



2021 Report Card

<https://www.sierraclub.org/california>

October 2021

Another Incremental Year in the Legislature

2021 proved to be another incremental year in the state legislature when it came to the environment.

Yes, there were some good bills introduced and passed. But many of the most interesting and boldest of bills introduced this year ended up being held or redirected to become two-year bills before they were even scheduled for a committee hearing (a two-year bill is one that is expected to return for more work and votes in the second year of the session). Other bold bills died in committee or on the floors of the legislative houses.

In 2020, we saw only 27 of the more than 500 bills we tracked make it to the governor’s desk.

This year, we tracked or took positions on more than 530 bills. By the last night of session, 74 bills we took a position on had made it through the legislature, and were either headed to the governor’s desk or had been signed.

And of those 74, we supported 73 and opposed 1.

Ultimately, Sierra Club California staff chose 8 especially important bills that made it to the legislative floors to score on our report card.

As a result, 17 assembly members consistently voted with Sierra Club California to receive 100 percent on our report card. In the Senate, that number was only 5.

Small Steps in the Legislature

This year, there were a number of good environmental bills that were introduced, passed, and signed.

This includes Assembly Bill 100 (Holden), which will significantly reduce Californians’ daily exposure to lead; Assembly Bill 1183 (Ramos), which will allow for greater protection of California deserts by creating the Desert Conservation Program within the Wildlife Conservation Board;

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Newsom Has Much Work to Do

If one looks only at the numbers—how many bills on our scorecard the governor signed or vetoed as we requested—Governor Newsom did very well.

Only 4 of the bills we scored made it to his desk, and of those, he took the correct environmental position on all four, giving him a 100% scorecard record. When we look at the total number of bills we were tracking that made it to his desk this year, he signed 65 of the bills we asked him to sign, signed 1 bill we asked him to veto, and vetoed 8 bills we asked him to sign. Overall, he sided with us 88% of the time.

But these numbers alone do not tell the full story.

Like years before - and with the exception of the budget process - Newsom mostly disengaged from the legislative process. He never publicly took a position on the boldest bills in the legislature, an action that could have changed the outcome of those bills.

His silence was in large part due to him facing a recall attempt. Although unsuccessful, the recall effort placed the Governor in a vulnerable position that drove him to shy away from strong environmental leadership that could be viewed as “controversial”—even though this is precisely the kind of leadership we need right now.

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(Legislature continued from page 1)

Senate Bill 1 (Atkins), which will allow for greater coordination of state funds to prepare for sea level rise impacts associated with climate change; and Senate Bill 552 (Hertzberg), which will improve drought preparedness for small and rural communities.

Moreover, after years of failing to pass far-reaching bills to tackle plastic pollution, the legislature passed, and the Governor signed, several bills that promote waste reduction. Among those, Assembly Bill 881 (Gonzalez) will close a loophole allowing exported mixed plastic waste to be counted as recycled, even though it is landfilled, burned, dumped, or otherwise improperly managed. Assembly Bill 1201 (Ting) will ensure that products labeled “compostable” are actually compostable, and ensure harmful chemicals stay out of California’s compost stream.

But The Boldest Bills Failed to Pass

At a time when we face frightening and increasingly catastrophic climate change impacts, a year dominated by incrementalism is disheartening.

This is especially so when at the beginning of the year, legislators introduced a suite of bold and impactful bills that would address the climate and pollution crises at their core.

One of these pieces of legislation was Senate Bill 467 (Wiener and Limón), a bold oil-related measure that would have phased out fracking and extreme oil and gas extraction technologies and required 2,500-foot setback between homes and new oil drilling sites. The bill faced intense opposition from the oil and gas industry and the California Building Trades Council, a labor organization whose members include oil workers.

Ultimately, the bill failed to pass the Senate Natural Resources and Water committee.

Another bold bill introduced this year was Assembly Bill 1371 (Friedman), which would have reduced the environmental harms of single-use plastic by phasing out single-use plastic packaging in e-commerce. This critical bill failed to pass the Assembly floor with the needed votes.

Other bills that failed to get to the Governor’s desk sought to advance safe and clean water for all Californians.

Assembly Bill 377 (Rivas) would have put California on track to restore its waters by 2050, by establishing a three-prong framework to improve water quality in California waters. The bill was converted into a two-year bill after fierce opposition from agriculture and water districts.

Senate Bill 222 (Dodd) would have helped assist low-income individuals with their water bills through the creation of a statewide rate assistance program. The bill was held in the last week of session before it was to be heard on the Assembly floor, due to negotiations with the administration.

(Newsom continued from page 1)

Notably, many environmental and environmental justice groups were instrumental in defeating the recall.

And then there’s the budget. For months, Newsom and the legislature negotiated as to how much of the historic budget surplus should be allocated to address climate change impacts. The final package was 15 billion dollars that would go to a myriad of both good and bad projects.

But the budget process should not be the only process by which California addresses climate change. We need bold legislation and regulations that address the root of the problem, and protect the most vulnerable people and ecosystems. Moreover, the state isn’t always in a financially sound position, and as activists know, environmental programs are typically first to be cut during the budget process.

As for his regulatory actions, our assessment of Newsom’s regulatory record is [well documented](#). He’s taken both positive and negative actions on environmental issues at state agencies. But simply put, we expect much more from him on this front to address and meet the urgency of the climate crisis.

Heading into 2022, Newsom needs to act more in favor of the environment - not just speak about it. The governor should prioritize transitioning California away from fossil fuels, enact stronger protections for our local wildlife, lands, and water, expand our clean energy infrastructure, and stop supporting environmentally destructive projects like the Delta Tunnel and new oil and gas extraction sites. We’ll be monitoring Newsom’s progress closely next year, and will continue to hold him accountable for his inconsistent record.

2021 Bill Summaries

Sierra Club California policy advocates select the bills that appear on the report card. The selection is based on factors that include a bill's overall importance to the state's environmental quality, the precedent it sets for good or bad impacts, and the bill's importance to fulfilling the Club's mission. We also consider what a bill's score reveals about environmental commitment in the legislature. This year, we scored 11 total bills: 6 that originated in the Assembly, and 5 from the Senate.

When a bill returned to its house of origin for a concurrence vote, we used that vote.

Assembly Bill 267 (Valladares) Would have extended a California Environmental Quality Act exemption for wildfire-related, landscape-scale projects (including tree removal projects) on federal lands which have undergone weaker environmental review under the National Environmental Protection Act. **OPPOSE: Converted to a Two-Year bill in the Senate.**

Assembly Bill 1183 (Ramos) Allows for greater protection and preservation of California desert lands, water, and wildlife by establishing a Desert Conservation Program within the Wildlife Conservation Board. **SUPPORT: Signed.**

Assembly Bill 1346 (Berman) Reduces air pollution by requiring CARB to develop and adopt regulations that prohibit the sale of small, off-road, gas-powered engines such as the ones frequently found in lawn and garden equipment. **SUPPORT: Signed.**

Assembly Bill 1371 (Friedman) Would have reduced harmful environmental and economic impacts of unnecessary single-use plastic by phasing out the use of plastic films — such as mailers, void fill and polystyrene peanuts — in e-commerce packaging. **SUPPORT: Failed to pass Assembly floor.**

Assembly Bill 1395 (Muratsuchi) Would have established emissions reduction goals for California to achieve net zero greenhouse gas emissions by 2045, and would have put restrictions on the oil industry's use of captured carbon. **SUPPORT: Failed to pass Senate floor.**

Assembly Bill 1512 (Bauer-Kahan) Would have permanently preserved the ecologically diverse area of Tesla Park in Alameda County by banning use of off-road vehicles. **SUPPORT: Held by author on Senate floor.**

Senate Bill 47 (Limón) Authorizes CalGEM to spend up to \$5 million a year on plugging and abandoning deserted oil wells. This will help ensure that the cost of remediating deserted wells is borne by the oil industry and not taxpayers. **SUPPORT: Signed.**

Senate Bill 343 (Allen) Promotes a circular economy by ending consumer confusion about which plastics are recyclable in California by prohibiting the use of the word "recyclable" or the chasing-arrow symbol on products that are not truly recyclable. **SUPPORT: Signed.**

Senate Bill 222 (Dodd) Would have established a long-needed framework for a statewide water affordability assistance program. **SUPPORT: Converted into a Two-Year Bill on the Assembly floor.**

Senate Bill 227 (Jones) An earlier version of this bill would have degraded air quality by overriding a recent CARB regulation that severely restricts the use of emission non-compliant off highway vehicles on public lands. The bill was amended in the Assembly Transportation committee and Sierra Club California removed its opposition. We scored the Senate floor vote on the version of the bill we opposed. **OPPOSE: Passed the Assembly Transportation Committee with amendments. Removed Opposition.**

Senate Bill 559 (Hurtado) Would have authorized the use of state funds in the restoration of a federal canal project, subsidizing profits of a single industry and violating the beneficiary pays principle that requires those who benefit from a project pay for the maintenance and operation of the project. **OPPOSE: Pulled by Author on Assembly Floor.**

Now that you know the score, take action!



Tell your legislators you know the score. Call their district offices and thank them if they scored well, or express disappointment if they didn't. Let them know you care about California's environment.

You can find phone numbers for legislators at: www.senate.ca.gov or www.assembly.ca.gov.

You can find out who your representatives are at: findyourrep.legislature.ca.gov.



Make your voice heard and take action on key legislation when the 2021 legislative session begins by watching for news at: www.sierraclubcalifornia.org.



Become a Sierra Club member on our website and sign up for our activist updates.

Report Card Legend and Notes

+ Pro-environment vote NV- Legislator was present, but chose not to cast a vote in support of a pro-environment bill
 - Anti-environment vote NV+ Legislator was present, but chose not to cast a vote on an anti-environment bill
 E Excused absence n/a Legislator was not a member of the committee or had moved to another position during the vote

Scores are based on the number of “+” and “NV+” votes cast versus the total number of possible votes (excused absences do not count against a score, but NV- votes do).

ASSEMBLY REPORT CARD	VOTE COUNT	SCORE	SUPPORTED MEASURES							Opposed
			AB 1183 Protects Cal- ifornia desert lands, water, and wildlife	AB 1346 Prohibits use of small off- road gas pow- ered engines	AB 1371 Phases out use of certain single-use plastics	AB 1395 Require Cal- ifornia to be carbon neutral by 2045	AB 1512 Protects Tesla Park from off- road vehicles	SB 47 Funds abandoned oil well remedi- ation	SB 343 Requires accurate recycling labels on packages	AB 267 Extends CEQA exemption for wildfire related, landscape scale projects
Aguiar-Curry, Cecilia M. (D-04)	3/8	38%	+	NV-	NV-	NV-	+	+	NV-	-
Arambula, Dr. Joaquin (D-31)	3/8	38%	+	NV-	NV-	NV-	+	+	NV-	-
Bauer-Kahan, Rebecca (D-16)	7/7	100%	E	+	+	+	+	+	+	NV+
Bennett, Steve (D-37)	8/8	100%	+	+	+	+	+	+	+	NV+
Berman, Marc (D-24)	7/8	88%	+	+	+	+	+	+	+	-
Bigelow, Frank (R-05)	0/8	0%	-	-	-	-	-	-	-	-
Bloom, Richard H. (D-50)	7/7	100%	E	+	+	+	+	+	+	NV+
Boerner Horvath, Tasha (D-76)	8/8	100%	+	+	+	+	+	+	+	NV+
Bonta, Mia (D-18)	4/4	100%	+	+	n/a	n/a	n/a	+	+	n/a
Bryan, Isaac G. (D-54)	7/7	100%	+	+	+	+	+	+	+	n/a
Burke, Autumn R. (D-62)	5/8	63%	+	+	NV-	NV-	+	+	+	-
Calderon, Lisa (D-57)	5/8	63%	+	+	NV-	NV-	+	+	+	-
Carrillo, Wendy (D-51)	8/8	100%	+	+	+	+	+	+	+	NV+
Cervantes, Sabrina (D-60)	5/8	63%	+	+	NV-	NV-	+	+	+	-
Chau, Ed (D-49)	7/8	88%	+	+	+	+	+	+	+	-
Chen, Phillip (R-55)	0/8	0%	NV-	-	-	-	-	NV-	NV-	-
Chiu, David (D-17)	8/8	100%	+	+	+	+	+	+	+	-
Choi, Steven Ph.D. (R-68)	0/8	0%	NV-	-	-	-	-	-	NV-	-
Cooley, Ken (D-08)	4/8	50%	+	NV-	-	+	+	+	NV-	-
Cooper, Jim (D-09)	2/8	25%	+	NV-	-	NV-	-	NV-	+	-
Cunningham, Jordan (R-35)	2/8	25%	+	-	-	NV-	-	NV-	+	-
Dahle, Megan (R-01)	0/8	0%	-	-	-	-	-	-	NV-	-
Daly, Tom (D-69)	2/8	25%	+	NV-	NV-	-	+	-	NV-	-
Davies, Laurie (R-73)	0/8	0%	-	-	-	-	-	-	-	-
Flora, Heath (R-12)	0/8	0%	-	-	-	-	-	NV-	NV-	-
Fong, Vince (R-34)	0/8	0%	NV-	-	-	-	-	-	NV-	-
Frazier, Jim (D-11)	1/8	13%	NV-	NV-	-	+	-	-	NV-	-
Friedman, Laura (D-43)	8/8	100	+	+	+	+	+	+	+	NV+
Gabriel, Jesse (D-45)	7/7	100%	E	+	+	+	+	+	+	NV+
Gallagher, James M. (R-03)	0/8	0%	-	-	-	-	-	-	NV-	-
Garcia, Cristina (D-58)	7/8	88%	+	+	NV-	+	+	+	+	NV+
Garcia, Eduardo (D-56)	6/8	75	+	+	NV-	+	+	+	+	-
Gipson, Mike A. (D-64)	3/8	38%	+	+	NV-	-	+	NV-	NV-	-
Gonzalez, Lorena (D-80)	7/7	100%	E	+	+	+	+	+	+	NV+
Gray, Adam C. (D-21)	0/7	0	E	-	-	-	NV-	NV-	-	-
Grayson, Timothy S. (D-14)	3/8	38%	+	NV-	NV-	NV-	+	-	+	-
Holden, Chris (D-41)	7/8	88%	+	+	+	+	+	+	+	-

ASSEMBLY REPORT CARD	VOTE COUNT	SCORE	SUPPORTED MEASURES							OPPOSED
			AB 1183 Protects Cal- ifornia desert lands, water, and wildlife	AB 1346 Prohibits use of small off- road gas pow- ered engines	AB 1371 Phases out use of certain single-use plastics	AB 1395 Require Cal- ifornia to be carbon neutral by 2045	AB 1512 Protects Tesla Park from off- road vehicles	SB 47 Funds abandoned oil well remedi- ation	SB 343 Requires accurate recycling labels on packages	AB 267 Extends CEQA exemption for wildfire related, landscape scale projects
Irwin, Jacqui (D-44)	7/8	88%	+	+	+	+	+	+	+	-
Jones-Sawyer, Sr., Reginald Byron (D-59)	7/8	88%	+	+	+	+	+	+	+	-
Kalra, Ash (D-27)	8/8	100%	+	+	+	+	+	+	+	+
Kiley, Kevin (R-06)	0/8	0%	-	-	-	-	-	-	NV-	-
Lackey, Tom (R-36)	0/8	0%	-	-	-	-	-	-	NV-	-
Lee, Alex (D-25)	8/8	100%	+	+	+	+	+	+	+	NV+
Levine, Marc (D-10)	6/7	86%	E	+	+	+	+	+	+	-
Low, Evan (D-28)	6/8	75%	+	+	+	NV-	+	+	+	-
Maienschein, Brian (D-77)	5/8	63%	+	+	NV-	NV-	+	+	+	-
Mathis, Devon J. (R-26)	1/8	13%	-	-	-	-	-	-	+	-
Mayes, Chad (I-42)	1/8	13%	NV-	NV-	-	NV-	NV-	-	+	-
McCarty, Kevin (D-07)	7/8	88%	+	+	+	+	+	+	+	-
Medina, Jose (D-61)	5/8	63%	+	+	-	+	+	+	NV-	-
Mullin, Kevin (D-22)	7/8	88%	+	+	+	+	+	+	+	-
Muratsuchi, Al (D-66)	7/8	88%	+	+	+	+	+	+	+	-
Nazarian, Adrin (D-46)	7/8	88%	+	+	+	+	+	+	+	-
Nguyen, Janet (R-72)	0/8	0%	-	-	-	-	-	-	NV-	-
O'Donnell, Patrick (D-70)	4/8	50%	+	NV-	-	NV-	+	+	+	-
Patterson, Jim (R-23)	0/8	0%	NV-	-	-	-	-	-	NV-	-
Petrie-Norris, Cottie (D-74)	7/8	88%	+	+	+	+	+	+	+	-
Quirk, Bill (D-20)	7/8	88%	+	+	+	+	+	+	+	-
Quirk-Silva, Sharon (D-65)	5/8	63%	+	-	-	+	+	+	+	-
Ramos, James C. (D-40)	5/8	63%	+	+	-	+	+	+	NV-	-
Rendon, Anthony (D-63)	6/7	86%	E	+	+	+	+	+	+	-
Reyes, Eloise Gómez (D-47)	8/8	100%	+	+	+	+	+	+	+	NV+
Rivas, Luz M. (D-39)	7/7	100%	+	+	+	+	+	+	+	E
Rivas, Robert (D-30)	7/8	88%	+	+	+	+	+	+	+	-
Rodriguez, Freddie (D-52)	3/8	38%	+	NV-	-	NV-	+	+	NV-	+
Rubio, Blanca E. (D-48)	3/8	38%	+	+	NV-	NV-	+	NV-	NV-	-
Salas, Jr., Rudy (D-32)	2/8	25%	+	-	NV-	-	+	-	NV-	-
Santiago, Miguel (D-52)	7/8	88%	+	+	+	+	+	+	+	-
Seyarto, Kelly (R-67)	0/8	0%	-	-	-	-	-	-	NV-	-
Smith, Thurston "Smitty" (R-33)	0/8	0%	-	-	-	-	-	-	NV-	-
Stone, Mark (D-29)	8/8	100%	+	+	+	+	+	+	+	+
Ting, Philip Y. (D-19)	8/8	100%	+	+	+	+	+	+	+	NV+
Valladares, Suzette Martinez (R-38)	0/8	0%	-	-	-	-	-	-	NV-	-
Villapudua, Carlos (D-13)	4/8	50%	+	+	NV-	NV-	+	+	NV-	-
Voepel, Randy (R-71)	0/8	0%	-	-	-	-	-	-	NV-	-
Waldron, Marie (R-75)	1/6	17%	-	-	E	E	-	-	+	-
Ward, Christopher M (D-78)	7/8	88%	+	+	+	+	+	+	+	-
Weber, M.D., Akilah (D-79)	7/8	88%	+	+	+	+	+	+	+	-
Wicks, Buffy (D-15)	7/8	88%	+	+	+	+	+	+	+	-
Wood, Jim (D-02)	6/8	75%	+	NV-	+	+	+	+	+	-

SENATE REPORT CARD	VOTE COUNT	SCORE	SUPPORTED MEASURES						OPPOSED	
			SB 47 Funds abandoned oil well remediation	SB 222 Establishes framework for statewide water affordability assistance program	SB 343 Requires accurate recycling labels on packages	AB 1183 Protects California desert lands, water, and wildlife	AB 1346 Prohibits use of small off-road gas powered engines	AB 1395 Requires California to be carbon neutral by 2045	SB 227 Allows emission non-compliant off highway vehicles on public lands	SB 559 Uses state funds to subsidize federal canal project
Allen, Ben (D-26)	8/8	100%	+	+	+	+	+	+	NV+	NV+
Archuleta, Bob (D-32)	5/8	63%	+	+	+	+	+	NV-	-	-
Atkins, Toni G. (D-39)	6/7	86%	+	+	+	+	+	+	-	E
Bates, Patricia C. (R-36)	0/8	0%	-	-	-	NV-	-	-	-	-
Becker, Josh (D-13)	6/8	75%	+	+	+	+	+	+	-	-
Borgeas, Andreas (R-08)	0/7	0%	-	NV-	NV-	NV-	E	-	-	-
Bradford, Steven (D-35)	5/8	63%	+	+	+	+	+	NV-	-	-
Caballero, Anna (D-12)	4/8	50%	+	+	+	+	NV-	-	-	-
Cortese, Dave (D-15)	5/8	63%	+	+	+	+	+	NV-	-	-
Dahle, Brian (R-01)	0/8	0%	-	-	NV-	-	-	-	-	-
Dodd, Bill (D-03)	4/8	50%	+	+	+	+	NV-	-	-	-
Durazo, Maria Elena (D-24)	6/8	75%	+	+	+	+	+	NV-	+	-
Eggman, Susan Talamantes (D-05)	4/6	67%	+	+	+	+	E	E	-	-
Glazer, Steven M. (D-07)	6/8	75%	+	+	+	+	+	NV-	+	-
Gonzalez, Lena A. (D-33)	7/8	88%	+	+	+	+	+	+	NV+	-
Grove, Shannon (R-16)	1/8	13%	-	+	-	-	-	-	-	-
Hertzberg, Robert M. (D-18)	5/8	63%	+	+	+	+	+	NV-	-	-
Hueso, Ben (D-40)	4/8	50%	+	+	+	+	NV-	NV-	-	-
Hurtado, Melissa (D-14)	3/8	38%	-	+	+	+	-	-	-	-
Jones, Brian (R-38)	0/8	0%	-	-	-	-	-	-	-	-
Kamlager, Sydney (D-30)	8/8	100%	+	+	+	+	+	+	+	NV+
Laird, John (D-17)	7/8	88%	+	+	+	+	+	+	NV+	-
Leyva, Connie M. (D-20)	6/8	75%	+	+	+	+	+	+	-	-
Limón, Monique (D-19)	7/7	100%	+	+	+	+	+	+	+	E
McGuire, Mike (D-02)	6/8	75%	+	+	+	+	+	+	-	-
Melendez, Melissa (R-28)	1/8	13%	-	-	-	NV-	-	-	NV+	-
Min, Dave (D-37)	5/8	63%	+	NV-	+	+	+	+	-	-
Newman, Josh D. (D-29)	4/8	50%	+	+	+	+	NV-	NV-	-	-
Nielsen, Jim (R-04)	0/7	0%	-	-	-	-	-	-	E	-
Ochoa Bogh, Rosilicie (R-23)	0/8	0%	-	-	-	-	-	-	-	-
Pan, Richard (D-06)	5/8	63%	NV-	+	+	+	+	NV-	NV+	-
Portantino, Anthony (D-25)	6/8	75%	+	+	+	+	+	+	-	-
Roth, Richard D. (D-31)	4/8	50%	+	+	+	+	NV-	NV-	-	-
Rubio, Susan (D-22)	4/8	50%	+	+	+	+	NV-	NV-	-	-
Skinner, Nancy (D-09)	7/8	88%	+	+	+	+	+	+	+	-
Stern, Henry (D-27)	3/3	100%	E	+	E	E	E	E	+	NV+
Umberg, Tom (D-34)	4/8	50%	+	+	+	+	NV-	NV-	-	-
Wieckowski, Bob (D-10)	8/8	100%	+	+	+	+	+	+	+	+
Wiener, Scott D. (D-11)	7/8	88%	+	+	+	+	+	+	+	-
Wilk, Scott T. (R-21)	0/8	0%	-	-	-	-	-	-	-	-

Sierra Club California, founded in 1986, is the legislative and regulatory advocacy arm of the Sierra Club's 13 California chapters. Sierra Club California staff produced this report.