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## Legislators Protecting Energy-Intensive Industries Received Significantly More Money From Them

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Submitted by [Owen Poindexter](#) on Wednesday, Mar 17th, 2010

In October 2009, Governor Schwarzenegger vetoed AB 1404, a bill that would have ensured that most greenhouse gas emissions will be included in the cap-and-trade program established in 2006 by the Global Warming Solutions Act (AB 32). From 2003 to 2008, the organizations opposing the bill contributed over \$1.7 million to the political campaigns of the California state legislators who voted on this bill and nearly \$300,000 to Schwarzenegger. In both the Senate and Assembly votes that sent the bill to the Governor, those voting with the energy-intensive industries against the bill receiving significantly more money from those industries that those voting for the bill.

The industries opposing the bill gave an average of \$65,191 in the 2006 and 2008 election cycles to Senators who voted against the bill, 115% more than the \$30,132 received by Senators who voted for it. The four Democratic Senators who crossed party lines to vote against the bill received 183% more from these energy-intensive industries than Democratic Senators who voted for it. Similarly, in the Assembly, these industries gave an average of \$28,056 in the 2008 election cycle to members voting against the bill, 71% more than the average of \$16,384 given to those who voted for it. While Assembly Democrats largely supported the bill, six did not vote; these six received 102% more than the members of the Democratic caucus who voted for the bill.

In 2006, the California legislature passed AB 32, an ambitious program to bring its greenhouse gas (GHG) levels down to those of 1990 by 2020. The AB 32 Scoping Plan was developed to detail how this goal would be reached. The Scoping Plan calls for 80% of GHG reductions to be achieved through regulatory measures, and the remaining 20% through market-based initiatives. The market measures work primarily through a cap-and-trade system, wherein plants, facilities and other polluters must purchase credits if their emissions go over a certain limit. Under current law, these credits can be purchased from organizations within the cap-and-trade program that stayed under their limit, or they can be "compliance offsets," which come from groups that have reduced GHG emissions, but are not part of the cap-and-trade program and may not even be in California.

Environmental groups have argued that compliance offsets allow polluters to buy their way out of AB 32 requirements with no benefit to the state. AB 1404 would have addressed this issue by limiting compliance offsets to 10% of market-based GHG reductions from the 49% that was [proposed](#) by the California Air Resources Board. The bill went further, giving top priority to compliance offsets that would reduce emissions in California's worst air quality areas, second priority to offsets in state areas with disenfranchised populations, and third priority to offsets simply within the state.

Opposing groups argued that these regulations would hurt the economy and even the environment. The [California Chamber of Commerce](#) listed the bill as a "Job Killer," and stated that it, "significantly increases business costs and threatens state jobs and businesses." A [letter from the utility Azusa Light & Power](#) indicates that utilities opposed AB 1404 in order to "maximize the options available to achieve emissions reductions."

Organization that opposed AB 1404 and made campaign contributions to current members of California State Legislature	2003-2008 contributions to legislators serving in 2009-2010 session	2003-2008 contributions to Governor Arnold Schwarzenegger
California Building Industry Association	\$804,773.33	\$120,500.00
California Chamber of Commerce	\$215,998.41	\$32,300.00
California Forestry Association	\$157,912.69	\$13,000.00
California Independent Petroleum Association	\$142,141.03	\$2,140.80
California Grocers Association	\$137,242.71	\$44,600.00
California Retailers Association	\$92,879.54	\$0.00
Building Owners & Managers Association of California	\$54,650.00	\$20,000.00
California League of Food Processors	\$49,324.44	\$22,300.00
California Business Properties Association	\$39,950.00	\$27,500.00
California Manufacturers & Technology Association	\$25,431.63	\$5,393.00
<i>Total</i>	<i>\$1,720,303.78</i>	<i>\$287,733.80</i>

AB 1404 Senate Floor Vote: September 11, 2009	Count	Avg Contributions
All Senators in office on day of vote	40	\$46,784.74
Senators voting no	19	\$65,190.70
Senators voting yes	21	\$30,131.73
Senate Democrats	25	\$38,965.56
Senate Republicans	15	\$59,816.71
Senate Democrats voting no	4	\$85,343.19

AB 1404 Assembly Floor Vote: September 12, 2009	Count	Avg Contributions
All Assemblymembers in office on day of vote	79	\$21,934.68
Assemblymembers voting no	29	\$28,055.53
Assemblymembers voting yes	44	\$16,383.79

Assembly Democrats and Independent	51	\$18,026.06
Assembly Republicans	28	\$29,053.94
Assembly Democrats voting no	1	\$100.00
Assembly Democrats not voting	6	\$33,057.10

Contribution sums to each legislator is also available on a [separate page](#).

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**Methodology for Industries Selected:** The names of organizations opposing AB 1404 in the [most recent Senate bill analysis](#) were searched in a database of campaign contributions provided by the [National Institute on Money in State Politics \(NIMSP\)](#), which assigns industry categories to all campaign contributions. The industry categories that reflect these contributors in this data is: Builders associations; Building operators & managers; Chambers of commerce; Food & beverage products and services; Food & kindred products manufacturing; Food stores; Independent oil & gas producers; Manufacturing; Petroleum refining & marketing; Residential construction; Retail trade; Timber companies, sawmills, & others engaged in cutting down trees.

**Methodology for Total Contributions:** Campaign contributions data provided by the [National Institute on Money in State Politics \(NIMSP\)](#), and includes state Senate and Assembly campaign contributions and contributions to Arnold Schwarzenegger's gubernatorial campaigns from industries opposed to AB 1404 (see "Methodology for Industries Selected" above). Date range of contributions: 2004, 2006 and 2008 election cycles (January 1, 2003-December 31, 2008) coded by NIMSP as of January 21, 2010.

**Methodology for Contributions by Vote:** Campaign contributions data provided by the [National Institute on Money in State Politics \(NIMSP\)](#), and includes state Senate and Assembly campaign contributions from the industries opposed to AB 1404 (see "Methodology for Industries Selected" above). Date range of contributions: Senators include 2006 and 2008 election cycle contributions (January 1, 2005-December 31, 2008) coded by NIMSP as of January 21, 2010; Assembly totals only include the 2008 election cycle (January 1, 2007-December 31, 2008). Votes and bill analyses for [AB 1404](#) are recorded in the Office of Legislative Counsel's [LegInfo](#) database.

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