#### THE CALIFORNIA LEGISLATIVE



### 2015 Report Card

www.sierraclubcalifornia.org

October 2015

#### Don't Want to Look Like You're Bought? Don't Take the Oil Money

This year's legislative session ended with one big question hanging out there unanswered: Do oil companies own the California legislature?

This question has bubbled to the surface before, when the oil industry has managed to use its influence to squash bills and weaken regulations that would protect public health by cracking down on its methods for making and using its products. But this year was different.

#### 50% by 2030

This year began with the governor declaring in his January inaugural address that California needs to cut oil use in the transportation sector by 50% by 2030 to contain the worst aspects of global climate disruption. That was quickly followed by Senate President Pro Tem Kevin de León and Senator Mark Leno introducing Senate Bill 350 that included a section to put that declaration into action.

Fast forward to the last week of the legislative session. By then SB 350 had three strong sections. One increases to 50% the percentage of electricity in the state that will be generated by renewable energy by 2030, a more ambitious goal than nearly any other state in the country. Another doubles the average energy efficiency of all the buildings in the state by 2030, which means the demand for electricity will be cut as well.

The third and most controversial aspect of the bill, the oil demand reduction goal, had already drawn heavy fire from oil industry by then. The industry spent heavily—nobody yet knows the full tally—to send mailers, run newspaper, radio and television ads, cover billboards, and dominate social media. Its main message: The legislature is about to take action that will raise gas prices, take away your right to drive the car of your choice, force gas rationing, and subsidize rich people who drive Teslas.

#### **Outlandish Claims Continue**

The claims were outlandish and repetitive. These were the same claims the oil industry made more than a decade ago when the legislature prepared to adopt a bill that would cut climate pollution from autos, and again a few years later when a bill to reduce climate pollution generally (AB 32) was up for a vote.

When one looks at campaign contributions to legislators from January 2014 (an election year) until September 2015, an awful lot of those 20 so-called moderate Assembly Democrats received substantial money from the oil industry.

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Unfortunately, most of the current members of the Assembly were not here during those early fights, so the arguments were new to them. Additionally, something interesting was afoot.

#### **Campaign Contributions from Oil**

Now it is important to note that there is a solid rule of statistics that says that correlation does not necessarily mean causation. So keep that in mind as you read on.

About 20 Assembly Democrats who self-identify as members of the "moderate" caucus, teamed up with Assembly-member Henry Perea from Fresno to beat up on the bill's oil section and, ultimately, force the Pro Tem and the governor to abandon the oil reduction goals in SB 350.

When one looks at campaign contributions to legislators from January 2014 (an election year) until September 2015, an awful lot of those 20 so-called moderate Assembly Democrats received substantial money from the oil industry.

Here are a few notables among them, listed with the amount of money they received from the oil companies, based on information available from the Secretary of State's recently unveiled database on campaign finance: Jim Cooper, \$24,200; Adam Gray, \$23,400; Rudy Salas, \$22,400; Michael Gipson, \$19,200; Cheryl Brown, \$18,300; Freddie Rodriguez, \$16,100; Tom Daly, \$15,900; Jim Frazier, \$15,300; Henry Perea,\$15,300; Ken Cooley, \$12,800; and Jose Medina, \$7,400.

A perusal of the Secretary of State's database shows that nearly every legislator has received some oil money in the last 20 months. But some haven't: Ben Allen, Jim Wood, Mark Stone, Holly Mitchell and Fran Pavley, just to name a few.

Not every legislator who receives oil money votes all the time against the environment. But many of them often do. And in the case of SB 350, the big takers of oil money—including the list of moderate democrats above—can and will claim when they go back to their districts that they didn't vote against the bill. No, they just worked to weaken it to accommodate the oil industry and validate its dishonest claims.

#### **How Much Does it Buy?**

We live in interesting times. Thanks to the Secretary of State's new database, we can see just how interesting they are.

Keeping in mind that correlation is not causation, it's still pretty hard to not wonder how much voting influence a \$15,000 donation to a campaign can buy.

If any legislators are offended by the hint that maybe their vote was bought, here's a good way to retaliate and prove us wrong: Stop taking oil money.

Sierra Club California, founded in 1986, is the legislative and regulatory advocacy arm of the Sierra Club's 13 California chapters. This report was developed by Sierra Club California Director Kathryn Phillips; Policy Advocates Edward Moreno, Kyle Jones, and Diana Vazquez; Operations Coordinator Meg Gunderson; and, Interns Olivia Regalia, Elizabeth Byrne, and Cristian Molina-Cornejo.

#### Governor's Legislative Record v. Tunnels Fixation

Governor Brown signed nearly every bill on environmentalists' agenda that made it to his desk this year. He signed 6 of 7 of the bills on our report card, or about 86 percent.

The one bill he didn't sign would have reformed a troubled state agency responsible for regulating investor-owned utilities that deliver electricity to consumers. However, in his veto messages on that and other similar reform bills, Governor Brown indicated he would consider different versions of the bills next year.

So, overall, the governor deserves kudos for signing important environmental legislation this year. Additionally, he has taken an assertive role drawing attention to the need to act on climate change. Although some might say he got a late start, Governor Brown also has been a forceful voice for water conservation.

Where he fails is in his unremitting focus on building two giant, expensive and impractical tunnels that will effectively destroy the San Francisco Bay Delta ecosystem. This year, his administration has spent much time trying to push for the tunnels' development outside of general public view.

The tunnels don't fit into any version of smart drought or water policy for a climate-challenged era. But they do represent an Achilles Heel in the governor's otherwise strong environmental record this year.

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#### 2015 Bill Summaries

Sierra Club California policy advocates select the bills that appear on the scorecard. 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. This year, we scored 12 bills. One, SB 454, did not get off the Senate floor and so is not included in the Assembly scoring. Another, AB 356, failed to get off the Assembly floor and so is not included in the Senate scoring. SB 20's contents were inserted into a budget trailer bill after it left the Senate floor, so SB 20 is not included in the Assembly scoring. AB 1242's contents changed entirely through a gut-and-amend action in the Senate and was not brought to a floor vote, and so is not included in the Senate scoring.

**AB 243 (Wood):** Establishes new, and expands existing, regulations and programs to reduce environmental impacts of medical marijuana cultivation. **SUPPORT: Signed into law** 

AB 356 (Williams): Would have ensured that California protects aquifers by monitoring underground injection of toxic oil waste into aquifers, and by expanding public meetings before injection of waste into potential drinking water sources can occur. SUPPORT: Failed on Assembly Floor

**AB 693 (Eggman)**: Creates the Multifamily Affordable Housing Renewables Program, to provide opportunities for everyone to benefit from renewable energy installations. **SUPPORT: Signed into law** 

**AB 888 (Bloom):** Prohibits all plastic microbeads in personal care products and favors environmentally sound alternatives. **SUPPORT: Signed into law** 

**AB 1071 (Atkins):** Closes gaps in existing programs, policies, or activities within the California Environmental Protection Agency that may prevent achievement of environmental justice goals. **SUPPORT: Signed into law** 

AB 1242 (Gray): Would have curbed the State Water Resources Control Board's ability to set instream flow requirements necessary to provide water needed for the Delta and environment. OPPOSE: Passed Assembly; gutted and amended in the Senate and not brought to the floor

SB 20 (Pavley): Required well completion reports to be made publicly available upon request, to allow for better data collection and science-based management of groundwater. SUPPORT: Passed Senate; included in budget language

**SB 32 (Pavley):** Would have codified the framework for meeting California's climate goals for 2050 and authorized the Air Resources Board to establish interim targets. **SUP-PORT: Failed on Assembly Floor** 

**SB 350 (de León):** Sets greenhouse gas reduction goals for 2030 through a 50% increase in renewable energy generation, and a doubling of energy efficiency in existing buildings. Petroleum reduction goals were stripped out in the Assembly. **SUPPORT: Signed into law** 

**SB 454 (Allen):** Would have prevented the Division of Oil, Gas and Geothermal Resources from allowing illegal injection of oil waste into groundwater. **SUPPORT: Failed on Senate Floor** 

**SB 660 (Leno):** Would have reformed the California Public Utilities Commission's (CPUC) governance structure and closed loopholes that have allowed regulated utilities undue influence at the CPUC. **SUPPORT: Vetoed by Governor** 

SB 788 (McGuire): Would have closed a loophole that allows new offshore oil drilling in state waters off the coast of Santa Barbara. SUPPORT: Failed in Assembly Appropriations Committee

#### 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 <a href="https://www.senate.ca.gov">www.senate.ca.gov</a> or <a href="https://www.senate.ca.gov">www.assembly.ca.gov</a>.

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 2016 legislative session begins by watching for news at: <a href="https://www.sierraclubcalifornia.org">www.sierraclubcalifornia.org</a>.
- Become a Sierra Club California member and keep up on the latest news at sierraclubcalifornia.org.

# Report Card Legend and Notes

means pro-environment vote means anti-environment vote means legislator was present, but chose not to cast a vote in support of a pro-environment bill means legislator was present, but chose not to cast a vote on an anti-environment bill means excused absence (does not count toward total score) ž ž

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).

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399   33%	VOTE SCORE	AB 243 Regulate marijuana	AB 356 Groundwater monitoring	AB 693 Affordable renewable energy	AB 888 Ban microbeads	AB 1071 Resources for env justice	SB 32 Climate change goals	SB 350 Energy and climate change	SB 660 PUC reform	SB 788 Close oil loophole	AB 1242 Block Bay Delta sustainability
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8.99 8.99 8.96 8.90 8.90 8.90 8.90 8.90 8.90 8.90 8.90		+	+	+	+	+	NV-	+	+		1
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D-45  899 89%		+	NV-	+	+	+	NV-	+	+		1
4/10   40%   +   NV-   -   +   +   +   +   +   +   +   +		+	+	+	+	+	+	+	+		-
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7/9   78%		+		+	+	+	-	+	+		•
Sign		+	+	+	+	+	NV-	+	+		1
5/9       56%       +       -       +         2/9       22%       -       -       -         3)       2/9       22%       -       -       -         6/9       67%       +       NV-       +       +         7/9       78%       -       +       +       +         6/9       67%       +       NV-       +       +         8/9       89%       +       +       +       +         7/9       78%       +       +       +       +         8/9       89%       +       +       +       +         8/9       89%       +       +       +       +		+	+	+	+	+	+	+	+		+
3) 2/9 22%		+	1	+		+	-	+	+		1
S					-	+	-	1	+		1
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						SUPPORTE	SUPPORTED MEASURES					OPPOSED
ASSEMIBLY REPORT CARD	VOTE	SCORE	AB 243 Regulate marijuanana	AB 356 Groundwater monitoring	AB 693 Affordable renewable energy	AB 888 Ban microbeads	AB 1071 Resources for env justice	SB 32 Climate change goals	SB 350 Energy and climate change	SB 660 PUC reform	SB 788 Close oil loop- hole	AB 1242 Block Bay Delta sustainability
Grove, Shannon L. (R-34)	2/9	22%	1		1	1	+	1	1	+		1
Hadley, David (R-66)	6/10	%09	+	NV-	1	+	+		+	+	+	ı
Harper, Matthew (R-74)	2/10	%07	-	-	-	-	+	-	-	+	-	-
Hernández, Roger (D-48)	6/9	%19	+	NV-	+	+	+	NV-	+	+		-
Holden, Chris (D-41)	7/9	%82	+	NV-	+	+	+	+	+	+		-
Irwin, Jacqui V. (D-44)	7/9	%8L	+	+	+	+	+	-AN	+	+		1
Jones, Brian W. (R-71)	6/7	22%	NV-	NV-	1	1	+		1	+		1
Jones-Sawyer, Reginald Byron, Sr. (D-59)	6/8	%68	+	+	+	+	+	+	+	+		1
Kim, Young O. (R-65)	2/9	22%	NV-	ı	1	NV-	+		1	+		1
Lackey, Tom W. (R-36)	4/9	44%	+	-	-	+	+	-	-	+		1
Levine, Marc B. (D-10)	6/6	%001	+	+	+	+	+	+	+	+		+
Linder, Eric F. (R-60)	4/9	44%	+	-	-	+	+	-	-	+		1
López, Patty (D-39)	6/6	%001	+	+	+	+	+	+	+	+		+
Low, Evan (D-28)	6/9	%19	+	NV-	+	+	+	-	+	+		1
Maienschein, Brian (R-77)	3/9	33%	NV-	1	1	+	+	1	1	+		1
Mathis, Devon J. (R-26)	3/9	33%	ı	-	-	+	+	-	1	+		1
Mayes, Chad J. (R-42)	3/9	33%	NV-	-	-	+	+	-	-	+		-
McCarty, Kevin (D-07)	9/10	%06	+	+	+	+	+	+	+	+	+	1
Medina, Jose (D-61)	6/9	%19	+	NV-	+	+	+	-	+	+		1
Melendez, Melissa (R-67)	2/9	22%	1	-	-	NV-	+	-	-	+		1
Mullin, Kevin (D-22)	8/9	%68	+	+	+	+	+	+	+	+		-
Nazarian, Adrin (D-46)	9/6	%001	+	+	+	+	+	+	+	+		NV+
Obernolte, Jay P. (R-33)	3/9	33%	NV-	-	-	+	+	-	-	+		-
O'Donnell, Patrick (D-70)	6/9	%19	+	NV-	+	+	+	-AN	+	+		1
Olsen, Kristin M. (R-12)	4/9	44%	+	-	-	+	+	-	-	+		1
Patterson, Jim (R-23)	3/9	33%	+	-	-	-	+	-	-	+		1
Perea, Henry T. (D-31)	6/9	%19	+	-	+	+	+	-	+	+		1
Quirk, Bill (D-20)	8/9	%68	+	ı	+	+	+	+	+	+		+
Rendon, Anthony, Ph.D. (D-63)	10/10	100%	+	+	+	+	+	+	+	+	+	NV+
Ridley-Thomas, Sebastian (D-54)	5/9	%95	NV-		+	+	NV-	+	+	+		1
Rodriguez, Freddie (D-52)	5/9	%95	+	NV-	+	NV-	+	NV-	+	+		1
Salas, Rudy, Jr. (D-32)	6/9	%29	+	ı	+	+	+	-	+	+		1
Santiago, Miguel (D-53)	8/9	%68	+	+	+	+	+	+	+	+		1
Steinorth, Marc (R-40)	4/9	44%	+	ı	1	+	+	ı	1	+		ı
Stone, Mark (D-29)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Thurmond, Tony (D-15)	8/9	%68	+	+	+	+	+	+	+	+		1
Ting, Philip Y. (D-19)	6/6	%001	+	+	+	+	+	+	+	+		+
Wagner, Donald P. (R-68)	2/9	22%	-	-	-	-	+	-	-	+		-
Waldron, Marie (R-75)	3/9	33%	+	-	-	-	+	-	-	+		-
Weber, Shirley N. (D-79)	7/9	78%	+	NV-	+	+	+	+	+	+		1
Wilk, Scott T. (R-38)	4/9	44%	+	-	-	+	+	-	-	+		-
Williams, Das G. (D-37)	6/7	%98	E	+	E	+	+	+	E	+	+	1
Wood, Jim (D-02)	9/10	%06	+	+	+	+	+	+	+	+	+	•

						IS	SUPPORTED MEASURES	SASURES				
SENATE REPORT CARD	VOTE	SCORE	AB 243 Regulate	AB 693 Affordable renewable energy	AB 888 Ban microbeads	AB 1071 Resources for env justice	SB 32 Climate change goals	SB 350 Energy and climate change	Stop oil waste in groundwater	SB 660 PUC reform	SB 788 Close oil loophole	SB 20 Make well reports public
Allen, Ben (D-26)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Anderson, Joel (R-38)	2/10	20%	1	1	1	+	1	ı	1	+	1	1
Bates, Patricia C. (R-36)	2/10	20%	ı	ı	ı	+	ı	ı	ı	+	-	ı
Beall, Jim (D-15)	9/10	%06	+	+	NV-	+	+	+	+	+	+	+
Berryhill, Tom (R-08)	3/10	30%	+	ı	ı	+	ı	ı	1	+		1
Block, Marty (D-39)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Cannella, Anthony J. (R-12)	3/10	30%	+	ı	ı	+	ı	ı	1	+		ı
de León, Kevin (D-24)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Fuller, Jean (R-16)	2/10	20%	1	ı	1	+	1	1	ı	+		1
Gaines, Ted (R-01)	2/10	20%	-	ı	-	+	-	-	ı	+	-	1
Galgiani, Cathleen (D-05)	5/10	%05	NV-	+	+	+	1	+	-AN	+	-AN	NV-
Glazer, Steven M. (D-07)	8/10	%08	+	+	+	+	+	+	+	+	-AN	NV-
Hall, Isadore, III (D-35)	9/10	%06	+	+	+	+	+	+	NV-	+	+	+
Hancock, Loni (D-09)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Hernandez, Ed, O.D. (D-22)	9/10	%06	+	+	+	+	+	+	ı	+	+	+
Hertzberg, Robert M. (D-18)	9/10	%06	+	+	+	+	+	+	NV-	+	+	+
Hill, Jerry (D-13)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Hueso, Ben (D-40)	9/10	%06	+	+	+	+	+	+	+	+	NV-	+
Huff, Bob (R-29)	3/10	30%	+	-	1	+	1	-	ı	+	-	1
Jackson, Hannah-Beth (D-19)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Lara, Ricardo (D-33)	9/10	%06	+	+	+	+	+	+	-AN	+	+	+
Leno, Mark (D-11)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Leyva, Connie M. (D-20)	9/10	%06	+	+	+	+	+	+	ı	+	+	+
Liu, Carol (D-25)	10/10	100%	+	+	+	+	+	+	+	+	+	+
McGuire, Mike (D-02)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Mendoza, Tony (D-32)	8/10	%08	+	+	+	+	+	+	•	+	+	NV-
Mitchell, Holly J. (D-30)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Monning, William W. (D-17)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Moorlach, John M.W. (R-37)	2/10	20%	+	1	1	-	-	1	1	+	•	1
Morrell, Mike L. (R-23)	2/10	20%	1	1	1	+	1	1	1	+	1	1
Nguyen, Janet (R-34)	2/10	20%	1	1	1	+	1	1	1	+		ı
Nielsen, Jim W. (R-04)	2/10	20%	-	_	-	+	NV-	1	1	+	•	-
Pan, Richard, M.D. (D-06)	7/10	20%	+	+	NV-	+	+	+	-AN	+	+	NV-
Pavley, Fran (D-27)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Roth, Richard D. (D-31)	6/10	%09	+	+	-	+	-	+	NV-	+	+	1
Runner, Sharon (R-21)	3/10	30%	+	-	-	+	1	-	-	+	-	-
Stone, Jeff E. (R-28)	3/10	30%	NV-	-	+	+	ı	1	ı	+	1	ı
Vidak, Andy (R-14)	2/10	20%	-	-	-	+	-	-	-	+	-	-
Wieckowski, Bob (D-10)	10/10	100%	+	+	+	+	+	+	+	+	+	+
Wolk, Lois (D-03)	10/10	100%	+	+	+	+	+	+	+	+	+	+
A NOTE ABOUT VOTING:												

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was granted an excused absence from the floor on the last day of the session, to attend the birth of his daughter. He missed the opportunity to vote for three bills he co-authored (AB 243, AB 693 and SB 350). senator can no longer record a vote on a bill. Senator Beall was absent from the floor, attending a meeting, when the vote was called on SB 888, a bill he intended to support. In the Assembly, Das Williams In the Senate, a member must be present on the floor at the time a vote for a bill is called. If a member is not present for any reason, including a committee hearing, and the roll is closed, the We suspect this will be part of the birth story his daughter will hear the rest of her life.