

1988 California Legislative Voting Chart



The 1988 Legislative Session

1988 was a watershed year for clean air legislation. Assemblyman Byron Sher emerged victorious from a two year effort to revise and strengthen California's state and local air pollution programs. The new law dubbed "The California Clean Air Act," will allow the state to begin implementing tough new clean air laws for the 1990's without waiting for Congress to reauthorize the federal Clean Air Act.

To his credit, and despite intense lobbying by Detroit auto makers, the Governor signed the air bill into law. Other clean air legislation including measures to strengthen the motor vehicle inspection program (SB 1997, Presley) and identify the causes and effects of atmospheric acidity (SB 2930, Sher) also became law.

Unfortunately, 1988 was also a record year for vetoed environmental legislation. Although 20 of the 28 good environmental bills rated on this chart passed through the Legislature, only eight of those bills made it past Deukmejian, who continues to be an obstacle to sound environmental planning and resource protection. The governor vetoed legislation requiring cities and counties to achieve 25% trash recycling by 1993

(AB 2595, Killea) and a bill to promote markets for recycled products (AB 3746, Eastin). He also squashed the first major program for toxics source reduction at the state level (SB 714, Roberti) and a bill to require new solid waste landfills to use modern construction practices to avoid contaminating groundwater and other parts of the environment.

Fortunately, all six of the bad environmental bills rated on this year's chart (including the Governor's nomination of Dan Lungren to fill the position of State Treasurer) were defeated or withdrawn by their authors. A number of these bills (including AB 2003, Kelley and SB 2795, Ellis) were thinly veiled attempts to stifle local land use initiatives and laws.

Scores for the 1988 Legislature were higher than last year, especially in the Senate. Environmental legislation is often launched in the Assembly and arrives in the Senate in an already debated and compromised form. Consequently, Senate floor votes are often recorded by unanimous consent, making it easier for members to score well.



How to use this chart

This chart evaluates the 1988 session of the legislature. It lists votes cast both in committee and on the floor on key bills relating to the environment. The votes tabulated in the chart are considered by the environmental community to be the most significant votes for each bill.

The scores to the right of each legislator's voting record represent the percent of correct votes, excluding absences, with one exception; unexcused absences or abstentions which lead to the defeat of a good environmental bill are scored as wrong votes.

Every legislator who voted on at least 60% of the key environmental legislation for 1988 is given a score. We encourage our members to check their legislator's attendance records and ask them for an explanation if there is an unreasonable number of missed votes. Legislators with five or more cumulative committee votes are given committee scores in addition to their floor scores.

Air Pollution



1. ACID RAIN STUDY

SB 1274 (McCorquodale) would have directed the Air Resources Board to evaluate and measure the combined effects of ozone pollution and acid rain on agriculture and forests and to adopt a state standard for atmospheric acidity. SUPPORT: Passed the Senate on 1/28/88 and the Assembly on 8/22/88. VETOED BY THE GOVERNOR.

2. VEHICLE INSPECTION

SB 1997 (Presley) increases enforcement of California's biannual inspection program and requires new auto makers to offer emission control equipment and warranties. SUP-PORT: Passed the Senate on 5/20/88 and the Assembly on 8/25/88. ENACTED.

3. CALIFORNIA CLEAN AIR ACT

AB 2595 (Sher) provides a comprehensive re-drafting of California's air quality laws and provides both the local air pollution control districts and the state Air Resources Board with new authority and stronger mandates to reduce emissions from motor vehicles and industry. SUPPORT: Passed the Assembly in 1987 and the Senate on 8/29/88. FNACTED

4. ACID RAIN REGULATIONS

AB 2930 (Sher) establishes a new research and monitoring program to identify causes and effects of atmospheric acidity and authorizes the adoption of a health standard. SUP-PORT: Passed the Assembly on 5/12/88 and the Senate on 8/29/88. ENACTED.

5. CFC BAN

AB 3761 (Connelly) would have banned the use of chlorofluorocarbons, which are linked with the destruction of the Earth's ozone layer, in packaging after 1990. SUPPORT: Passed the Assembly on 6/9/88 and the Senate on 8/25/88. VETOED BY THE GOVERNOR.

Land Use



6. SEWAGE PLANNING

SB 389 (Hart) would have prevented Los Angeles County from forcing the community of Malibu to construct a large capacity sewage plant before Malibu voters have the opportunity to vote to incorporate the city of Malibu and thereby take control of their own land use planning. SUPPORT Passed the Senate last year. KILLED ON ASSEMBLY FLOOR ON 8/25/88.

7. ATTACK ON INITIATIVES

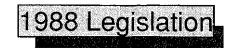
AB 2003 (Kelley) would have placed unnecessary financial and time barriers on the initiative process by requiring the reparation of an environmental impact report before a local and use initiative could be placed on the ballot. OPPOSE: KILLED IN ASSEMBLY NATURAL RESOURCES ON 1/11/88.

8. BUILDING PERMIT EXTENSION

SB 2795 (Ellis) would have allowed developers to skirt the initiative process by granting an automatic 2 year extension to the normal 6 month life of a building permit whenever a growth control measure is approved. OPPOSE: Opposition did not start until the bill reached the Assembly Housing Committee. The bill was then COMPROMISED before It reached a vote on the Assembly Floor and ENVIRONMENTALISTS WITHDREW THEIR OPPOSITION.

9. CEQA LOOPHOLES

AB 4367 (Hauser would have set a dangerous precedent by allowing a single landowner in Santa Cruz County to ignore a court ruling and annex a piece of agricultural land without adequate consideration of the environmental im-



pacts and without the participation of the Santa Cruz County Local Agency Formation Commission. OPPOSE: Passed the Assembly on 5/31/88 and the Senate on 8/22/88. WITHDRAWN BY THE AUTHOR.

Coastal Protection



10. OCEAN SANCTUARY

AB 284 (Hauser) would have prevented oil and gas drilling in state waters off the Humboldt and Mendocino County coasts. SUPPORT: Passed the Assembly in 1987 and the Senate on 8/12/88. VETOED BY THE GOVERNOR and failed to win an override vote in the Assembly on 8/31/88.

11. OCS IMPACT STUDY

SB 2694 (Hart) would have required the State Lands Commission to conduct a comprehensive study of the environmental, economic and social impacts of oil and gas exploration and development off the California coast. SUPPORT: Passed the Senate on 6/8/88. KILLED ON ASSEMBLY FLOOR ON 8/30/88.

12. OCS DRILLING REGULATIONS

AB 4479 (Hayden) would have established detailed resource protection requirements which must be met before the Coastal Commission could approve an offshore oil development proposals. SUPPORT: KILLED IN ASSEMBLY WAYS AND MEANS ON 6/1/88.

13. COASTAL COMMISSION

AB 4639 (Friedman) would have helped return Coastal Commission decision making to a public forum by banning all communication between Coastal Commissioners and outside coastal interests which does not take place at public hearings or on the official written record of the Commission's proceedings. SUPPORT: KILLED ON THE ASSEMBLY FLOOR ON 6/9/88.

Solid Waste



14. LANDFILL REGULATIONS

AB 3012 (Katz) would have required that all solid waste landfills be lined and monitored for chemical releases and that buffer zones be established to prevent the contamination of sensitive residential areas and water supplies. SUP-PORT: Passed Senate on 8/29/88 and a crucial Assembly concurrence vote on 8/31/88. VETOED BY THE GOVER-NOR

15. STATEWIDE RECYCLING

AB 3298 (Killea) would have required cities and counties to implement programs to recycle 25% of their waste by 1993. SUPPORT: Passed Assembly on 6/28/88 and Senate on 8/29/88. VETOED BY THE GOVERNOR.

16. RECYCLED MATERIALS

AB 3746 (Eastin) would have promoted new markets for recycled goods and the government purchase of recycled materials. SUPPORT: Passed the Assembly on 6/28/88 and the Senate on 8/25/88. VETOED BY THE GOVERNOR.

Timber



17. SITE INSPECTION

SB 1335 (McCorquodale) would have strengthened the ability of government agencies to ensure environmentally

1988 Legislation

sound logging practices by allowing staff members to inspect logging sites while cutting is in progress. SUPPORT: Passed the Senate in 1987 and the Assembly on 8/23/88. VETOED BY THE GOVERNOR.

18. TIMBER HARVESTING

SB 1641 (Keene) would have allowed the fish and game and water quality agencies to ask the Board of Forestry to reconsider approved timber harvest plans which the agencies fear might damage the resources under their jurisdiction. SUPPORT: Passed the Senate in 1987. KILLED ON THE ASSEMBLY FLOOR ON 8/29/88.

Toxics



19. HAZARDOUS WASTE REDUCTION

SB 714 (Roberti) would have required major generators of hazardous waste to develop and implement plans for hazardous waste source reduction. SUPPORT: Passed Senate in 1987 and Assembly on 8/31/88. VETOED BY THE GOVERNOR.

20. PROP. 65 WEAKENING

AB 2714 (Jones) would have severely weakened the reproductive toxicity standards authorized by Prop. 65 (California's landmark toxics initiative). OPPOSE: WITHDRAWN BY THE AUTHOR.

21. TOXIC PROTECTION FOR SCHOOL CHILDREN AB 3410 and AB 3205 (Waters, M) expands the authority of air pollution control districts to control potential toxic emitters located near schools and requires schools and local governments to perform toxic risk assessments before siting new education facilities. SUPPORT: AB 3410 (21a) was killed on the Assembly Floor on 5/27/88, after which environmentalists threw their support behind AB 3205 (21b) which passed the Senate on 8/31/88 and passed a crucial Assembly concurrence vote on 8/31/88. ENACTED.

22. FOOD LABS

AB 3812 (Waters, N) would have required all labs that test produce for pesticide residues to be accredited and to report findings of excess pesticide residues to the Department of Food and Agriculture.

SUPPORT: DIED IN ASSEMBLY WAYS AND MEANS.

23. FOOD SAFETY

AB 4097 (Connelly) would have required the State Department of Health Services to begin comprehensive testing of processed foods to check for pesticide contamination. Would also require pesticide manufacturers to develop practical testing methods to ensure that food samples can be analyzed. SUPPORT: DIED IN ASSEMBLY AGRICULTURE.

Water Pollution

24. HEALTH RISK ASSESSMENT

AB 1987 (Hayden) would have created a state program to assess the human health risks associated with pollution and toxic chemical contamination of coastal waters. SUPPORT: Passed the Assembly on 1/27/88 and the Senate on 8/11/88. VETOED BY THE GOVERNOR.

25. COASTAL PROTECTION

SB 2691 (Hart) would have required state and regional water boards to develop standards for toxic discharges into coastal waters and would create a fee system to make industrial and commercial toxic polluters pay for the sewage treatment costs associated with these tougher standards. SUPPORT: Passed Senate on 6/8/88 and Assembly on 8/23/88. VETOED BY THE GOVERNOR.

26. TOXIC HOT SPOTS

AB 3947 (Brown) would have established a program to identify and clean up toxic "hot spots" in California bays and estuaries. SUPPORT: Passed Assembly on 6/29/88 and Senate on 8/29/88. VETOED BY THE GOVERNOR.

Wildlife



27. POACHING FINES

AB 512 (Allen) establishes civil penalties for convicted wildlife poachers. SUPPORT: Passed Assembly in 1987 and Senate on 8/22/88. ENACTED.

28. WETLANDS RESTORATION

SB 2629 (McCorquodale) would have required the Department of Fish and Game to submit a plan to increase the total number of wetland acres in California by 50% by the year 2000. SUPPORT: Passed the Senate on 5/19/88. KILLED ON ASSEMBLY FLOOR ON 8/31/88.

29. WILDLIFE DAMAGE

SB 2664 (Doolittle) would have made the state liable for damage done by wildlife to farmers' livestock and property. OPPOSE: Passed the Assembly on 8/31/88. KILLED ON A FINAL CONCURRENCE VOTE ON THE SENATE FLOOR ON 8/31/88.

30. STATE LANDS MITIGATION

AB 3654 (Johnston) Improves the management of mitigation lands and future mitigation activities associated with state supported flood control projects. SUPPORT: Passed Assembly on 6/9/88 and Senate on 8/31/88. ENACTED.

31. HERITAGE FUNDING

AB 3873 (Costa) authorizes the Fish and Game Department to increase support for wildlife management and habitat purchases and to establish a new natural heritage programs charging fees for entrance to wildlife reserves. SUPPORT: Passed the Assembly on 6/28/88 and the Senate on 8/29/88. ENACTED.

Miscellaneous



32. LUNGREN NOMINATION

This vote would have approved the nomination of Congressman Dan Lungren for State Treasurer. As Treasurer Lungren, who is a notoriously bad environmental vote in Congress, would have had broad powers to determine how the state spends its money including money to protect (or damage) the environment. OPPOSED: Passed the Assembly on 2/25/88. KILLED IN THE SENATE ON 2/25/88.

33. SANTA CLARA PARKS

SB 2581 (Mello) would have placed a bond measure on the 1989 ballot to create an open space authority to purchase and preserve open space in Santa Clara County. SUP-PORT: Passed the Senate on 5/19/88 and the Assembly on 8/24/88. VETOED BY THE GOVERNOR.

34. EIR MONITORING

AB 3180 (Cortese) requires the government agency which files or acts on an Environmental Impact Report for a state approved project also to adopt a monitoring program to ensure that all environmental damage is mitigated. SUPPORT: Passed the Assembly on 4/28/88 and the Senate on 8/11/88. ENACTED.

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1988 Summary



Assembly Floor



Senate Floor

61% Overall Average 88% **Democratic Average** 28% Republican Average 100%

Highest Score 100%

Bates, Burton, Connelly, Eastin,
Friedman, Hannigan, Harris, Hayden,
Katz, Margolin, Roybal-Allard, Sher, Speier, Vasconcellos) 4%

Lowest Score

(D. Brown, Lewis)

Overall Average 83% Democratic Average 89% Republican Average 68% **Highest Score** 100%

> (Hart, Lockyer, Petris, Rosenthal, Torres, Watson)

Lowest Score 39% (Rogers)



Y = YES, pro-conservation vote

y = yes, anti-conservation vote

N = NO, pro- conservation vote

n = no, anti-conservation vote

- a = unexcused absences that led to the defeat of a good environmental bill (scored as a bad vote)
- = absent or not voting

Legislators who vote on 60% of the bills that reach the floor receive a floor score. Legislators with 5 or more cumulative committee votes also receive a committee score

- ** = committee chair
- * = committee vice chair

Assembly Committees

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The Legislative Process

The route a bill takes through the Legislature is a little perplexing but goes something like this: first, the bill is formally introduced by a member of the Legislature. It is given a number, has its first reading, and is assigned by the Rules Committee to an appropriate committee for review.

The Committee review process is critical. Most bills pass through one policy committee (such as Toxics) and one fiscal committee (such as Appropriations) in each house. It is here that bills are either tabled, reported out to the full house, or forced out of committee by a majority vote of the full house.

If reported from committee, the bill is given a second reading on the floor. Committee and floor amendments are adopted, it is rewritten, and the floor debate begins. On the floor, a bill can either be passed, defeated or referred back to committee. To pass, a bill needs an absolute majority vote; twenty-one in the Senate, and forty-one in the Assembly. This means that legislators who are absent or choose not to vote are in effect voting "no."

Once a bill passes the house where it originated, it goes to the other house where it can be passed in identical form, defeated, or amended. If it is amended in a way that is not satisfactory to members of the first house, three members of each house form a conference committee to work out an acceptable compromise. If a compromise cannot be worked out, the bill dies.

If a bill makes it through both houses, it goes to the governor, who can either sign the bill, veto it, or ignore it. If after twelve days the governor hasn't acted on the bill, it becomes a law without his signature. If vetoed, a two-thirds vote in both houses can override the veto.



Speak out!

In recent years as more and more candidates have sought to appeal to California's "environmental vote", voters have been hit by a barrage confusing and often conflicting campaign messages. Each year CLCV publishes its Legislative Voting Chart to help voters distinguish between the rhetoric and the reality of a legislator's environmental record.

You have the power to express your approval or disapproval of your representatives' performance by casting an environmental vote on Election Day. In addition, contrary to public speculation, legislators rarely hear from their constituents. Because so few people take time to contact their representatives, one letter is often counted as representing the opinion of 500 other voters.

During the legislative session, letters to representatives can be sent to:

- California State Assembly, PO Box 942849, Sacramento, CA 94249-0001.
- California State Senate, PO Box 942848, Sacramento, CA 94248-0001.

District office addresses and phone numbers are listed in the state government section in the front of your phone book under "Assembly" and "Senate".



Acknowledgements

CLCV would like to thank and acknowledge the following groups and individuals for their invaluable assistance in compiling this chart: the Sierra Club, the Planning and Conservation League, Defenders of Wildlife, Californians Against Waste, the Natural Resources Defense Council, the Nature Conservancy, Friends of the River and Bill Yeates.



What is the League of Conservation Voters?

The California League of Conservation Voters (CLCV) is the nonpartisan campaign arm of the environmental community in California. The League works to protect the environmental quality of our state by electing conservation-minded candidates to office and passing environmentally sound propositions.

With 45 Congressional districts and 120 state legislative seats, California clearly presents a formidable challenge to any grassroots organization. To meet this challenge, CLCV conducts early research on candidates for office and concentrates on races where environmental resources might be expected to leverage a victory.

CLCV prepares radio spots and campaign materials for key candidates and issues, conducts electoral training sessions, for environmental activists, mobilizes precinct workers and other political volunteers, and holds forums to provide the public with an opportunity to meet and talk with elected officials and candidates.

League canvassers also communicate directly with hundreds of thousands of Californians every year. In addition to providing information on legislators' environmental voting records, they register voters, recruit volunteers, generate letters to targeted representatives, identify "conservation voters" and get out the vote on Election Day.

SIGN ME UP AS A MEMBER OF	CLCVI		~ * * 4		
Enclosed is my contribution of:	\$100	\$50	\$25	\$20	
Name Address City/StatePhone					
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