R-93)	-	-	-	-	0	30
Turner (D-9)	+	+	-	+	75	90
Verschoore (D-72)	-	+	-	+	50	57
Wait (R-69)	+	-	-	+	50	30
Washington (D-60)	+	+	-	+	75	80
Watson (R-97)	-	-	-	-	0	20
Winters (R-68)	+	-	-	+	50	60
Yarbrough (D-7)	+	+	-	+	75	90
Younge (D-114)	+	+	-	+	75	67

KEY	Pro-Environment Vote... +	Not Voting - nv	Excused Absence. A
	Anti-Environment Vote... -	Voting Present + P	Not in Office..... *
	Not Voting + NV	Voting Present - p	

The Environmental Scorecard is published by the Illinois Environmental Council (IEC) for purposes of public education. It provides a record and analysis of votes in the Illinois General Assembly on a wide range of environmental and conservation bills, with the goal of creating a better-informed citizenry.

No endorsement of any party, legislator or political candidate is implied in this Scorecard or in any other publications or activities of the Illinois Environmental Council. The IEC does not make financial contributions to, nor receive them, from any candidate or political party.

IEC is a non-partisan 29 year-old organization that promotes sound environmental laws and policies, provides a forum for environmentalists and facilitates a statewide activist network. IEC performs legislative advocacy and serves as the environmental community's eyes, ears and voice in Springfield.



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