

CALIFORNIA

'Me too' movement is shrinking the number of green lawmakers

Debra Kahn, E&E News reporter

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California Assemblymember Cristina Garcia (D) went on voluntary leave in February after she was accused of sexual harassment. Garcia/Facebook

Environmentalists are worried that a surfeit of absentee state lawmakers accused of sexual harassment could sap momentum for legislation this year.

Special elections were held yesterday to replace two lawmakers, Democratic Assemblymembers Raul Bocanegra and Matt Dababneh, who resigned last winter due to harassment allegations. Another who stepped down, state Sen. Tony Mendoza (D), is running for his old seat again in the June primary.

Another key environmental lawmaker accused of harassment is on a leave of absence while investigations are underway, and three others have been named in past harassment complaints. All but one are Democrats.

"There's a big, dark cloud hanging over the Legislature right now," Democratic strategist Steve Maviglio said earlier this year. "A lot of lobbyists are shaking their heads, wondering where they're going to get the votes from."

The main issue for Democrats is the loss of their two-thirds edge. The majority party has been without its supermajority since December, hurting its ability to pass taxes and fees.

"There's all kinds of things that it's difficult on a good day to muster 41 votes for, and when you have five people gone, it makes the hurdle that much higher," Maviglio said. "Something with a two-thirds vote, people are almost on the verge of saying, 'Forget it.'"

Lawmakers aren't looking to pass as many major supermajority bills as they did last year, when they approved a gas tax increase as well as a parks bond and cap-and-trade extension. But they could require a two-thirds vote to enact changes to wildfire policies that need funding. Gov. Jerry Brown (D) and legislative leaders said last month that they would work on proposals to address the increased threat of fires and utilities' liability for damages ([Climatewire](#), March 14).

Another source said the absences could hurt "touchy things where they're on the margin." One casualty could be A.B. 813, a proposal to broaden the state's electric grid, which got bogged down last year amid disputes between labor groups and rooftop solar advocates.

A spokesman for Assembly Speaker Anthony Rendon (D), Kevin Liao, said the absences weren't "affecting anything that we're working on" and that last year's supermajority vote to extend cap and trade was a bipartisan effort.

"We've been able to get things done with the supermajority and without," he said. "It's by no means stopping anything from any sort of consensus-building efforts."

An environmentalist pointed out that the cap-and-trade agreement involved several concessions that green groups opposed, including placing an initiative on the June ballot to reauthorize the spending of auction proceeds and pre-empting local air districts' ability to regulate greenhouse gases.

"They'll need to rely on the Republicans more than they have in the past, and that's a bad thing," said Sierra Club California Director Kathryn Phillips. "That means you end up cutting a lot of bad deals."

Environmental justice champion on leave

The biggest loss for the environmental community is Assemblymember Cristina Garcia (D), who took an unpaid leave of absence Feb. 9 after two men accused her of sexual harassment. She's still on leave pending the completion of an investigation.

Garcia, chairwoman of the Assembly Natural Resources Committee, played a large role in the fight over the extension of the state's cap-and-trade program for greenhouse gases. She represented environmental justice interests in passing a bill last year, A.B. 617, aimed at mollifying groups that argue the trading program allows increases in conventional air pollution. It requires the state to set up a community air monitoring program.

"She put environmental justice on the map in the Legislature," Maviglio said. "Her leadership on that is going to be missed."

While Garcia hadn't introduced any follow-up bills this year, she was expected to provide oversight for A.B. 617 implementation.

"She recognized it was, as she referred to it, a down payment on getting cleaner air," Phillips said. "So she isn't there to serve that role, that watchdog role."

Not all of the missing Democrats were reliable environmental votes. Bocanegra and Dababneh helped quash A.B. 378, Garcia's bill in 2017 to extend and reform the cap-and-trade program (*[Climatewire](#)*, July 5, 2017). "Frankly, Bocanegra and Mendoza were terrible votes on the environment," Phillips said.

Still, the fluctuating legislative roster has hurt lobbyists' ability to strategize.

"In December, all that uncertainty was making it very hard to plan for this coming legislative session," one Sacramento renewable energy advocate said. "Even if the chair of a committee has no wrongdoing, someone else might leave and then they get appointed to a new position."

Twitter: [@debra_kahn](#) Email: dkahn@eenews.net