



# 2014 Report Card

## 2014: Environmental Power Unifies and Wins

The 2014 legislative session had a happier ending for the environment than last year's session. The session also was sprinkled with some out-of-the-ordinary arrests that helped highlight the extraordinary role of money in the legislature.

### United We Stand

This legislative year was marked by strong unity among environmental groups that were determined to recapture the environmental debates that increasingly have been dominated in the legislature by polluting industry rhetoric and money.

That unity was expressed early in the session by a commitment from environmental groups that work on oil fracking issues, including Sierra Club California, to focus on a single statewide fracking moratorium bill this year. That bill, Senate Bill 1132, failed to pass a Senate floor vote (more about that later), but it did prove to legislators—and the environmental community itself—that we can still wage a strong and effective battle for the right policy.

### Important Bills Passed

By the end of the year—especially in the last week of August—the legislature passed important bills to better manage groundwater, reduce single-use plastic bag pollution, and start addressing short-lived climate pollutants. All of these had formidable opposition, but with smart management by the bill authors and strong, active lobbying by environmentalists around the state—including Sierra Club members—the bills cleared high hurdles.

There were also successful bills to label furniture containing flame retardants, to improve storm water capture, and to improve electric vehicle access and charging infrastructure.

This year also marked the first in a number of years during which we ended the legislation session without a bucket of overt, successful attacks on key environmental regulations.

### Bad Bills Stymied

There were rumblings about a gut-and-amend led by the governor and Senate leadership that would have given special favors, including exemptions from the California Environmental Quality Act, to the electric car manufacturing company, Tesla. But that bill never materialized.

There were also a couple of other weird CEQA-weakening bills that the Club was able to halt with the strong help of environmental and labor allies. But even those bills were not as bad as the sort of CEQA attacks we've seen as recently as 2013.

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## In this Issue

- 2014: Environmental Power Unifies and Wins
- Governor Report
- Report Card Bill Summaries
- Assembly Report Card
- Senate Report Card

(Continued on Page 2)



(Cont. from front page)

This summer, Assemblymember Henry Perea, who represents one of the most air-polluted regions in the country, launched an effort to try to roll back regulations designed to reduce climate-change pollutants associated with the production of fuels. Again, a united front by environmentalists around the state, and help from our allies in the legislature, stymied that effort.

### You Can't Always Get What You Want

Sierra Club California staff and volunteers knew that getting a fracking moratorium passed this year would be hard. However, we also knew that future success would depend upon continuing to educate and move legislators. We needed to help them understand the incredibly damaging public health, environmental and economic implications of expanding the use of fracking and other extreme oil extraction methods in California.

The fracking moratorium bill accomplished that purpose. It united Californians around the state, moved farther through the legislative process than we anticipated, and made it to a floor vote in the state senate. On the first vote, it was just three votes short of passing the floor. Senators Ricardo Lara, Richard Roth and Ben Hueso abstained from voting. Those votes—or lack of—made the difference and killed the bill.

Sierra Club California staff and volunteers also lost in our efforts to persuade the legislature to create a \$7.5 billion water bond bill that doesn't threaten to enable new dams. Certain Central Valley Democratic legislators and Republican legislators insisted on dam language before providing their votes for the two-thirds vote bill that places Proposition 1 on the November ballot. (Sierra Club California is not taking a position on Proposition 1.)

### What Goes Up Must Come Down

One of the more interesting things to happen this legislative session had nothing to do with the natural environment, and everything to do with the environment inside the Capitol Building. Before the end of the first six months of the session, one senator (Rod Wright) was convicted of voter fraud, one senator (Leland Yee) was indicted on federal racketeering charges, and a third (Ron Calderon) was indicted for taking bribes in exchange for votes. These three were suspended from the Senate.

Within days of the end of the session, one more senator (Ben Hueso) was arrested. This time the charge was driving under the influence.

In response to the fraud and racketeering scandals, the Senate imposed new rules on itself that prohibit accepting funds from entities that employ lobbyists within 30 days of the end of session. According to news reports, the rules resulted in a dramatic drop in fundraisers and fundraising around the Capitol in August.

Both environments seemed to fare better with the new rules in place. Let's hope this is the beginning of a healthier trend.

*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 and Annie Pham, Operations Coordinator Meg Johnson, and Intern Amanda Dworkin.*

## Governor Paddles Better

As noted in our 2013 scorecard, Governor Jerry Brown is often quoted saying that he governs as one would paddle a canoe: paddling to each side, the left and the right, to keep the vessel moving in a straight line.

Last year we complained that our head of state had paddled so much to the right, he was essentially allowing his canoe—and the environment—to circle the drain.

Not so, this year. The governor scored a whopping 100 percent on signings for the bills we included in our scorecard. Indeed, his office took an active role in helping craft the landmark groundwater regulation bills.

Granted, there were no bills on our scorecard that made it to his desk that overtly challenged the oil and timber industries. Last year, Brown's score of 43 percent reflected signatures or vetoes that aligned with those industries' interests at the expense of the environment.

Political scientists say that elected officials who are in their last term of office are more likely to vote their conscience, and that typically means they vote more with the public interest than industry interest. Brown isn't exactly at the end of his career. He is a shoe-in for reelection in November. But in January, he will be entering the last four years of one of the most interesting political careers in California history, if not U.S. history.

We think he deserves the benefit of the doubt given his latest score. We hope for more 100 percent scores in the next four years, including on bills that challenge carbon-producing industries.

## 2014 Bill Summaries

Sierra Club California staff 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 11 bills. One, SB 1132, did not make it off the Senate floor, and so was not included in the scoring for the Assembly. A second, SB 1096, did not make it off the Assembly floor, and was not included in the scoring for the Senate.

**AB 1699 (Bloom):** Restricts the sale of personal care and cleaning products that contain plastic micro-beads. **SUPPORT-Failed on the Senate Floor**

**AB 1739 (Dickinson):** Part of a legislative package with SB 1168, this bill provides part of a framework for sustainable management of troubled groundwater basins statewide. **SUPPORT-Signed**

**AB 2188 (Muratsuchi):** Brings together best practices from solar permitting procedures currently used throughout the state to create a streamlined process for the permitting of small residential solar systems. **SUPPORT-Signed**

**SB 270 (Padilla):** Reduces plastic pollution by restricting single-use plastic grocery bags and placing a ten cent minimum charge on paper and reusable bags. **SUPPORT-Signed**

**SB 605 (Lara):** Requires the California Air Resources Board to develop a strategy for reducing short-lived climate pollutants. These pollutants include black carbon, which scientists now believe are particularly responsible for accelerating climate change in certain regions. **SUPPORT-Signed**

**SB 968 (Hill):** Directs the State Lands Commission to enter into negotiations with the Martins Beach property owner to acquire a right-of-way or easement for a public access route. If there is no agreement the Commission will acquire such a right-of-way or easement by eminent domain. **SUPPORT-Signed**

**SB 1019 (Leno):** Gives consumers the option to buy furniture without flame retardants by requiring manufacturers to disclose that information via a product label. **SUPPORT-Signed**

**SB 1096 (Jackson):** Corrects a provision in state law that would open Tranquillon Ridge off the Santa Barbara Coast for oil development despite its location within a Marine Protected Area. **SUPPORT- Failed on Assembly Floor**

**SB 1132 (Mitchell):** Imposes a moratorium on fracking and well stimulation until a study is completed and the Governor affirms these treatments are not harmful to public health and the environment. **SUPPORT- Failed on Senate Floor**

**SB 1168 (Pavley):** Part of a legislative package that includes AB 1739, this bill provides part of a framework for sustainable management of troubled groundwater basins statewide. **SUPPORT-Signed**

**SB 1275 (de León):** Aims to put one million electric vehicles on the road within the next decade and ensure low income Californians benefit from clean transportation. **SUPPORT-Signed**

**SB 1371 (Leno):** Addresses climate change impacts and safety hazards caused by fugitive methane emissions from pipeline leaks by directing the California Public Utilities Commission to develop and implement a comprehensive statewide plan to identify and repair leaks in the natural gas pipeline system. **SUPPORT-Signed**

## Interesting Peculiarities of Voting, Vote Counting and Scoring

This scorecard presents just part of the picture of performance. Scores don't illustrate the ways some legislators help by lobbying on our behalf with colleagues in either house, nor do they show peculiarities of voting rules in each house.

For instance, Senate Pro-Tem-Elect Kevin de Leon is shown as not voting on several bills that he supported. The reason: He was working on leadership business, including corraling votes on good bills. Senate rules allow the Pro

Tem to cast a vote without being on the floor. Because de Leon was not officially Pro Tem, he could not take advantage of that rule. Fortunately, the margins for the bill votes he missed were comfortable.

Sen. Jerry Hill supported the fracking moratorium bill, SB 1132, but missed the second floor vote. In the Assembly, members may add votes after a bill roll call has closed if doing so doesn't change the outcome. Not so in the Senate, so Hill is shown as not voting, which reduced his score.





SENATE REPORT CARD	VOTE COUNT	All Measures Were Supported by Sierra Club California																							
		Score	Bill	AB 1699	Bill	AB 1739	Bill	AB 2188	Bill	SB 270	Bill	SB 605	Bill	SB 968	Bill	SB 1019	Bill	SB 1132 **	Bill	SB 1168	Bill	SB 1275	Bill	SB 1371	
			Microbeads	Groundwater Management	Solar Permits	Plastic Bag Ban	Climate Pollutants	Beach Access	Flame Retardant Labels	Fracking Moratorium	Groundwater Management	Light Duty Electric Vehicles	Natural Gas Leak Abatement												
Anderson, Joel (R-36)	3/11	27%	-	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	
Beall, Jim (D-15)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Berryhill, Tom (R-14)	1/11	9%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Block, Marty (D-39)	10/11	91%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Cannella, Anthony (R-12)	3/11	27%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Corbett, Ellen M. (D-10)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Correa, Lou (D-34)	8/11	73%	-	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
de León, Kevin (D-22)	7/11	64%	+	+	NV-	+	+	NV-	NV-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	NV-	
DeSaulnier, Mark (D-07)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Evans, Noreen (D-02)	10/11	91%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Fuller, Jean (R-18)	1/11	9%	-	-	NV-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Gaines, Ted (R-01)	1/11	9%	-	-	NV-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Galigiani, Cathleen (D-05)	4/11	36%	-	-	NV-	-	NV-	-	+	+	NV-	+	+	+	+	+	+	+	+	+	+	+	+	+	
Hancock, Loni (D-09)	8/10	80%	+	+	E	+	+	NV-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	NV-	
Hernandez, Ed (D-24)	9/11	82%	NV-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Hill, Jerry (D-13)	10/11	91%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Hueso, Ben (D-40)	10/11	91%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Huff, Bob (R-29)	0/11	0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Jackson, Hannah-Beth (D-19)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Knight, Steve (R-21)	0/11	0%	-	-	NV-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Lara, Ricardo (D-33)	8/9	89%	+	+	+	+	E	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Leno, Mark (D-11)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Liu, Ted W. (D-28)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Liu, Carol (D-25)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Mitchell, Holly (D-26)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Monning, Bill (D-17)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Morrell, Mike (R-23)	0/11	0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Nielsen, Jim (R-04)	0/11	0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Padilla, Alex (D-20)	10/11	91%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Pavley, Fran (D-27)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Roth, Richard D. (D-31)	7/11	64%	NV-	+	NV-	+	+	NV-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Steinberg, Darrell (D-06)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Torres, Norma J. (D-32)	7/11	64%	-	+	NV-	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Vidak, Andy (R-16)	1/11	9%	-	-	-	-	-	-	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Walters, Mimi (R-37)	0/8	0%	E	-	E	-	-	E	-	-	-	-	E	-	-	-	-	-	-	-	-	-	-	-	
Wolk, Lois (D-03)	11/11	100%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Wyland, Mark (R-38)	5/11	45%	-	+	+	-	-	+	+	+	-	-	+	+	+	+	+	+	+	+	+	+	+	-	

\*Not included in the list are Senators Ron Calderon, Rod Wright and Leland Yee who were suspended from the Senate for various legal issues in early 2014.