

# Clean Water Action's 2009–2010 California Legislative Scorecard

Clean Water Action is proud to introduce its first **California Clean Water Legislative Scorecard!** Clean Water Action organizes campaigns for policies that promote safe drinking water and water quality protection, environmental justice, safer chemicals, and prevent plastic pollution and waste. This scorecard rates the voting record of California's Legislators and Governor and recognizes several **Clean Water Legislators** who received an "A" for their exemplary voting records in 2009 and 2010.



## In 2009–2010, Environmental Protection Plays Defense

2009 and 2010 were challenging years for people concerned about protecting California's environment and its water resources in particular. Facing a \$40 billion budget deficit at the beginning of the session in 2009, the Legislature went into "slash and burn" mode. Bills with funding attached, regardless of impacts on the General Fund, or those that could be construed in any way to impact jobs in California had no fighting chance. Our opponents exploited the budget deficit and the state's economic woes to launch with vigor some of their age-old attacks on the environment in the guise of reducing the deficit. *Environmental programs represent less than 1% of the state's General Fund*, and in the last few years, budgets for the state's environmental agencies have been slashed repeatedly. Environmentalists were forced to fight to preserve state parks and agencies such as the California Coastal Commission, the Office of Environmental Health Hazard Assessment, and the California Integrated Waste Management Board. The latter was demolished, and its regulatory oversight moved into a new agency with no oversight Board- the California Department of Resources Recycling and Recovery (CalRecycle).

In 2009, a core environmental and health protection law, the California Environmental Quality Act (CEQA), came under attack. At the very end of the legislative session, the Governor and state lawmakers approved an exemption to the environmental statute to "expedite" construction of a football stadium in Southern California (with no team identified and no construction date set). This unnecessary action opened the floodgates for multiple additional CEQA exemption attempts

in 2010. Those included yet another football stadium and a proposal that would have given the Governor blanket authority to exempt 25 projects of his choosing each year. Fortunately, none of these bills passed, thanks to effective defense by Clean Water Action and allies.

## Governor & Legislature Promoted Bad Water Policy and Increased Debt to Support It

In 2009, Legislative leaders released bills packaged and promoted as a "fix" for the environmentally crippled San Francisco Bay-Delta system, as well a water bond to pay for new water supply development. Their efforts resulted in November passage for three bills; a Delta policy bill (SBX7 1), a water conservation bill (SBX7 7), and a bond measure for the November 2010 ballot (SBX7 2). These bills had several basic flaws:

- Promising solutions, such as enforcing water rights and promoting conservation, were so weakened in the legislative process that they became ineffective and unenforceable;
- Immediate action to save the collapsing Delta ecosystem and failing fisheries in the Delta was deferred in favor of yet another ineffective planning process.
- The process for building a costly and destructive peripheral canal — long opposed by Clean Water Action — that would increase diversions of water from the Delta was aided by key measures in both the policy bill and the bond.
- The bills failed to address increased water diversions that have corresponded to crashing fish populations and overall degradation of the Delta ecosystem.

*Continued on page 2*

# OUR WATER, OUR HEALTH, OUR FUTURE

Continued from page 1

Despite massive budget deficits, the Legislature also voted to place an \$11.14 billion water bond measure before voters this November. The bond would fund projects that benefit the concrete, steel and construction industries but do little to resolve the state's water challenges, while adding \$800 million annually to the state's debt service costs. Clean Water Action believes much greater benefit could be realized at far lower cost to taxpayers through a combination of 21st Century solutions that make more efficient use of existing water. These include fixes to leaking infrastructure, recycling water, capturing and using local rainfall, promoting conservation, and better protecting the quality of the water sources we use

## READING THE SCORECARD

Legislators who voted on the bills in this Scorecard consistent with Clean Water Action's position were graded as follows:

90-100%	=	A
80-89%	=	B
70-79%	=	C
55-69%	=	D
0-54%	=	F

If a Legislator was excused from the vote, their absence was not counted against them. If a Legislator was present at the Capitol but did not vote, it was counted as a negative. Votes tend to take place over an extended period, so an unexcused failure to vote would be difficult to justify.

Blank cells in the scorecard represent dates in which the legislator was not a voting member of the house. There were several legislators who vacated their seat early or arrived late in the session to serve the remainder of a term. Those missed votes were not counted against their grade.

*Members not in seat throughout the session are marked with an \* in the scorecard.*

now. The bond-funded dam and diversion projects would consume staggering amounts of high-cost and polluting energy to pump water to farms and urban areas. Finally, legislators could not agree on any funding sources other than expensive bond debt (\$3 to repay for every \$1 borrowed). Clean Water Action strongly supports the concept of "beneficiaries pay," which means that those who benefit from a project are responsible for funding it.

When polls showed that voters would be likely to defeat the Water Bond as wasteful and fiscally irresponsible "pork," the Governor and Legislature acted — not to fix the bad bond, but to delay it. AB 1265, passed this August, moved the bond vote to November 2012. Clean Water Action opposed this bill, believing it would be better to have a "NO" vote sooner on these misguided, debt-increasing expenditures.

*Clean Water Action opposed all three water measures (SBX71, SBX72, and AB 1265). The votes on these bills are recorded in the Scorecard.*

## Clean Water Legislators of 2009-2010!

The following Legislators of 2009-2010 attained an exemplary score (90% or better):

### ASSEMBLY:

**Ammiano\* D-13**  
**Beall D-24**  
**Buchanan\* D-15**  
**Chesbro\* D-1**  
**Evans\* D-7**  
**Fong\* D-22**  
**Hayashi D-18**  
**Hill D-19**

**Huffman D-6**  
**Monning\* D-27**  
**Ruskin D-21**  
**Saldana D-76**  
**Skinner\* D-14**  
**Swanson D-16**  
**Torlakson\* D-11**  
**Yamada\* D-80**

### SENATE:

**Corbett D-30**  
**Hancock\* D-9**  
**Leno D-3**

**Wiggins D-2**  
**Wolk D-25**  
**Yee\* D-8**

*\*indicates a 100% voting record.*

## How the Governor Scored on Clean Water

Of the 20 bills in this Scorecard, 15 reached the Governor. He vetoed 6 and signed 10, giving him a score of 63%, a D.

# Clean Water Action 2009-2010 Legislative Scorecard

NAME	Party and District	WATER BOND PACKAGE			WATER					ENVIRONMENTAL JUSTICE/WATER				SCORE and GRADE	
		Delta Governance (SBX7 1) <i>opposed by CWA</i>	\$11.14B Water Bond (SBX7 2) <i>opposed by CWA</i>	Water Bond Delay (AB 1265) <i>opposed by CWA</i>	Water Conservation Meters (AB 975)	Water Softeners (AB 1366)	Water-Neutral Development (AB 1408)	Groundwater Management (AB 2304)	Suction Dredge Mining Moratorium (SB 670)	Equity in State Funded Water Plans (AB 626)	Human Right to Water (AB 1242)	Grants for Low-Income Water Systems (AB 1438)	Emergency Water Supplies (AB 2515)		
<i>ASSEMBLY:</i>															
Adams	R 59	-	-	-	-	+	-	-	-	-	-	-	+	+	20% F
Ammiano	D 13	+	+	+	+	+	+	+	+	+	+	+	+	+	100% A
Anderson	R 77	+	+	+	-	-	-	-	+	-	-	+	+	+	32% F
Arambula	I 31	-	-	-	+	+	+	+	+	+	+	+	+	+	75% C
Bass	D 47	-	-	-	+	+	+	+	+	+	+	+	+	+	85% B
Beall	D 24	+	-	-	+	+	+	+	+	+	+	+	+	+	90% A
Berryhill, Bill	R 26	+	+	+	-	+	Not Voting	-	+	-	-	+	+	+	40% F
Berryhill, Tom	R 25	EXCUSED	EXCUSED	-	-	+	-	EXCUSED	-	-	-	+	EXCUSED	+	20% F
Blakeslee*	R 33	-	-	-	-	-	-	-	+	-	Not Voting	+	+	+	26% F
Block	D 78	-	-	-	+	+	EXCUSED	+	+	EXCUSED	+	EXCUSED	+	+	81% B
Blumenfield	D 40	-	-	-	+	+	+	+	+	+	+	+	+	+	85% B
Bradford*	D 51	-	-	-	-	-	-	+	-	-	-	-	+	+	73% C
Brownley	D 41	-	-	-	+	+	+	+	+	+	+	+	+	+	85% B
Buchanan	D 15	+	+	+	+	+	+	+	+	+	+	+	+	+	100% A
Caballero	D 28	-	-	-	+	+	-	+	+	+	+	+	+	+	70% C
Calderon	D 58	EXCUSED	EXCUSED	EXCUSED	+	+	Not Voting	+	EXCUSED	+	+	+	+	+	88% B
Carter	D 62	-	-	-	+	+	+	+	+	+	+	+	+	+	85% B
Chesbro	D 1	+	+	+	+	+	+	+	+	+	+	+	+	+	100% A
Conway	R 34	+	-	-	-	+	-	-	-	-	-	+	+	+	20% F
Cook	R 65	-	-	-	-	Not Voting	-	-	+	-	-	+	+	+	20% F
Coto	D 23	-	-	-	+	+	+	+	+	+	+	+	+	+	85% B
Davis	D 48	-	-	-	+	+	Not Voting	+	+	+	+	+	+	+	80% B
DeLa Torre	D 50	-	-	-	+	+	+	+	+	+	+	+	+	+	75% C
deLeon	D 45	-	-	-	+	+	+	+	+	+	+	+	+	+	85% B
DeVore	R 70	+	+	+	-	-	-	-	-	-	-	+	+	+	25% F
Duvall	R 72	-	-	-	+	-	-	-	Not Voting	-	-	+	+	+	27% F
Emmerson*	R 63	-	-	-	+	Not Voting	-	-	+	-	-	+	+	+	26% F
Eng	D 49	-	-	-	+	+	+	+	+	+	+	+	+	+	85% B
Evans	D 7	+	+	+	+	+	+	+	+	+	+	+	+	+	100% A
Feuer	D 42	-	-	-	+	+	+	+	+	+	+	+	+	+	85% B
Fletcher	R 75	-	-	-	+	-	-	-	+	-	+	+	+	+	30% F
Fong	D 22	+	+	+	+	+	+	+	+	+	+	+	+	+	100% A
Fuentes	D 39	-	-	-	+	+	Not Voting	+	+	+	+	+	+	+	70% C
Fuller	R 32	-	-	-	-	+	-	-	+	-	-	+	+	+	25% F
Furutani	D 55	-	-	-	+	+	+	+	+	+	+	+	+	+	74% C
Gaines	R 4	+	+	+	-	-	-	-	-	-	-	+	+	+	25% F
Galgiani	D 17	+	-	-	+	+	-	+	+	Not Voting	+	+	+	+	65% D
Garrick	R 74	+	-	-	-	-	-	-	Not Voting	-	-	+	+	+	15% F
Gatto	D 43	-	-	-	-	-	-	+	-	-	-	-	+	+	86% B
Gilmore	R 30	+	-	-	-	+	-	-	+	+	+	+	+	+	40% F
Hagman	R 60	-	-	-	-	-	-	-	+	-	-	+	+	+	20% F
Hall	D 52	-	-	-	+	+	Not Voting	+	+	+	+	+	+	+	60% D
Harkey	R 73	+	-	-	-	-	-	-	+	-	-	+	+	+	25% F
Hayashi	D 18	+	+	+	+	+	+	+	+	+	+	+	+	+	95% A
Hernandez	D 57	-	-	-	+	+	Not Voting	+	+	+	+	+	+	+	70% C
Hill	D 19	-	Not Voting	+	+	+	+	+	+	+	+	+	+	+	90% A
Huber	D 10	+	+	+	+	+	-	+	+	+	-	+	+	+	65% D
Huffman	D 6	-	-	+	+	+	+	+	+	+	+	+	+	+	90% A
Jefferies	R 66	-	-	-	-	Not Voting	-	-	Not Voting	-	-	+	+	+	15% F
Jones	D 9	-	Not Voting	Not Voting	+	+	+	+	+	+	+	+	+	+	85% B
Knight	R 36	+	+	+	-	-	-	-	-	-	-	+	+	+	25% F
Krekorian*	D 43	-	-	-	+	+	+	+	Not Voting	+	+	+	+	+	73% C
Lieu	D 53	-	-	-	+	+	+	EXCUSED	+	+	+	+	+	+	83% B
Logue	R 3	+	+	+	-	-	-	-	-	-	-	+	+	+	30% F
Lowenthal, B.	D 54	-	-	-	+	+	+	+	+	+	+	+	+	+	85% B
Ma	D 12	Not Voting	-	-	+	+	Not Voting	+	+	+	+	+	+	+	75% C
Mendoza	D 56	-	-	-	+	+	-	+	+	+	+	+	+	+	70% C
Miller	R 71	+	+	-	-	-	-	-	+	-	-	+	+	+	32% F
Monning	D 27	+	+	+	+	+	+	+	+	+	+	+	+	+	100% A
Nava	D 35	-	-	-	+	+	+	+	+	+	+	+	+	+	85% B
Nestande	R 64	-	-	-	Not Voting	+	-	-	+	-	-	+	+	+	25% F
Niello	R 5	+	+	+	-	-	-	-	-	-	-	+	+	+	30% F
Nielsen	R 2	+	-	-	-	-	-	-	-	-	+	+	+	+	25% F
Norby*	R 72	-	-	+	-	-	-	-	-	-	-	+	+	+	38% F

Continued on page 4

# Clean Water Action 2009–2010 Legislative Scorecard

NAME	Party/ District	WATER BOND PACKAGE			WATER					ENVIRONMENTAL JUSTICE/WATER				SCORE and GRADE
		Delta Governance (SBX7 1) <i>opposed by CWA</i>	\$11.14B Water Bond (SBX7 2) <i>opposed by CWA</i>	Water Bond Delay (AB 1265) <i>opposed by CWA</i>	Water Conservation Meters (AB 975)	Water Softeners (AB 1366)	Water- Neutral Development (AB 1408)	Groundwater Management (AB 2304)	Suction Dredge Mining Moratorium (SB 670)	Equity in State Funded Water Plans (AB 626)	Human Right to Water (AB 1242)	Grants for Low-Income Water Systems (AB 1438)	Emergency Water Supplies (AB 2515)	
<b>ASSEMBLY:</b>														
Perez, John A.	D 46	-	-	-	+	+	+	+	+	+	+	+	+	80% B
Perez, V. M.	D 80	-	-	-	+	+	Not Voting	+	+	+	+	+	+	70% C
Portantino	D 44	-	-	-	+	+	Not Voting	+	+	+	+	+	+	80% B
Ruskin	D 21	+	-	-	+	+	+	+	+	+	+	+	+	90% A
Salas	D 79	-	-	-	+	+	Not Voting	+	+	+	+	+	+	80% B
Saldaña	D 76	-	-	+	+	+	+	+	+	+	+	+	+	90% A
Silva	R 67	-	-	-	-	-	-	-	-	-	-	+	+	15% F
Skinner	D 14	+	+	+	+	+	+	+	+	+	+	+	+	100% A
Smyth	R 38	-	-	-	+	+	-	-	+	-	-	+	+	30% F
Solorio	D 69	-	-	-	+	+	Not Voting	+	+	+	+	+	+	70% C
Strickland	R 37	-	-	-	-	+	-	EXCUSED	+	-	+	+	EXCUSED	29% F
Swanson	D 16	+	+	-	+	+	+	+	+	+	+	+	+	95% A
Torlakson	D 11	+	+	+	+	+	+	+	+	+	+	+	+	100% A
Torres	D 61	-	-	-	+	Not Voting	Not Voting	+	+	+	+	+	+	65% D
Torrice	D 20	-	-	-	+	+	+	+	+	+	+	+	+	75% C
Tran	R 68	+	-	Not Voting	-	-	-	-	+	-	-	+	+	25% F
Villines	R 29	Not Voting	-	-	-	-	-	-	-	-	-	+	+	15% F
Yamada	D 80	+	+	+	+	+	+	+	+	+	+	+	+	100% A
<b>SENATE:</b>														
Aanestad	R 4	EXCUSED	EXCUSED	-	-	-	-	-	-	-	-	+	+	13% F
Alquist	D 13	-	-	-	+	+	-	+	+	+	+	+	+	83% B
Ashburn	R 18	-	-	-	-	-	-	-	-	-	-	+	+	11% F
Benoit*	R 37	-	-	-	-	Not Voting	-	+	-	-	+	+	+	18% F
Calderon	D 30	-	-	EXCUSED	+	+	-	+	+	+	+	+	+	77% C
Cedillo	D 22	-	-	-	+	+	-	+	+	Not Voting	+	+	+	77% C
Cogdill	R 14	-	-	-	-	+	-	-	-	-	-	+	+	22% F
Corbett	D 10	Not Voting	+	+	+	+	+	+	+	+	+	+	+	94% A
Correa	D 34	-	-	-	+	-	-	+	+	Not Voting	+	+	+	39% F
Cox*	R 1	+	+	-	-	-	-	-	-	-	-	+	+	-
Denham	R 12	+	+	-	-	+	-	+	-	-	-	+	+	33% F
DeSaulnier	D 7	+	+	+	Not Voting	EXCUSED	-	+	+	Not Voting	+	+	+	88% B
Ducheny	D 40	-	-	-	+	+	-	+	+	+	Not Voting	+	+	61% D
Dutton	R 31	Not Voting	-	-	-	+	-	-	+	-	-	+	+	22% F
Florez	D 16	-	-	-	+	Not Voting	-	+	+	+	+	+	+	71% C
Hancock	D 9	EXCUSED	EXCUSED	+	+	+	-	+	+	+	+	+	+	100% A
Harman	R 35	-	-	-	-	Not Voting	-	EXCUSED	+	-	-	+	EXCUSED	19% F
Hollingsworth	R 36	-	-	-	-	-	-	EXCUSED	-	-	-	+	+	12% F
Huff	R 29	-	-	-	-	-	-	+	-	-	-	+	+	17% F
Kehoe	D 39	-	-	-	+	+	-	+	+	+	+	+	+	83% B
Leno	D 3	-	+	+	+	+	-	+	+	+	+	+	+	94% A
Liu	D 21	-	-	-	+	+	-	+	+	+	+	+	+	83% B
Lowenthal	D 27	-	-	-	+	+	-	+	+	+	+	+	+	83% B
Maldonado*	R 13	-	-	-	-	+	-	-	+	+	Not Voting	+	+	55% D
NegreteMcLeod	D 32	-	-	-	+	+	-	+	+	+	+	+	+	67% D
Oropeza	D 28	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED	-	EXCUSED	+	EXCUSED	Not Voting	+	EXCUSED	83% B
Padilla	D 20	-	-	-	+	+	-	+	+	+	+	+	+	83% B
Pavley	D 23	-	-	-	+	+	-	+	+	+	+	+	+	83% B
Price*	D 26	-	-	-	+	+	Not Voting	+	+	+	+	+	+	63% D
Romero	D 24	-	-	-	+	+	-	+	+	+	+	+	+	78% C
Runner	R 17	EXCUSED	EXCUSED	+	-	-	-	-	-	Not Voting	-	+	+	19% F
Simitian	D 11	-	-	-	+	+	-	+	+	Not Voting	+	+	+	78% C
Steinberg	D 6	-	-	-	+	+	-	+	+	+	+	+	+	83% B
Strickland	R 19	-	-	-	-	-	-	Not Voting	+	-	-	+	+	17% F
Walters	R 33	-	-	EXCUSED	-	-	-	-	+	-	-	+	+	18% F
Wiggins	D 2	-	+	EXCUSED	+	+	-	EXCUSED	+	+	+	+	EXCUSED	91% A
Wolk	D 5	+	+	+	+	+	-	+	+	+	+	+	+	94% A
Wright	D 25	-	-	-	+	Not Voting	-	+	+	+	+	+	+	44% D
Wyland	R 38	-	-	-	-	-	-	-	-	-	-	+	+	11% F
Yee	D 08	+	+	+	+	+	-	+	+	+	+	+	+	100% A
<b>OUTCOME:</b>		<b>Signed into Law</b>	<b>Signed into Law and Placed on Nov. 2 2010 ballot</b>	<b>Signed into Law; delayed to Nov. 2012 ballot</b>	<b>Signed into Law</b>	<b>Signed into Law</b>	<b>Failed Assembly Floor Vote</b>	<b>Signed into Law</b>	<b>Signed into Law</b>	<b>Signed into Law</b>	<b>Vetoed by Governor</b>	<b>Signed into Law</b>	<b>Signed into Law</b>	

# Clean Water Action 2009–2010 Legislative Scorecard

NAME	Party and District	WASTE PREVENTION				CHEMICAL POLICY				SCORE and GRADE
		Leash the Lid (AB 925)	Producer Takeback: Paint (AB 1343)	Ban on Single Use Carry Out Bags (AB 1998)	No Smoking in State Parks and Beaches (SB 4)	Phaseout of Copper Brakepads (SB 346)	Lead Wheel Weight Ban (SB 757)	BPA Ban in Children's Products (SB 797)	Restricting Pesticide Use Near Schools (SB 1157)	
<i>ASSEMBLY:</i>										
Adams	R 59	-	-	-	-	+	-	-	-	20% F
Ammiano	D 13	+	+	+	+	+	+	+	+	100% A
Anderson	R 77	-	-	-	EXCUSED	-	-	-	-	32% F
Arambula	I 31	-	+	+	Not Voting	+	+	+	+	75% C
Bass	D 47	+	+	+	+	+	+	+	+	85% B
Beall	D 24	+	+	+	+	+	+	+	+	90% A
Berryhill, Bill	R 26	-	-	-	-	Not Voting	-	+	-	40% F
Berryhill, Tom	R 25	-	-	EXCUSED	-	+	-	-	-	20% F
Blakeslee*	R 33	-	-	-	-	+	-	-	-	26% F
Block	D 78	+	EXCUSED	+	+	+	+	+	+	81% B
Blumenfield	D 40	+	+	+	+	+	+	+	+	85% B
Bradford*	D 51	-	+	+	+	+	-	+	+	73% C
Brownley	D 41	+	+	+	+	+	+	+	+	85% B
Buchanan	D 15	+	+	+	+	+	EXCUSED	+	+	100% A
Caballero	D 28	Not Voting	+	+	+	+	+	-	+	70% C
Calderon	D 58	+	+	Not Voting	+	+	+	+	+	88% B
Carter	D 62	+	+	+	+	+	+	+	+	85% B
Chesbro	D 1	+	+	+	+	+	+	+	+	100% A
Conway	R 34	-	-	-	-	-	-	-	-	20% F
Cook	R 65	-	-	Not Voting	-	+	-	-	-	20% F
Coto	D 23	+	+	+	+	+	+	+	+	85% B
Davis	D 48	+	+	+	+	+	+	+	+	80% B
De La Torre	D 50	+	+	+	Not Voting	+	+	Not Voting	+	75% C
de Leon	D 45	+	+	+	+	+	+	+	+	85% B
DeVore	R 70	-	-	-	-	Not Voting	-	-	-	25% F
Duvall	R 72	-	-	-	-	+	-	-	-	27% F
Emmerson*	R 63	-	Not Voting	-	-	+	-	-	-	26% F
Eng	D 49	+	+	+	+	+	+	+	+	85% B
Evans	D 7	+	+	+	+	+	+	+	+	100% A
Feuer	D 42	+	+	+	+	+	+	+	+	85% B
Fletcher	R 75	-	-	Not Voting	-	+	-	Not Voting	-	30% F
Fong	D 22	+	+	+	+	+	+	+	+	100% A
Fuentes	D 39	+	+	+	Not Voting	+	+	-	+	70% C
Fuller	R 32	-	-	-	-	+	-	-	-	25% F
Furutani	D 55	Not Voting	Not Voting	+	+	+	+	+	EXCUSED	74% C
Gaines	R 4	-	-	-	-	-	-	-	-	25% F
Galgiani	D 17	-	+	+	+	+	+	Not Voting	-	65% D
Garrick	R 74	-	-	-	-	Not Voting	-	-	-	15% F
Gatto	D 43	-	+	-	-	+	-	+	+	86% B
Gilmore	R 30	-	-	-	-	+	-	-	-	40% F
Hagman	R 60	-	-	-	-	+	-	-	-	20% F
Hall	D 52	+	+	Not Voting	Not Voting	+	Not Voting	+	Not Voting	60% D
Harkey	R 73	-	-	-	-	+	-	-	-	25% F
Hayashi	D 18	-	+	+	+	+	+	+	+	95% A
Hernandez	D 57	+	+	Not Voting	+	+	+	Not Voting	+	70% C
Hill	D 19	+	+	+	+	+	+	+	+	90% A
Huber	D 10	-	-	-	+	+	+	Not Voting	-	65% D
Huffman	D 6	+	+	+	+	+	+	+	+	90% A
Jefferies	R 66	-	-	-	-	+	-	-	-	15% F
Jones	D 9	+	+	+	+	+	+	+	+	85% B
Knight	R 36	-	-	-	-	Not Voting	-	-	-	25% F
Krekorian*	D 43	+	+	-	-	+	+	-	-	73% C
Lieu	D 53	+	+	EXCUSED	+	+	+	+	+	83% B
Logue	R 3	-	-	-	-	+	Not Voting	-	-	30% F
Lowenthal, B.	D 54	+	+	+	+	+	+	+	+	85% B
Ma	D 12	+	+	-	+	Not Voting	+	+	+	75% C
Mendoza	D 56	Not Voting	+	+	+	+	+	+	+	70% C
Miller	R 71	-	-	-	EXCUSED	+	-	-	-	32% F
Monning	D 27	+	+	+	+	+	+	+	+	100% A
Nava	D 35	+	+	+	+	+	+	+	+	85% B
Nestande	R 64	-	-	-	-	+	-	-	-	25% F
Niello	R 5	-	-	-	-	+	-	-	-	30% F
Nielsen	R 2	-	-	-	-	+	-	-	-	25% F
Norby*	R 72	-	-	-	-	+	-	-	Not Voting	38% F

Continued on page 6

# Clean Water Action 2009–2010 Legislative Scorecard

NAME	Party and District	WASTE PREVENTION				CHEMICAL POLICY				SCORE and GRADE
		Leash the Lid (AB 925)	Producer Takeback: Paint (AB 1343)	Ban on Single Use Carry Out Bags (AB 1998)	No Smoking in State Parks and Beaches (SB 4)	Phaseout of Copper Brakepads (SB 346)	Lead Wheel Weight Ban (SB 757)	BPA Ban in Children's Products (SB 797)	Restricting Pesticide Use Near Schools (SB 1157)	
<b>ASSEMBLY:</b>										
Perez, John A.	D 46	+	+	+	Not Voting	+	+	+	+	80% B
Perez, V. M.	D 80	Not Voting	+	+	Not Voting	+	+	+	+	70% C
Portantino	D 44	+	+	+	+	+	+	+	+	80% B
Ruskin	D 21	+	+	+	+	+	+	+	+	90% A
Salas	D 79	+	+	+	+	+	+	+	+	80% B
Saldaña	D 76	+	+	+	EXCUSED	+	+	+	+	90% A
Silva	R 67	-	-	Not Voting	-	+	-	-	-	15% F
Skinner	D 14	+	+	+	+	+	+	+	+	100% A
Smyth	R 38	-	-	-	-	+	-	-	-	30% F
Solorio	D 69	-	+	+	+	+	+	-	+	70% C
Strickland	R 37	-	-	EXCUSED	-	+	-	-	-	29% F
Swanson	D 16	+	+	+	+	+	+	+	+	95% A
Torlakson	D 11	+	+	+	+	+	+	+	+	100% A
Torres	D 61	+	+	Not Voting	Not Voting	+	+	+	+	65% D
Torrico	D 20	+	+	-	Aye	+	+	-	+	75% C
Tran	R 68	-	-	-	-	+	-	-	Not Voting	25% F
Villines	R 29	-	-	-	-	+	-	-	-	15% F
Yamada	D 80	+	+	+	+	+	+	+	+	100% A
<b>SENATE:</b>										
Aanestad	R 4	-	-	-	-	-	-	-	-	13% F
Alquist	D 13	-	+	+	+	+	+	+	+	83% B
Ashburn	R 18	-	-	-	-	-	-	-	-	11% F
Benoit*	R 37	-	-	-	-	-	-	-	-	18% F
Calderon	D 30	-	+	-	+	+	+	-	+	77% C
Cedillo	D 22	-	+	+	+	+	EXCUSED	+	+	77% C
Cogdill	R 14	-	-	-	+	-	-	-	-	22% F
Corbett	D 10	-	+	+	+	+	+	+	+	94% A
Correa	D 34	-	-	-	Not Voting	-	+	+	Not Voting	39% F
Cox*	R 1	-	-	-	-	-	-	-	-	-
Denham	R 12	-	-	-	-	-	-	-	-	33% F
DeSaulnier	D 7	-	+	+	+	+	+	+	+	88% B
Ducheny	D 40	-	+	-	Not Voting	+	+	+	+	61% D
Dutton	R 31	-	-	-	-	-	-	-	-	22% F
Florez	D 16	-	+	-	+	+	EXCUSED	+	+	71% C
Hancock	D 9	-	+	+	+	+	+	+	+	100% A
Harman	R 35	-	-	-	-	-	+	-	-	19% F
Hollingsworth	R 36	-	-	-	-	-	-	-	-	12% F
Huff	R 29	-	-	-	-	-	-	-	-	17% F
Kehoe	D 39	-	+	+	+	+	+	+	+	83% B
Leno	D 3	-	+	+	+	+	+	+	+	94% A
Liu	D 21	-	+	+	+	+	+	+	+	83% B
Lowenthal	D 27	-	+	+	+	+	+	+	+	83% B
Maldonado*	R 13	-	-	-	+	-	+	-	-	55% D
NegreteMcLeod	D 32	-	-	-	+	+	+	-	+	67% D
Oropeza	D 28	-	EXCUSED	EXCUSED	+	+	+	EXCUSED	EXCUSED	83% B
Padilla	D 20	-	+	+	+	+	+	+	+	83% B
Pavley	D 23	-	+	+	+	+	+	+	+	83% B
Price*	D 26	+	+	-	-	+	Not Voting	-	+	63% D
Romero	D 24	-	+	-	+	+	+	+	+	78% C
Runner	R 17	-	-	-	-	Not Voting	-	-	-	19% F
Simitian	D 11	-	+	+	+	+	+	+	+	78% C
Steinberg	D 6	-	+	+	+	+	+	+	+	83% B
Strickland	R 19	-	Not Voting	Not Voting	-	-	-	-	Not Voting	17% F
Walters	R 33	-	-	-	-	-	-	-	-	18% F
Wiggins	D 2	-	EXCUSED	EXCUSED	+	+	+	EXCUSED	EXCUSED	91% A
Wolk	D 5	-	+	-	+	+	+	+	+	94% A
Wright	D 25	-	+	-	Not Voting	-	Not Voting	-	Not Voting	44% D
Wyland	R 38	-	-	-	-	-	-	-	-	11% F
Yee	D 08	-	+	+	+	+	+	+	+	100% A
<b>OUTCOME:</b>		<i>Held in Senate; Inactive File</i>	<i>Signed into Law</i>	<i>Passed by Assembly; Failed Final Senate Floor Vote</i>	<i>Vetoed by Governor</i>	<i>Signed into Law</i>	<i>Signed into Law</i>	<i>Passed by Assembly; Failed Final Senate Floor Vote</i>	<i>Vetoed by Governor</i>	

## Legislative Round-Up

### Water

In addition to opposing poor water policy and water bond legislation (above), Clean Water Action supported bills that would improve or protect water quality and conserve California's limited water resources. One of 2009's most important water quality bills was **SB 670 (Wiggins)**. The measure places a moratorium on suction dredge mining in rivers and creeks until information on its impacts can be assessed. This mining sacrifices creek beds, destroying spawning grounds and stirring up mercury-laden sediment in the pursuit of only trace quantities of gold. Passage of **AB 1366 (Feuer)**, to ban water softeners that add large quantities of salt to the wastewater, was another important clean water victory. The salt makes water recycling and reuse more difficult. **AB 2304 (Huffman)** would have required managers of groundwater aquifers to identify recharge areas and report them to local planning bodies so that development decisions could be made while safeguarding their water. It passed the Legislature only to be vetoed by the Governor.

Lawmakers considered some significant water conservation bills in 2009, but only one passed and was signed into law. **AB 975 (Fong)** requires privately owned water systems to install meters and base water rates on the volume of water used. Some other innovative bills failed to make it out of the Legislature: **AB 1408 (Krekorian)** was the second attempt to require new developments to offset their water use fully through on-site efficiency and conservation spending elsewhere in the region.

### Environmental Justice

Not all Californians live in communities with safe and affordable drinking water, effective wastewater treatment and flood protection. Many low income communities of color, particularly in rural areas of the state, lack access to safe and affordable water. In 2009, an effort

was made to recognize these communities by creating a "Human Right to Water" in state law. The legislation — **AB 1242 (Ruskin)** — simply stated that every person has a right to sufficient clean, safe and affordable drinking water to meet basic human needs. The legislation was adopted by the Legislature but vetoed by the Governor, despite more than 20,000 calls, letters, and e-mails urging his support.

The poorer the community, the less likely that it can secure the funding it needs to upgrade infrastructure. Several bills that Clean Water Action supported to promote equity in access to water treatment and infrastruc-

ture funding passed in this session. **AB 1438 (Conway)** and **AB 626 (Eng)** make more funding available for low-income community infrastructure needs. **AB 2515 (V.M. Perez)** provides emergency funding for water filters in communities with contaminated tap water.



### Plastic Pollution and Waste Prevention

Growing quantities of trash, particularly plastics, plague California's inland and coastal waters. In response, Clean Water Action supported several bills to reduce plastic pollution and litter,

promote re-usable products, and seek waste prevention by making manufacturers and producers responsible for taking back and recycling their products that become waste. Polystyrene food containers, plastic bags, bottle caps, and cigarette butts are among worst culprits.

In 2009–2010, several bills were introduced to address these problem products. Clean Water Action sponsored **AB 1358 (Hill)** in 2009 to ban polystyrene food take-out containers. The measure stalled in the Assembly where key lawmakers were reluctant to vote for legislation that industry claimed might impact California jobs — jobs that continually exposes workers to styrene — a substance

*Continued on page 8*

*Continued from page 7*

known to cause leukemia and lymphoma in factory workers. Clean Water Action advocated for creating California jobs manufacturing less toxic alternatives.

Three bills that would have banned plastic bags were introduced in the two years. **AB 1998 (Brownley)** passed the Assembly and died in the floor vote of the Senate, after a misleading, multi-million dollar advertising campaign by the plastics industry. **AB 925 (Saldana)** a bill requiring that plastic bottle caps be tethered to bottles to prevent bottle cap litter, passed the Assembly but was held in the Senate for lack of support. **SB 4**, by **Senator Jenny Oropesa**, a true environmental champion who passed away on October 20, 2010, would have reduced smoking-related litter via a ban on smoking at state beaches. The bill passed both houses and was vetoed by the Governor. **AB 1343 (Huffman)** was one of several introduced in 2009-2010 to make producers responsible for their products' wastes. **AB 1343** was signed by the Governor and will result in paint manufacturers taking back leftover paint for recycling. The Governor also signed AB 2398 (JM Perez) creating producer responsibility for carpet recycling and disposal.

### Toxic Substances



AB 1879 (Feuer) and SB 509 (Simintian) were passed in 2008 to implement California's Green Chemistry Initiative. These bills represent the first steps toward promoting the development of safer chemicals, products, and manufacturing processes. AB 1879 tasked the Department of Toxic Substance Control (DTSC) with developing and implementing regulations for chemicals used in products; SB 509 requires creation of an accessible clearing house of data on chemicals in commerce.

While DTSC is in the process of finalizing their proposed rules, it will be many years before some of the most potent toxic chemicals in products will be regulated. Clean Water Action supports acting sooner to restrict or eliminate the most harmful chemicals. In 2009-2010, bills were introduced to restrict the use of specific "bad actor" chemicals, such as lead in wheel weights; the toxic plastic ingredient bisphenol A (BPA), cadmium, and flame retardants in children's products; and pesticides in schools. While there were some victories, the Legislature delayed public and environmental protection in several cases, waiting for the longer green chemistry regulatory process.

Clean Water Action sponsored **SB 757 (Pavley)** which banned the manufacture and sale of lead wheel weights in California. Wheel weights falling from vehicles account for half a million pounds per year of lead pollution nationwide. The measure was signed into law by the Governor in 2009. **SB 797 (Pavley)** was introduced to protect California's children from serious health threats posed by BPA in the products used to feed them. The chemical is a known hormone disruptor and has been linked to impaired brain development, behavioral problems, early puberty, breast and prostate cancer, and other serious health impacts. The bill passed both houses in 2010, but failed on a concurrence vote in the Senate. Another measure designed to prevent toxic exposures in children, **SB 1157 (DeSaulnier)** would have taken the reasonable step of restricting the application of toxic pesticides near schools. The measure passed both houses but was vetoed by the Governor. The Governor did sign **SB 346 (Kehoe)** which will phase out the use of copper brake pads, thereby reducing copper pollution in California waterways.

*To find the specific language and legislative history of any bill introduced in the California Legislature, go to: [www.leginfo.ca.gov/bilinfo.html](http://www.leginfo.ca.gov/bilinfo.html)*