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The California Legislature's Response To The Environmental Threat

J. MICHAEL McCLOSKEY*

JOHN H. ZIEROLD**

An incontestable crisis of the environment faces California which, as scientists have pointed out, is leading to grave deterioration of the quality of our life. This crisis has yet to exert its logic on the California Legislature, however, for there is a distinct lag between rhetoric and result in that body. Although some leadership has been asserted, the legislature apparently does not fully grasp the scientist's recognition of the autonomy of the physical world, whose biological laws, unlike civil codes, cannot be amended to suit man's purposes. Statistical measurement of legislative behavior shows that the disposition of legislators to act favorably on environmental matters is generally low, with their behavior often governed more by party cohesion than by objective consideration of issues.

1970 was hailed nearly everywhere as the dawning of the Age of Ecology, but was a year, lamentably, which yielded more stagecraft than statecraft. There were high public expectations for this new era of environmental enlightenment, with editors of magazines such as *Life* and *Look*,¹ as well as network television officialdom, decreeing that ecology was an idea whose time had come.

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1. Shepherd, *Earth Day, April 22: The Fight to Save America Starts Now*, *Look*, April 21, 1970, at 23.

CONSERVATION: OLD AND NEW RESPONSES

In the Fifties, some men of science began to express their growing anxiety over our chances for survival as a species. Karl Sax wrote *Standing Room Only*² in the mid-fifties, but his early work—unlike Paul Ehrlich's widely-acclaimed *The Population Bomb*,³ which followed nearly 15 years later—drew only passing attention. During those years, when the Saxes and the Garret Hardins sought to awaken the world to its ecological crisis, legislators in California, as elsewhere, were inattentive and at times even hostile to the deep concerns that environmentalists had been expressing for decades, thinking all too often that here were alarmists interested chiefly in seeking more wilderness for voices to cry out in. But in the decade of the Seventies an unprecedented volume of reportage poured from the national communications media on the environmental crisis. This gave pause to the unconcerned and heart to those who had already perceived the problem.

Senator Gaylord Nelson and California Congressman Paul McCloskey joined forces to promote Earth Day, which was celebrated on college campuses across the nation with an intensity previously manifested only at demonstrations for other causes, such as peace.⁴ Earth Day, much to the dismay of all, however, did not set off a chain of momentous legislation to protect our life support system—even though many were led to expect it in view of the overwhelming evidence put on display at this transcontinental happening.

The seventieth year of this century did, however, mark a beginning. It was not so much a matter of opening fire on the enemy, pollution, as it was the recognition of environmental degradation as an unambiguous threat. There was an unmistakable parallel in this situation to a related process in national defense. Those who formulate strategy have drastically revised their methodology in the post-World War II period. Before that time, ambiguous threats, such as Hitler's march into the Rhineland in the mid-Thirties, were usually dealt with unsatisfactorily, because, for one thing, such events did not involve an immediate feat of arms, and nations usually had sufficient time to retool industries if the ambiguous threat became unambiguous, which is to say fully apparent. That was singularly true of the United States and the Japanese attack on Pearl Harbor.

Today, on the other hand, the age of intercontinental missiles imposes on strategic defense planning a very refined view of the ambiguous and

2. K. SAX, *STANDING ROOM ONLY* (1955).

3. P. EHRLICH, *THE POPULATION BOMB* (1968).

4. Scott, *Student Activism on the Environmental Crisis*, *LIVING WILDERNESS*, Spring, 1970, at 8.

the unambiguous. The immediacy of the thermonuclear first strike capability has compelled an alertness and vigilance previously thought unnecessary for a nation whose natural protection by mountain and sea barriers had always been the envy of European nations bounded on virtually all sides by potential or actual adversaries.

Something of the same thing has happened in the ecological "war room." Where once the prevailing view of environmental pollution was that technology would always come to the rescue if things deteriorated too badly, it is now apparent that the world faces unambiguous threats from photo-chemical smog and the unrestrained release into the environment of biocides, organomercurials and polychlorinated biphenyls.

Scientists recognize the autonomy of the physical world. Unlike them, legislators, perhaps too accustomed to amending the streets and highways or utilities codes to the uses of commerce, do not share the understanding that some laws, notably biological and physical, are unmitigable and that no legislature in the world can repeal them, or in any way shape them to suit man's commercial purposes. It is in the name of these commercial purposes that our governments at all levels have permitted outrageous abuses of the earth. A few legislators in California fully understand the problem; some comprehend it only in the fashion of one who hears voices from behind closed doors but cannot make out all the words; and a small band of misologists simply refuses to listen. The public, on the other hand, seems to have grasped matters far better than its elected representatives and is anxious that more effective steps be taken to minimize such near-emergency situations as air and water degradation.

Probably at no time in our history has there been such a profound change in the inner spirit and the outward expression of American life with respect to man and his relationship to the world he inhabits. At long last the American people seem to have developed a sustained concern for the quality of their lives, characterized equally by imperatives of preserving the wild and healing the environment in human settlements. It is a significant change, for it marks a decline in the mystique of industrial growth as a dominant feature in American thinking.

LIFE STYLES: OLD AND NEW

From the earliest beginnings of this nation, America has been in a state of constant change, typified by a chronic physical and mental restlessness. Impermanence has dominated its outlook in the exploration and development of the continent. There exists no better expression of the American transiency of human effort or institutional perishability

than the observation by Roger Williams that "we are but strangers in an Inn, but passengers in a ship." The American has always been a pioneer, with all the courage and resourcefulness that that implies, boundlessly optimistic and, like Cooper's Leather-Stocking, ever disposed to shoulder his pack, summon his dog, and strike out for the setting sun. But if the pioneer was essentially a tent dweller, he was not necessarily a good camper. He did, in fact, squander the resources of his neighborhood. Forests were recklessly cut, soil exhausted. It was deplorable, but simple enough to understand. The Judeo-Christian ethic has always seemed to place man in an adversary relationship with nature. The dominant view of nature has been that it is harsh, unyielding, to be fought and conquered, and to exist for man's use alone. Man has sought to exempt himself from biological law and has exploited the world in almost total ignorance of the biological consequences. There was even scriptural warrant for it:

Be fruitful and increase, fill the earth and subdue it, rule over the fish in the sea, the birds of heaven, and every living thing that moves upon the earth.⁵

Until very recently that view, and the imprint of the pioneer's profligacy, remained stamped upon American life and thought; it was characteristic not only of resource harvesters, but, similarly, of governments which let their abuses go unchecked. Successive generations of Americans have reflected the traits of the pioneers in their wanderings westward, and it was perhaps inevitable that this national attitude has led to the selection of men in government who shared the ideas that animated the pioneer and his philosophical descendants, the *laissez-faire* developers. As former Secretary of the Interior Steward Udall once said,

every act that overcame the wilderness was considered good. Subjugation meant growth, and growth was next to Godliness in the American scheme of things. Since Plymouth Rock, growth and expansion have been synonymous with survival and success.⁶

If the growth-ethic was once considered the key to survival, it no longer can be at this point in time. Conversely, our survival may very well depend upon the abandonment of the growth-ethic. As John Kenneth Galbraith has said,

We have yet to realize that to rescue the environment we will have to restrict production and consumption of at least some goods. A single-minded concern for increasing production was what got us

5. *Genesis* 1:28 (New English Bible).

6. S. UDALL, *THE QUIET CRISIS* (1963).

into this mess. To get out we must ask what things cause more public sorrow than private joy.⁷

At all events, it is now apparent that the American growth-ethic based upon the inexhaustible abundance of land and resources has come to an end, both physically and philosophically. No longer can man emulate Voltaire's Signor Pocurante, always expecting "a new garden tomorrow, built upon a nobler plan."

It cannot be said, of course, that these attitudes of reckless wastefulness have been completely dethroned, but the consanguinity between exploiter and indulgent lawmaker does now show a few gaps in what was once an almost seamless interrelationship. The process has been agonizingly slow however. It is disheartening to the conservation movement to be confronted, time and time again, with the need to compile an immense body of evidence before it can dispel the reluctance of legislatures to enact even the most elemental measures of environmental protection. Almost without exception the most compelling logic fails to act as a solvent of the stubborn belief that, as Professor Galbraith puts it,

We can protect the environment without in any way invading the sacred prerogatives, as they are called, of private enterprise.⁸

Galbraith maintains that

the tendency of the modern economy is increasingly to serve not the public convenience but that of the more powerful producers. And it is convenient and in accord with producer interest to make automobiles that poison the air, and to dump chemicals that poison birds, fish and people along with worms, and to allow cities to engulf the countryside in an unregulated sprawl, and to give the highways over to billboards and the purveyors of gasoline, fried foods and places of rest and assignation. This is private enterprise. It can only be changed by public regulation of private enterprise and private land use.⁹

Biblical as the style and sweep of Galbraith's rhetoric may be, he has nevertheless formulated an unmistakably clear definition of the environmental crisis. There is little further need here to enumerate a list of separate ecological disasters such as the pollution of Lake Tahoe,¹⁰ or to issue Jeremiads about the immediate peril of further environmen-

7. Galbraith, *Open Letter to Conservationists*, undated, CRC-449, California State Law Library, Sacramento.

8. *Id.*

9. *Id.*

10. Lake Tahoe is found high in the Sierra-Nevada mountains on the state line between Nevada and California. It is one of the most beautiful contributions ever given by nature to man and the despicable overdevelopment and cheap commercialization of this natural wonder amounts to nothing less than a major blight on the record of man.

tal insult, all of which has been uttered or published repeatedly and urged upon elected representatives as recommended reading. The question before the American people now is what the legislatures will do in response to the problem.

CURRENT CONDITIONS

In view of this country's historical penchant for the pursuit of an ever-expanding gross national product, it comes as no surprise that California's legislature has produced no state policy for the protection and preservation of the environment. The present problem, however, is not simply the lack of an adequate policy at the state or national level.

It also involves the need to rationalize and coordinate existing policies, and to provide the means by which they may be reviewed continuously, made consistent with other national policies, and ranked in reasonable priority.¹¹

A few promising developments have emerged from our nation's capital, however, including the creation in 1970 of the Environmental Protection Agency,¹² which has the function of overseeing federal water and air pollution control activities, and programs to regulate the use of pesticides and radioactive materials. That modest beginning, though, can scarcely be regarded as a panacea for environmental ills. The relationship of government to the resolution of many ecological problems still must be viewed in great measure at the state level for it is there that governments will continue to deal with such matters. Why is this true? The answer is founded more in practicality than in political theory. Since nearly all environmental issues fall under the purview of state jurisdiction, state government has become, and probably will remain, a primary institution for the resolution of environmental conflict.

With all the remedies at its disposal, however, California has been more witch-doctor than physician to its diseased ecosystems. What the United States Congress achieved in establishing an environmental protection agency went unduplicated in the 1970 session of the California Legislature. Assemblyman Jess Unruh, former Speaker of the Assembly and 1970 Democratic gubernatorial candidate, offered a measure to create a super ecological agency which would have had veto power over any public work determined to be harmful to the environment.¹³ The Unruh measure was given a swift execution by a straight

11. CONGRESSIONAL WHITE PAPER ON A NATIONAL POLICY FOR THE ENVIRONMENT, 90th Cong. 2d Sess. (1968).

12. National Environmental Policy Act of 1969; 42 U.S.C. §§ 4321-4347.

13. A.B. 2050, 1970 Regular Session.

party-line "no" by Republicans at the first policy committee hearing in the bill's house of origin.¹⁴ This was an act of one-eyed partisanship that doubtless came as no surprise to Mr. Unruh, who may very well have stoically considered it all part of the game and perhaps felt no sense of conventional setback—a conclusion suggested by reports that he asked a fellow legislator to present his bill in committee for him.¹⁵ All this left environmentalists aggrieved and bitter, for conservation, they feel, should not be regarded as a partisan issue under any rules of election-year swordplay. That politicians feel they have extra-territoriality in this respect is a sign to many conservationists that their fears about the quality of modern life are shared by all too few in the California Legislature. Little wonder then that thousands of college students—legatees of what results from the legislature's conduct of public affairs—feel alienated from the institutions of a political system whose extravagant game of partisan roulette threatens to dissipate their environmental legacy.

Although ecology is academically fragmented into abstruse specialties dealing with the relation of an organism to its environment, there is a popularized definition which would seem to adequately meet the purposes of this study: Ecology is a science of life based on physical and chemical laws which are subject to violation at great penalty; it is "the body of information that tells you how you can live, and when you are going to die as a cultural civilization if you don't follow the rules."¹⁶ Few scientists would haggle over that chilling definition, despite its departure from academic precision; but legislators as a rule seem oblivious to what it portends. This callousness is revealed by the following analysis of the California Legislature's response to environmental measures in the 1969 and 1970 General Sessions.

THE LEGISLATIVE REACTION TO CRISIS

The results presented in the ensuing tables constitute a subjective view to some degree, inasmuch as the bills selected for analysis were, in the opinion of conservationists, the most significant issues under consideration by the California Senate and Assembly during the relevant two-year period. Further, the results reflect a limited set of assumptions about the environmental perspectives held by state legislators and their comprehension of the need to heal the physical environment.

14. JOURNAL OF THE CALIFORNIA ASSEMBLY, 8408 (Reg. Sess. 1970).

15. A state legislator having reasonable expectations for seeing his proposal advance through the legislative process will usually personally discuss the substance and intent of his bill with the concerned committee members at policy committee hearings.

16. Philip Wylie, position statement address delivered to the Institute for Development of Educational Activity, May 25, 1970, in Washington, D.C.

TABLE 1. Environmental Legislation Considered by the California Senate, 1969 Session
 Key: "Aye" and "No" indicate type of votes required for environmental protection.

Author	Bill No.	Issue No.	Description of Bill	Disposition
Moscone	SCR93	1	Vote to conduct pollution abatement comparative study.—Aye	Passed
Moscone	SB941	2	Vote to regulate noise pollution.—Aye	Passed
Moscone	SB1387	3	Vote to create council of water agencies to advise Water Resources Control Board on statewide water management.—Aye	Failed
Moscone	SB1394	4	Vote to prohibit discharge of effluent in mountain waters.—Aye	Failed
Moscone	SB1395	5	Vote to provide state oversight of beach development.—Aye (Issue numbers 6 through 14 are all procedural votes pertaining to the renewal of the Bay Conservation and Development Commission, the most important issue of the year.)	Failed
Knox	AB2057	6	Vote on motion to adopt amendments increasing BCDC jurisdiction.—Aye	Passed
Knox	AB2057	7	Vote on amendment to exempt special interests from BCDC jurisdiction.—No	Passed
Knox	AB2057	8	Vote on amendment to increase extent of BCDC jurisdiction over shoreline development.—Aye	Passed
Knox	AB2057	9	Vote on motion to reconsider amendments to increase BCDC jurisdiction over dredging, diking, and filling.—Aye	Passed
Knox	AB2057	10	Vote on amendment to include certain types of community developments within BCDC jurisdiction.—Aye	Failed
Knox	AB2057	11	Vote on amendment to enable easier alteration of San Francisco Bay Plan.—No	Failed
Knox	AB2057	12	Vote on amendment to eliminate Commissioners' right of proxy.—No	Failed
Knox	AB2057	13	Vote on motion to obstruct passage and to thereby end BCDC.—No	Failed
Knox	AB2057	14	Vote on another motion to obstruct passage.—No	Failed
Knox	AB2057	15	Vote on final passage of the BCDC bill itself.—Aye	Passed
Porter	AB413	16	Vote on bill to toughen water pollution controls.—Aye	Passed
Foran	AB974	17	Vote to establish transportation board in Business and Transportation Agency.—Aye	Passed
Petris	SB778	18	Vote to outlaw internal combustion engine by 1975.—Aye	Failed
Petris	SB779	19	Vote to appropriate \$1,000,000 for anti-smog research.—Aye	Failed

TABLE 2. Environmental Legislation Considered by the California Assembly, 1969 Session
 Key: "Aye" and "No" indicate type of votes required for environmental protection.

Author	Bill No.	Issue No.	Description of Bill	Disposition
Porter	AB413	1	Vote on motion to amend bill to prohibit vested interests from membership on water quality boards.—Aye	Failed
Porter	AB413	2	Vote on bill to toughen water pollution controls.—Aye	Passed
Foran	AB461	3	Vote to allow transportation funds to be applied to non-highway forms of transport.—Aye	Failed
Dunlap	AB941	4	Vote to regulate subdivisions to insure public access to beaches.—Aye	Failed
Foran	AB974	5	Vote to establish transportation board in Business and Transportation Agency.—Aye	Passed
Foran	AB975	6	Vote to establish an office for statewide transportation planning.—Aye	Failed
Sieroty	AB2090	7	Vote to establish Southern California beach study commission	Failed
Knox	AB2057	8	Vote to renew Bay Conservation and Development Commission.—Aye	Passed
Knox	AB2057	9	Vote on attempt to block passage.—No	Failed
Knox	AB2057	10	Vote on Senate amendments.—Aye	Passed
Mosccone	SCR93	11	Vote to conduct pollution abatement comparative study.—Aye	Passed
Mosccone	SB941	12	Vote to regulate noise pollution.—Aye	Passed
Mosccone	SBI387	13	Vote to create council of water agencies to advise Water Resources Control Board on statewide water management.—Aye	Failed

TABLE 3. Environmental Legislation Considered by the California Senate, 1970 Session
 Key: "Aye" and "No" indicate type of votes required for environmental protection.

Author	Bill No.	Issue No.	Description of Bill	Disposition
Petris	SB66	1	Vote to ban smog-producing vehicles in California by 1975.—Aye	Passed Senate, Failed Assembly
Alquist	SB331	2	Vote on amendment to delay construction of Southern Crossing over San Francisco Bay.—Aye	Passed
Alquist	SB331	3	Vote on bill to delay construction of Southern Crossing over San Francisco Bay.—Aye	Passed Senate, Failed Assembly
Beilenson	SB541	4	Vote on appropriate \$2 million for birth control services.—Aye	Passed
Beilenson	SB542	5	Vote on act relating to information for minors on population control.—Aye	Passed
Cusanovich	SB801	6	Vote to delete Malibu-Whittall freeway from Master Plan.—Aye	Passed
Stevens	SB959	7	Vote to create Santa Monica Mountains Study Area.—Aye	Passed
Carrell	SB1107	8	Vote to extend life of Environmental Quality Council.—Aye	Passed
Mills	SCA18	9	Vote to divert gas tax funds for purposes other than highways at local option.—Aye	Passed
Dunlap	AB493	10	Vote to provide beach access for public.—Aye	Passed
Millas	AB1050	11	Vote to establish environmental education program and to provide funding.—Aye	Passed, Bill signed but appropriation deleted
Knox	AB2045	12	Vote to require State agencies to consider environmental impact of programs.—Aye	Passed
Britschgi	AB665	13	Vote to permit local government to enact stronger forest practice regulations than State minimum standards.—Aye	Passed
Sieroty	AB1231	14	Vote to require dedication of property for park purposes.—Aye	Vetoed
Knox	AB1566	15	Vote to mandate conservation element in city and county plans.—Aye	Passed
Wilson	AB2070	16	Vote to establish Office of Planning and Research for environmental monitoring system.—Aye	Passed
Knox	AB2077	17	Vote on tax increase for Regional Park District for open space land acquisition.—Aye	Passed

TABLE 4. Environmental Legislation Considered by the California Assembly, 1970 Session
 Key: "Aye" and "No" indicate type of vote required for environmental protection.

Author	Bill No.	Issue No.	Description of Bill	Disposition
Schabarum	AB79	1	Vote to reduce lead in gasoline to 2 grams by 1974 and to eliminate lead by 1977.—No	Failed
Schabarum	AB79	2	Vote to strengthen bill.—Aye	Passed
Unruh	AB393	3	Vote to ban off-shore drilling in Santa Barbara Channel.—Aye	Failed
Dunlap	AB493	4	Vote to require subdividers to provide public access to the coast.—Aye	Passed
Milias	AB1050	5	Vote to establish environmental education program and to provide funding.—Aye	Passed
Knox	AB2045	6	Vote to require state agencies to consider environmental impact of programs.—Aye	Passed
Wilson	AB2131	7	Vote on amendment to strengthen bill establishing control over coastal development.—Aye	Failed
Wilson	AB2131	8	Vote on amendment to strengthen bill.—Aye	Failed
Wilson	AB2131	9	Vote on amendment to strengthen bill.—Aye	Failed
Wilson	AB2131	10	Vote on amendment to strengthen bill.—Aye	Failed
Wilson	AB2131	11	Vote on amendment to strengthen bill.—Aye	Failed
Wilson	AB2131	12	Vote on bill to control coastal development.—Aye	Passed
Russell	AB2167	13	Vote to direct State Lands Commission to inventory and protect environmentally important land.—Aye	Passed
Briggs	AB2199	14	Vote to impose excise tax on gross receipts from selling new cars with receipts to go to the environmental fund.—Aye	Passed Assembly, Failed Senate
Knox	AB2310	15	Vote to establish regional agency for San Francisco Bay Area conservation.—Aye	Passed Assembly Failed Senate
Knox	AB2345	16	Vote to establish regional Environmental Planning Councils.—Aye	Failed
Milias	AB2435	17	Vote to establish comprehensive program for Statewide regulation of solid waste management.—Aye	Failed
Foran	ACA38	18	Vote to release gas tax revenues from highway funds for rapid transit.—Aye	Failed
Milias	ACA55	19	Vote for Environmental Bill of Rights.—Aye	Failed
Beilenson	SB541	20	Vote to appropriate \$2 million for birth control services.—Aye	Passed Assembly Failed Senate
McCarthy	SB904	21	Vote to require reduced pollution from aircraft, providing that the devices are available (weakens existing bill).—No	Passed Passed

TABLE 4. (continued)

Author	Bill No.	Issue No.	Description of Bill	Disposition
Stevens Britschgi	SB959	22	Vote to create Santa Monica Mountain Study Area.—Aye	Passed
	AB665	23	Vote to permit local government to enact stronger forest practice regulations than State minimum standards.—Aye	Passed
Sieroty Knox	AB1231	24	Vote to require dedication of property for park purposes.—Aye	Vetoed
	AB1566	25	Vote to mandate conservation element in city and county plans.—Aye	Passed
Wilson	AB2070	26	Vote to establish Office of Planning and Research for environmental monitoring system.—Aye	Passed
Knox	AB2077	27	Vote on tax increase for Regional Park District for open space land acquisition.—Aye	Passed
Milias	AB2212	28	Vote to establish Environmental Demonstration Areas.—Aye	Failed

Decision-making at any level of government involves a subtle interplay between personal, societal and partisan variables, not all of which can be accurately measured or even taken into account. The voting analysis presented in the tables is thus a limited undertaking, confined to assessing the primary variable of support for environmental measures, and assessing the secondary variables of party membership and urban versus rural outlook. The results shown in the tables give the interested reader some insight into the perceptions and value judgements our California legislators exhibited in processing these critical bills through the 1969 and 1970 sessions of the California Legislature.

In compiling the results the first step was to establish a means by which to assess the primary variable—support for the environment. That step is embodied in Tables 1 through 4. These tables may be used to measure variation among legislators, for they consist of a selected cross-section of the most important environmental issues: land use, control of air-water-noise pollution, transportation, shoreline protection, open space, and power-plant siting, among others. The correlated issue numbers will be used in later tables.

ASSESSING THE RESULTS

Primary Variable

The findings which follow are based upon the recorded voting records of named legislators and must be placed in some perspective by admitting the limitations inherent in the act of drawing conclusions from any roll-call analysis. It is all but impossible to account for the fate of much environmental legislation solely on the basis of floor votes, for it is no secret to experienced political observers that much good legislation never gets to the floor of the legislative chamber, but rather is killed beforehand in committee hearings. Be that as it may, the purpose of the following voting indices is to analyze those issues on which there is a recorded vote. It is hoped that this compilation will provide some clue as to the environmental orientation of legislative decision-makers in the California Legislature. The results speak for themselves. Based on this sampling, scores are distressingly low for far too many legislators—particularly in view of the compelling necessity to restore a degraded environment.

Tables 5, 6, 7, and 8 set forth an index score of environmental concern for each legislator. This score is based upon the issues enumerated in Tables 1 through 4, and is the product of the number of times the particular legislator voted in support of environmental protection.

TABLE 5 Floor Vote of Senate, 1969 Session

Legislator	Issues																			Index
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	Score
Alquist (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Beilenson (D)	+	+	+	+	+	+	+	+	+	+	+	+	a	+	+	+	+	+	+	95
Bradley (R)	-	+	+	-	+	+	+	-	+	+	-	-	-	a	+	-	+	+	+	53
Burgener (R)	+	a	+	+	+	+	+	-	-	-	-	-	a	a	a	+	a	+	-	42
Burns (D)	a	+	a	a	a	+	a	-	-	-	-	-	a	-	-	+	a	a	-	16
Carrell (D)	a	+	+	+	+	-	+	+	-	-	-	+	a	+	+	a	A	a	a	44
Collier (D)	a	+	+	-	+	-	-	-	-	-	-	-	-	a	+	a	-	-	-	21
Cologne (R)	a	+	+	+	+	+	+	-	+	+	-	-	a	+	+	+	+	+	+	68
Coombs (R)	+	+	+	-	+	-	-	-	-	-	-	-	a	-	-	+	+	+	+	42
Cusanovich (R)	a	+	+	+	+	-	-	-	-	-	-	-	+	-	-	+	a	-	-	32
Danielson (D)	A	+	+	+	+	+	+	+	-	+	+	+	+	a	+	+	+	+	+	89
Deukmejian (R)	-	+	+	A	+	-	+	-	-	-	-	-	a	-	+	+	+	+	-	44
Dills (D)	+	+	+	-	+	-	-	-	-	-	-	-	-	-	-	+	a	+	+	37
Dolwig (R)	+	a	A	a	A	+	+	+	+	+	+	+	+	+	+	+	A	+	+	81
Dymally (D)	+	a	+	a	+	+	a	+	+	+	+	-	+	a	a	a	+	a	+	58
Grunsky (R)	+	+	a	a	+	+	+	+	+	+	+	-	+	+	+	+	+	+	-	79
Harmer (R)	-	a	-	a	a	a	+	-	-	a	+	-	-	a	+	+	+	-	+	32
Kennick (D)	a	+	a	+	+	+	-	-	-	-	-	-	a	+	+	+	A	a	a	39
Lagomarsino (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	89
Marks (R)	+	+	+	A	+	+	+	+	+	+	+	+	+	+	+	+	+	A	A	100
Marler (R)	+	+	+	-	+	-	a	-	-	-	-	-	a	a	a	+	a	-	+	32
McCarthy (R)	+	a	a	+	+	+	-	+	+	-	-	-	-	a	+	a	+	a	a	42
Mills (D)	a	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	89
Moscone (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	a	+	+	95
Nejedly (R)	+	a	+	+	+	+	+	+	+	+	+	+	+	+	+	a	a	+	+	84
Petris (D)	+	a	a	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	79
Richardson (R)	-	+	a	a	+	a	a	-	-	-	-	-	-	-	-	+	+	a	a	21
Rodda (D)	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	95
Schmitz (R)	-	+	-	-	+	-	-	-	-	-	-	-	-	-	-	a	-	+	+	21
Schrade (R)	-	+	a	+	+	-	-	-	-	-	-	-	-	-	-	+	+	+	+	37
Sherman (R)	+	+	+	+	+	-	+	+	-	-	+	+	+	+	+	+	+	+	+	84
Short (D)	+	a	+	+	+	-	a	+	-	+	a	a	+	+	+	a	+	+	+	58
Song (D)	+	a	+	a	+	+	-	+	-	+	+	+	+	a	+	+	A	+	+	72
Stevens (R)	+	+	+	+	+	+	+	+	-	-	+	+	a	+	+	+	+	+	+	84
Stiern (D)	a	+	a	+	+	+	+	+	+	+	+	+	a	+	+	+	+	+	+	84
Teale (D)	a	+	A	-	a	+	+	+	-	+	+	a	a	a	+	a	+	+	+	50
Walsh (D)	a	+	A	a	a	-	-	-	-	-	-	-	a	a	a	+	a	+	+	17
Way (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	a	+	89
Wedworth (D)	+	+	a	-	a	-	-	-	-	-	-	-	-	-	-	+	+	+	+	32
Whetmore (R)	a	a	+	+	a	-	-	-	-	-	-	-	-	-	-	+	A	+	+	28

- Key: (+) Indicates a vote in support of environmental protection.
 (-) Indicates a vote contrary to environmental protection.
 (a) Indicates a Member officially recorded as present but abstained from voting.
 (A) Indicates a Member officially recorded as absent (or not yet sworn in).

TABLE 6: Floor Vote of Assembly, 1969 Session

Legislator	Issues													Index Score
	1	2	3	4	5	6	7	8	9	10	11	12	13	
Arklin (R)	-	+	a	a	+	+	a	-	a	a	+	+	+	46
Badham (R)	-	+	+	+	+	+	-	-	+	-	+	+	+	69
Bagley (R)	-	+	a	a	a	+	a	a	+	+	+	a	a	38
Barnes (R)	-	+	+	a	+	+	+	-	a	a	+	a	a	46
Bee (D)	-	+	+	+	+	+	A	+	+	+	+	+	+	92
Belotti (R)	-	+	+	a	+	+	+	+	a	+	+	a	+	69
Berryhill (R)	A	A	A	A	A	A	a	A	a	+	+	+	+	67
Beverly (R)	+	+	+	A	+	+	+	+	-	+	+	+	+	92
Biddle (R)	-	+	+	a	a	a	+	+	a	a	+	a	+	46
Brathwaite (D)	+	+	+	+	a	+	+	+	+	+	+	+	+	92
Briggs (R)	a	+	-	a	+	+	+	a	-	a	+	+	+	54
Britschgi (R)	-	+	+	a	+	+	+	+	a	+	+	a	+	69
Brown (D)	+	+	+	+	+	+	+	+	a	+	+	+	a	85
Burke (R)	-	+	+	+	+	+	-	-	+	-	+	+	+	69
Burton (D)	a	+	+	+	+	+	+	+	a	+	A	a	+	75
Campbell (R)	+	+	+	+	+	+	a	+	a	a	+	a	a	62
Chappie (R)	-	+	+	A	+	+	+	+	-	+	+	+	+	83
Collier (R)	-	+	+	+	a	a	a	-	a	a	+	a	a	30
Conrad (R)	-	+	+	+	+	+	a	a	a	+	+	+	+	69
Cory (D)	a	+	a	+	A	A	+	+	a	+	+	+	a	64
Crandall (R)	-	+	+	a	+	+	+	+	+	+	+	+	+	85
Crown (D)	+	+	A	A	+	+	+	+	a	+	a	a	a	64
Cullen (D)	+	+	a	a	+	+	+	+	a	a	+	+	+	69
Davis (D)	+	a	a	+	+	+	+	+	-	+	+	a	+	69
Deddeh (D)	A	A	+	a	+	+	+	+	-	+	+	+	+	82
Dent (R)	-	+	+	+	+	+	a	+	a	+	+	+	+	77
Duffy (R)	a	a	+	A	+	+	a	+	a	a	+	+	+	58
Dunlap (D)	a	+	a	+	+	+	+	+	a	+	+	+	+	77
Fenton (D)	a	+	+	+	+	+	+	+	a	+	+	+	+	85
Fong (D)	+	+	+	a	+	+	a	+	a	+	+	+	+	77
Foran (D)	a	+	+	a	+	+	+	+	-	+	+	+	+	77
Garcia (D)	+	+	a	+	+	+	+	+	+	+	+	+	+	92
Gonsalves (D)	-	+	+	a	+	+	+	A	-	+	+	+	+	75
Greene, B. (D)	A	A	A	a	A	A	a	a	a	a	A	a	a	0
Greene, L. (D)	+	+	+	a	+	+	+	+	a	a	a	a	a	54
Hayes (R)	-	+	+	+	+	+	+	+	+	+	+	+	a	85
Hom (R)	-	+	+	+	+	+	A	a	a	+	+	+	a	67
Johnson, H. (D)	-	+	+	+	+	+	+	+	-	+	+	+	+	85
Johnson, R. (R)	-	+	+	+	+	+	+	+	a	+	+	+	+	85
Karabian (D)	a	+	+	+	+	+	+	a	a	a	+	+	a	62
Ketchum (R)	-	+	+	+	+	+	+	+	-	+	+	+	+	85
Knox (D)	+	+	+	A	+	+	+	+	+	+	A	+	+	100
Lanterman (R)	-	+	+	a	+	+	+	+	+	+	+	a	a	69
Lewis (R)	a	+	+	a	+	+	+	A	+	+	+	+	a	67
MacDonald (D)	+	+	+	+	+	+	+	+	A	A	+	A	a	90
MacGillivray (R)	-	+	+	+	+	+	-	+	-	+	+	+	a	69
McCarthy (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	100

(cont'd)

TABLE 6: (continued)

Legislator	Issues													Index Score
	1	2	3	4	5	6	7	8	9	10	11	12	13	
McGee (R)	+	+	+	+	+	+	+	+	+	a	+	+	a	85
Milias (R)	+	+	a	+	+	+	a	+	a	+	+	+	+	77
Miller (D)	+	a	a	+	a	a	+	+	+	+	A	+	a	58
Mobley (R)	-	+	+	a	+	+	+	a	a	+	+	+	+	69
Monagan (R)	-	+	+	A	+	+	+	+	+	+	+	+	-	83
Moorhead (R)	-	+	+	+	+	+	+	a	-	+	a	+	+	69
Moretti (D)	+	+	+	+	+	a	+	+	+	+	+	+	+	92
Mulford (R)	-	+	+	a	A	A	+	A	a	+	+	A	+	67
Murphy (R)	+	+	+	a	+	+	+	+	-	+	+	+	a	77
Porter (D)	-	+	a	a	+	+	+	+	+	+	+	+	+	77
Powers (D)	-	+	+	+	+	a	+	-	+	+	+	+	a	69
Priolo (R)	a	+	+	+	+	+	+	+	-	+	+	+	a	77
Quimby (D)	-	+	+	+	a	a	+	+	-	+	+	+	+	69
Ralph (D)	a	+	+	+	+	+	+	+	+	+	+	a	+	85
Roberti (D)	+	+	a	+	A	A	+	+	+	+	+	+	a	82
Russel (R)	-	+	+	+	+	+	+	+	a	+	+	+	+	85
Ryan (D)	A	A	+	a	a	a	+	+	-	+	+	+	+	64
Schabarum (R)	-	+	+	a	+	+	a	-	a	a	+	+	a	46
Sieroty (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Stacey (R)	-	+	+	+	+	+	+	+	+	+	+	+	+	92
Stull (R)	-	+	+	a	+	+	a	-	a	-	+	+	+	54
Thomas (D)	A	A	+	A	A	A	+	A	a	a	A	a	+	50
Townsend (D)	a	a	+	+	+	+	+	+	A	A	+	A	+	80
Unruh (D)	A	A	+	a	A	A	A	A	A	A	+	a	+	60
Vasconcellos (D)	A	A	+	+	+	+	+	+	a	+	+	+	+	90
Veysey (R)	-	+	+	a	A	A	+	+	a	a	+	a	+	55
Wakefield (R)	-	+	+	+	a	+	+	-	+	-	+	+	-	62
Warren (D)	A	A	+	a	+	+	+	+	-	+	+	+	+	82
Waxman (D)	+	+	a	+	a	+	+	+	A	A	+	A	+	80
Wilson (R)	-	+	+	a	a	+	a	+	a	+	+	+	+	62
Wood (R)	A	A	+	A	A	A	+	A	a	+	+	+	+	86
Z'berg (D)	+	+	A	a	a	+	+	+	a	+	+	+	A	73
Zenovich (D)	+	+	+	A	+	+	+	+	A	A	+	A	+	100

Key: (+) Indicates a vote in support of environmental protection.

(-) Indicates a vote contrary to environmental protection.

(a) Indicates a Member officially recorded as present but abstained from voting.

(A) Indicates a Member officially recorded as absent (or not yet sworn in).

TABLE 7: Floor Vote of Senate, 1970 Session

Legislator	Issues																	Index Score
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
Alquist (D)	+	+	+	a	+	a	a	+	+	+	+	+	a	+	+	a	+	71
Beilenson (D)	+	+	+	+	+	+	+	+	+	+	+	+	A	a	a	a	a	75
Bradley (R)	-	-	-	+	-	+	-	+	-	-	+	+	-	a	-	-	-	35
Burgener (R)	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	94
Burns (D)	-	-	-	a	A	+	-	a	-	a	a	+	+	+	a	a	a	25
Carrell (D)	a	+	+	A	+	A	A	+	+	-	A	A	+	A	a	a	+	64
Collier (D)	-	-	-	+	+	a	a	+	-	-	a	+	+	-	+	a	+	41
Cologne (R)	+	+	+	a	+	A	A	+	+	-	+	+	A	+	a	+	+	79
Coombs (R)	+	-	a	a	+	a	+	+	-	-	+	+	+	-	+	-	+	53
Cusanovich (R)	a	+	+	-	+	+	+	a	+	-	+	+	+	+	+	+	-	71
Danielson (D)	+	+	+	+	+	+	+	+	+	a	+	+	+	+	+	+	a	88
Deukmejian (R)	-	+	+	+	+	+	+	+	+	+	+	+	A	+	+	+	+	94
Dills (D)	+	-	-	-	+	+	-	a	+	-	+	+	+	-	+	+	-	53
Dolwig (R)	-	a	A	+	a	+	+	A	a	a	+	+	+	+	a	+	a	53
Dymally (D)	+	A	+	a	+	+	+	a	+	+	+	+	+	+	a	+	+	81
Grunsky (R)	+	+	+	+	+	a	+	a	+	-	+	+	A	+	a	+	+	75
Harmer (R)	-	A	-	-	a	+	+	+	+	-	+	+	A	+	+	a	-	53
Kennick (D)	+	-	-	+	+	+	-	+	+	-	+	+	a	+	+	+	+	71
Lagomarsino (R)	a	a	a	-	+	+	+	+	+	+	+	+	+	+	+	+	-	59
Marks (R)	+	+	+	A	+	+	+	+	+	+	+	+	+	A	+	+	+	100
Marler (R)	-	a	-	A	a	+	+	+	a	-	+	+	+	+	+	+	+	62
McCarthy (R)	-	a	-	a	a	+	+	a	+	-	+	+	A	A	+	+	a	47
Mills (D)	a	+	+	+	a	a	+	+	+	+	+	+	+	+	+	+	+	82
Mosccone (D)	+	+	+	+	a	a	+	+	+	+	+	+	+	a	+	+	+	82
Nejedly (R)	+	A	+	a	+	+	+	+	+	+	+	+	+	+	+	+	+	94
Petris (D)	+	A	+	+	+	+	+	a	+	+	+	+	+	a	+	+	+	88
Richardson (R)	-	-	-	-	-	+	+	+	-	-	+	+	+	+	a	-	-	41
Rodda (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100
Schmitz (R)	A	A	-	A	-	A	A	A	A	+	+	+	A	A	A	A	A	60
Schrade (R)	a	+	+	-	-	a	+	+	+	-	+	+	+	+	a	-	-	52
Sherman (R)	+	+	+	+	+	+	+	a	+	+	+	+	+	+	+	+	+	94
Short (D)	+	a	a	+	+	+	+	a	a	a	a	+	+	+	a	+	+	59
Song (D)	+	+	+	+	+	+	+	a	a	-	+	+	a	+	a	+	+	71
Stevens (R)	+	+	a	-	+	+	+	+	+	-	+	+	a	+	+	a	+	65
Stiern (D)	+	+	a	+	+	a	+	+	+	+	+	+	+	+	a	-	-	65
Teale (R)	a	a	a	+	+	+	-	+	+	a	+	+	+	-	+	-	-	52
Walsh (D)	-	a	-	a	a	a	-	a	+	-	a	+	+	a	a	+	-	24
Way (R)	+	+	+	+	+	+	+	+	+	a	+	+	+	+	+	a	+	88
Wedworth (D)	+	-	-	+	a	a	-	a	-	a	a	+	a	-	+	-	-	24
Whetmore (R)	-	A	-	+	a	+	+	a	-	-	+	+	+	-	a	+	a	44

- Key: (+) Indicates a vote in support of environmental protection.
 (-) Indicates a vote contrary to environmental protection.
 (a) Indicates a Member officially recorded as present but abstained from voting.
 (A) Indicates a Member officially recorded as absent (or not yet sworn in).

TABLE 8: Floor Vote of Assembly, 1970 Session

Legislator	Issues																												Voting Index
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	
Arkin (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Badham (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Bagley (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Barnes (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Bee (D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Belotti (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Berryhill (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Beverly (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Biddle (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Brathwaite (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Briggs (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Britschgi (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Brown (D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Burke (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Burton (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Campbell (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Chappie (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Collier (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Conrad (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Cory (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Grandall (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Crown (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Cullen (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Davis (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Deddeh (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Dent (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Duffy (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Dunlap (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Fenton (D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

TABLE 8: Floor Vote of Assembly, 1970 Session (Continued)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	Index	
Fong (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	85
Foran (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	89
Garcia (D)	A	+	+	+	A	A	a	a	a	a	a	A	A	A	A	A	A	A	+	+	+	+	+	+	+	+	+	+	A	56
Gonsalves (D)	-	A	a	a	a	a	a	a	A	A	A	A	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	69
Greene, B. (D)	-	A	a	a	a	a	a	a	a	a	a	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	42
Greene, L. (D)	a	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	73
Hayes (R)	-	A	a	-	A	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	39
Hom (R)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	71
Johnson, M. (D)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	75
Johnson, R. (R)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	30
Karabian (D)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	76
Ketchum (R)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	29
Knox (D)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	90
Lanterman (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	68
Lewis (R)	+	A	-	a	A	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	44
MacDonald (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	82
MacGillivray (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	61
McCarthy (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	89
McGee (R)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Millas (R)	+	+	+	+	+	+	+	a	a	a	a	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	75
Miller (D)	a	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	82
Mobley (R)	-	A	a	a	A	a	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	50
Monagan (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	65
Moorehead (R)	a	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	46
Moretti (D)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	61
Mulford (R)	f	+	A	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	73
Murphy (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	65
Porter (D)	a	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	74
Powers (D)	a	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	82

TABLE 8: Floor Vote of Assembly, 1970 Session (Continued)

Legislator	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	Voting Index
Priolo (R)	+	+	a	+	+	+	-	-	-	-	-	+	-	-	-	+	+	-	-	-	-	+	+	+	+	+	+	+	58
Quimby (D)	+	+	A	A	A	A	A	A	A	A	+	A	A	A	A	A	A	A	A	A	A	+	+	+	+	+	+	+	71
Ralph (D)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	84
Roberti (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	88
Russell (R)	+	+	A	+	+	a	-	-	-	-	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	38
Ryan (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	68
Schabarum (R)	+	+	-	A	A	A	a	a	a	a	+	-	A	A	a	+	+	+	+	+	+	+	+	+	+	+	+	+	50
Sieroty (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	92
Stacey (R)	a	-	-	a	-	+	-	-	-	-	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	50
Stull (R)	+	+	-	+	+	+	-	-	-	-	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	36
Thomas (D)	a	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	72
Townsend (D)	+	-	+	+	+	+	a	a	a	a	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	36
Unruh (D)	A	A	+	A	A	A	a	a	a	a	-	A	A	A	A	A	A	A	A	A	+	+	+	+	+	+	+	+	36
Vasconcellos (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	96
Veysey (R)	-	-	-	a	A	+	-	-	-	-	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	50
Wakefield (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	29
Warren (D)	A	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	78
Waxman (D)	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	86
Wilson (R)	+	+	-	+	+	+	-	-	-	-	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	68
Wood (R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	71
Z'Berg (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	96
Zenovich (D)	a	a	+	+	+	+	+	a	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	70

Key:
 (+) Indicates a vote in support of environmental protection.
 (-) Indicates a vote contrary to environmental protection.
 (a) Indicates a Member officially recorded as present but abstained from voting.
 (A) Indicates a Member officially recorded as absent.

That vote is then taken as a percentage of the number of times the legislator answered to his name at roll call when the appropriate legislative day convened. Unfortunately the tables show clearly that the legislature's response to the environmental crisis has been dismal indeed. The average mean index for the 1969 session (see Tables 5 & 6) was a low 66 percent, while the average index for the 1970 session (see Tables 7 and 8) fell even further to a regrettable 60 percent.

Secondary Variables

Given the index score of environmental support, the task then remains to relate that index to the secondary variables: party cohesion and urban or rural provenance. Determination of such correlations requires classifying each of the secondary variables into categories according to differential characteristics.

Let us first consider the urban-rural variable. The concern here is with the degree of urbanization in the legislator's district, for it has been found generally to follow that the more urban the district, the more concerned its representative will be with air, water and noise pollution, planning, transportation, open space and parks. No claim is made that the following categories describe rural or urban districts in absolute terms. There are varying degrees of urbanization, and this method of classification merely offers four categories.

District Type	Description
I	Primary rural districts, having no city of more than 25,000.
II	Small-town districts, having no city of more than 50,000.
III	Suburban districts, having a city of from 50,000 to 200,000.
IV	Urban districts, with cities of 200,000 or over, or within such cities.

By relating the type of district to the index scores derived from Tables 5 through 8, a comparison can be made between the degree of district urbanization and the index scores. This comparison will be in terms of the average mean index of environmental support for each category, and in terms of the percentage of the total number of legislators in each category who surpassed the mean index score of 66. (The score of 66 was the average mean index for all of the legislators in the 1969 session; 60 was the average score for the 1970 session).

The results show that both the average mean index of support for environmental protection and the proportion of legislators who have shown a higher degree of support than the average tend to increase progres-

sively at each level of urbanization. The year 1969 was an exception. In that year the highest mean index was found in the least urbanized category. The exception was not durable, however, as seen by the results of the 1970 Session, when the least urbanized districts had only 22 percent of its legislators over the average mean index of 60 who, in fact, scored a dismal 53.1% mean index. Unfortunately, a roll-call analysis is designed only to measure patterns of variation in the behavior of individual legislators, from which consequences can be discovered. They do not reveal the cause of such exceptions.

TABLE 9. Urbanization Variable, 1969

Index Scores	Category			
	I	II	III	IV
Average mean index	63.4	68.1	65.0	68.2
% legislators with 66% or more	55.5%	70.0%	60.0%	62.5%
	n=9	n=20	n=50	n=41

TABLE 10. Urbanization Variable, 1970

Index Scores	Category			
	I	II	III	IV
Average mean index	53.1	53.1	66.4	67.6
% legislators with 60% or more	22.2%	35%	64%	60%
	n=9	n=20	n=50	n=40*

* One fewer than in 1969 because of death of one member.

There are some inferences to be drawn from the rising voting curve for environmental support as constituencies become more urban. That point, in combination with the well known fact that twice as many California legislators represent the more urban districts, suggests that there tends to be a fairly wide-spread potential base of support for environmental issues—but unfortunately not of sufficient dimension at this moment. Index scores could not be considered high for any category, but the higher scores do fall under the population categories containing the largest numbers of legislators. Another interesting political implication is that increasing urbanization, and its resulting effect on the make-up of the legislature's membership, may reasonably be expected to swell the ranks of senators and assemblymen having higher environmental support indices. Since urban districts apparently elect legislators more responsive to dealing with the ecological crisis, at the first level of abstraction there would seem to be political and program benefits from increased urbanization—but on further reflection, conservationists will certainly be of two minds about such a prospect.

The index of each legislator does not alone account for political and program consequences, however. It is mostly the power wielded by individuals that has the real consequences for environmental programs.

Power, it hardly need be said, is directly related to longevity, which, in turn, depends to an unusual degree on the internal homogeneity and stability in the member district. Many political observers believe that suburban areas of great human settlement like Los Angeles and San Francisco have the most internal homogeneity and stability, and it is therefore likely that legislators from suburban districts, provided they do not have ambitions for higher office, will in due course succeed to places of power in the state legislature. Purely urban legislators are expected to have lesser prospects for they have a noticeably lower degree of consistent voter support. There is not sufficient evidence at hand to make an estimate of probabilities for the program consequences of this likelihood, but the results may be something of a mixed blessing to conservationists when one considers the traditional coolness to environmental matters by such suburban legislators as the Orange County delegation.¹⁷

In addition to urban versus rural outlook, the other secondary variable considered is that of party membership. The differences between the two parties in terms of the average mean index of environmental support (shown by individual legislator in Tables 5 through 8), and of the percentage of legislators exceeding the average support index for each of the two legislative sessions (shown in Tables 11 and 12) show a somewhat better record for Democrats than for Republicans. Not only do Democratic legislators tend to support environmental protection more than Republicans, but Democrats also seem to evince a higher degree of support as a result of party cohesion than do Republicans.

TABLE 11. Party Membership Variable, 1969

Index Scores	Democratic	Republican
Average mean index	73.1	63.2
% legislators with 66% or more	67.2% n=57	59.6% n=63

TABLE 12. Party Membership Variable, 1970

Index Scores	Democratic	Republican
Average mean index	70.9	57.0
% legislators with 60% or more	75.4% n=57	35.4% n=62*

* One fewer than in 1969 because of death of one member.

Apart from the urban-rural variable each analysis for 1969 and 1970 also provides an index of relative cohesion that is expressive of the number in each party who voted on the issue (pro or con) as a percentage

17. This conclusion is based upon the personal experience and knowledge of the individual members of the Sierra Club rather than upon any published, statistical report of voting behavior.

of members of the party. Members officially recorded as absent, or who abstained, are not included in the calculation. This contrasts with the methodology used for the index of environmental support, where abstentions are computed as "No" votes. The logic is that an abstention is a function of non-support for environmental protection, but is not a function of party cohesion. The issues considered for party cohesiveness are the same as those considered in the indices of environmental support.

In 1969, several Assembly issues elicited a high degree of cohesiveness from both parties. On six issues both parties had index scores of 100 percent,¹⁸ and on four additional issues the Democrats had index scores of 100.¹⁹ For the whole set of issues the average index for party cohesion among Assembly Democrats was 94.8 percent in 1969,²⁰ which must be considered high, but an average index of 91.1²¹ percent among Assembly Republicans was close behind. On the Senate side in the 1969 session, Democrats recorded 80 percent, Republicans 71.3 percent.²²

In 1970, there was a significant drop in cohesive voting in the Assembly. Democrats averaged 89.6 percent, Republicans 84.8 percent.²³ In the Senate, Republicans increased their party cohesiveness in the 1970 session, raising their average mean index to 81.5 percent—barely short of the Democrats, who rose to 83.5 percent.²⁴ Generally the two parties exhibited the highest degree of internal cohesion on matters of transportation, beach access, noise and water. On the issue of the Bay Conservation and Development Commission in 1969,²⁵ however, Republican party cohesion was lower than that of the Democrats. From this analysis it is self-evident that most environmental protection measures are generally subject to partisan voting. See Table 13 and 14 for party cohesion indices.

CONCLUSION

There is an unfortunate tendency among some people to blame legislative failures solely on the machinations of "special interest" lob-

18. A.B. 413, CAL. STATS. 1969, c. 482, §§ 1-18, p. 1045; A.B. 941, 1969 Regular Session; A.B. 974, CAL. STATS. 1969, c. 1404, §§ 1, 2, p. 2853; A.B. 975, 1969 Regular Session; S.C.R. 93, c. 259, July 31, 1969; S.B. 941, CAL. STATS. 1969, c. 1042, §§ 1, 2, p. 2026.

19. A.B. 461, 1969 Regular Session; A.B. 2090, 1969 Regular Session; A.B. 2057, CAL. STATS. 1969, c. 713, §§ 1-14, p. 1395; S.B. 1387, 1969 Regular Session.

20. See Table 13.

21. *Id.*

22. *Id.*

23. See Table 14.

24. *Id.*

25. A.B. 2057, CAL. STATS. 1969, c. 713, p. 1395.

TABLE 13 PARTY COHESION INDEX 1969

Note: Roll call numbers listed below correspond to Issue numbers in Tables 1 and 2, which set forth explanation of environmental matters voted upon in 1969 Session.

SENATE

Roll Call		Republicans' Index*	Democrats' Index*
1	(Republicans 11- 6, Democrats 10- 0)	64.7% (+)	100.0% (+)
2	(Republicans 16- 0, Democrats 14- 0)	100.0% (+)	100.0% (+)
3	(Republicans 14- 2, Democrats 12- 0)	87.5% (+)	100.0% (+)
4	(Republicans 11- 4, Democrats 11- 4)	73.3% (+)	73.3% (+)
5	(Republicans 18- 0, Democrats 15- 0)	100.0% (+)	100.0% (+)
6	(Republicans 11- 8, Democrats 13- 6)	57.9% (+)	68.4% (+)
7	(Republicans 13- 6, Democrats 10- 6)	68.4% (+)	62.5% (+)
8	(Republicans 9-12, Democrats 13- 6)	57.1% (—)	68.4% (+)
9	(Republicans 9-12, Democrats 6-13)	57.1% (—)	68.4% (—)
10	(Republicans 8-12, Democrats 10- 9)	60.0% (—)	52.6% (+)
11	(Republicans 9-12, Democrats 11- 8)	57.1% (—)	57.9% (+)
12	(Republicans 6-15, Democrats 12- 6)	71.4% (—)	66.7% (+)
13	(Republicans 8- 8, Democrats 7- 3)	50.0%	70.0% (+)
14	(Republicans 8- 8, Democrats 10- 4)	50.0%	71.4% (+)
15	(Republicans 12- 6, Democrats 12- 3)	66.7% (+)	80.0% (+)
16	(Republicans 18- 0, Democrats 15- 0)	100.0% (+)	100.0% (+)
17	(Republicans 12- 2, Democrats 10- 0)	85.7% (+)	100.0% (+)
18	(Republicans 13- 4, Democrats 13- 1)	76.5% (+)	92.9% (+)
19	(Republicans 13- 5, Democrats 15- 2)	72.2% (+)	88.2% (+)
Average		71.3%	80.0%

ASSEMBLY

Roll Call		Republicans' Index*	Democrats' Index*
1	(Republicans 5-30, Democrats 18- 6)	85.7% (—)	75.0% (+)
2	(Republicans 38- 0, Democrats 29- 0)	100.0% (+)	100.0% (+)
3	(Republicans 36- 1, Democrats 27- 0)	97.3% (+)	100.0% (+)
4	(Republicans 18- 0, Democrats 23- 0)	100.0% (+)	100.0% (+)
5	(Republicans 31- 0, Democrats 28- 0)	100.0% (+)	100.0% (+)
6	(Republicans 35- 0, Democrats 29- 0)	100.0% (+)	100.0% (+)
7	(Republicans 25- 3, Democrats 35- 0)	89.3% (+)	100.0% (+)
8	(Republicans 23- 8, Democrats 32- 1)	74.2% (+)	97.0% (+)
9	(Republicans 11- 8, Democrats 12- 8)	57.9% (+)	60.0% (+)
10	(Republicans 27- 4, Democrats 29- 0)	87.1% (+)	100.0% (+)
11	(Republicans 40- 0, Democrats 32- 0)	100.0% (+)	100.0% (+)
12	(Republicans 31- 0, Democrats 26- 0)	100.0% (+)	100.0% (+)
13	(Republicans 26- 2, Democrats 27- 0)	92.9% (+)	100.0% (+)
Average		91.1%	94.8%

* + indicates vote for environment, — Against.

TABLE 14 PARTY COHESION INDEX 1970

Note: Roll call numbers listed below correspond to Issue numbers in Tables 3 and 4, which set forth explanation of environmental matters voted upon in 1970 Session.

SENATE

Roll Call		Republicans' Index*	Democrats' Index*
1.	(Republicans 9- 8, Democrats 14- 3)	52.9% +	82.3% +
2.	(Republicans 10- 4, Democrats 9- 5)	71.4% +	64.3% +
3.	(Republicans 10- 7, Democrats 10- 6)	58.8% +	62.5% +
4.	(Republicans 8- 5, Democrats 13- 1)	61.5% +	92.8% +
5.	(Republicans 10- 6, Democrats 15- 0)	62.5% +	100.0% +
6.	(Republicans 16- 0, Democrats 11- 0)	100.0% +	100.0% +
7.	(Republicans 18- 1, Democrats 9- 6)	94.7% +	60.0% +
8.	(Republicans 14- 0, Democrats 10- 0)	100.0% +	100.0% +
9.	(Republicans 14- 4, Democrats 14- 3)	77.8% +	82.3% +
10.	(Republicans 4-13, Democrats 8- 6)	76.5% —	57.1% +
11.	(Republicans 21- 0, Democrats 13- 0)	100.0% +	100.0% +
12.	(Republicans 21- 0, Democrats 18- 0)	100.0% +	100.0% +
13.	(Republicans 15- 0, Democrats 12- 0)	100.0% +	100.0% +
14.	(Republicans 15- 3, Democrats 11- 4)	83.3% +	73.3% +
15.	(Republicans 13- 0, Democrats 11- 0)	100.0% +	100.0% +
16.	(Republicans 13- 4, Democrats 11- 3)	76.5% +	78.6% +
17.	(Republicans 11- 6, Democrats 11- 5)	64.7% +	68.7% +
Average		81.2%	83.5%

ASSEMBLY

Roll Call		Republicans' Index*	Democrats' Index*
1.	(Republicans 16-22, Democrats 17-13)	57.9% —	56.7% +
2.	(Republicans 19-17, Democrats 26- 8)	52.8% +	76.5% +
3.	(Republicans 0-28, Democrats 33- 0)	100.0% —	100.0% +
4.	(Republicans 16- 9, Democrats 33- 1)	64.0% +	97.0% +
5.	(Republicans 25- 2, Democrats 31- 0)	92.6% +	100.0% +
6.	(Republicans 29- 7, Democrats 30- 0)	80.6% +	100.0% +
7.	(Republicans 2-29, Democrats 22- 2)	93.5% —	91.7% +
8.	(Republicans 0-31, Democrats 22- 2)	100.0% —	91.7% +
9.	(Republicans 0-31, Democrats 23- 1)	100.0% —	95.8% +
10.	(Republicans 0-32, Democrats 24- 2)	100.0% —	92.3% +
11.	(Republicans 0-33, Democrats 26- 2)	100.0% —	92.9% +
12.	(Republicans 22-16, Democrats 19-17)	57.9% +	52.8% +
13.	(Republicans 36- 1, Democrats 30- 1)	97.3% +	96.8% +
14.	(Republicans 23-14, Democrats 19-11)	62.2% +	63.3% +
15.	(Republicans 14-19, Democrats 27- 6)	57.6% —	81.8% +
16.	(Republicans 18- 0, Democrats 27- 2)	100.0% +	93.1% +
17.	(Republicans 33- 4, Democrats 26- 5)	89.2% +	83.9% +
18.	(Republicans 26-12, Democrats 28- 4)	68.4% +	87.5% +
19.	(Republicans 36- 0, Democrats 30- 0)	100.0% +	100.0% +
20.	(Republicans 15-18, Democrats 26- 6)	54.5% —	81.2% +
21.	(Republicans 3-25, Democrats 0-29)	89.3% —	100.0% —
22.	(Republicans 25-13, Democrats 30- 6)	65.8% +	83.3% +
23.	(Republicans 31- 0, Democrats 34- 0)	100.0% +	100.0% +
24.	(Republicans 32- 0, Democrats 31- 0)	100.0% +	100.0% +
25.	(Republicans 34- 0, Democrats 28- 0)	100.0% +	100.0% +
26.	(Republicans 35- 0, Democrats 27- 2)	100.0% +	93.1% +
27.	(Republicans 33- 0, Democrats 31- 1)	100.0% +	96.9% +
28.	(Republicans 29- 3, Democrats 29- 0)	90.6% +	100.0% +
Average		84.8%	89.6%

* + indicates vote for environment, — Against.

bies, which allegedly hold sway over legislative matters through solicitous attention to the needs of the legislators by standing for drinks, paying the bill for sumptuous feasts and contributing huge sums to campaign war chests. All of these things are probably true to some degree, but it is an inescapable fact that legislators hear the public interest side of the story as well, for environmentalists have not yet wearied of telling their Assemblymen and Senators about the ecological crisis, albeit under less felicitous circumstances than dinners at Sacramento's most select restaurants. Despite this false criticism conservationists are frequently urged to promote their cause through increased cajolery, entreaty, and election-year threats to laggards. The truth is that conservationists have been well-organized for the past five or six years and, in fact, have made the environmental crisis one of the most widely publicized issues ever to be brought to the attention of a state legislature.

The trouble is, however, that while the conservationists have paid court the legislators have not paid heed. The fact remains, then, that votes are cast in full knowledge of the issue by most, if not all, legislators, according to individual conscience, partisan considerations, and affinity with lobbyists. The responsibility for inadequate legislative responses to the ecological crisis rests squarely on the men in office—not on the failure of conservationists to communicate with them.

Of all the explanations for nonresponsiveness, none is a source of greater dismay than partisanship for its own sake. Responding along party lines may bring short-term political profit, but this conduct places long-range burdens on the public right to environmental health; for environmental programs must depend on bipartisanship if they are to succeed. If we are to learn from history, it might be well to recall a passage from Gibbon's *Decline and Fall*:

personal animosities and hereditary feuds of the barbarians were suspended by the strong necessity of their affairs.²⁶

Realistically, abandonment of partisan differences in support of a common environmental purpose presupposes a collective self-control that is difficult to imagine for any political body. There is a compelling need, however, to develop an ecologically valid politico-ethical perspective which cuts across party lines. It is doubtful that the public will indulge its representatives much longer. Modern society cannot cope with its environmental problems through private action alone, and it is beginning to sense that the quality of life will improve only when the legislature abandons misoneism and improves its laws and institutions dealing with the environment.

26. E. GIBBON, *DECLINE AND FALL OF THE ROMAN EMPIRE* 127 (1932).

Can the California Legislature reform itself from within? Many argue that as presently constituted it will not, and that only attrition of the old-guard and the gradual ascension to positions of power of urban-oriented young legislators, perhaps in four to six years, will produce the change in attitudes necessary to enact strong measures. There is much to be said in support of such conjecture. Eighteen year olds will undoubtedly have the vote by 1972, a factor which will, it seems certain, contribute to such a shift. Moreover, the young are even now impatient with the "system" and think it incapable of response. To them the suggestion that conservationists intensify their representations to the legislature is a source of bitter amusement. They know that for years the public has all but shouted for the need to do something about such unmistakable environmental threats as, for example, air pollution in Los Angeles. Even Fresno, California, a rural area that is rapidly becoming urbanized, has seen the number of adverse days (where the oxidant level was higher than the safe ceilings set by the Air Resources Board)²⁷ triple since 1965 to the point where they now total 107 days annually, or virtually one day out of every three.²⁸ More than the regrettable state of our environment the young are shocked by the egregious failure of our institutions to respond to this crisis. Youth feels that our elected representatives have been non-responsive to the will of the people. They suggest we form new institutions. Politicians will soon be sniffing these winds of change and before long will be obliged to pay heed to the cries for conservation and restoration. When that happens rhetorical artifice will no longer be an effective facsimile for positive action. It is not unreasonable to assume that by 1974 the legislative leadership of both parties will be confronted by ecological imperatives thrust upon them by an electorate no longer willing to tolerate pollution by legislative default. Let us hope that that is the case.

27. One tenth parts of oxidants per million parts of air is the level recommended as safe for most humans by the California Air Resources Board. Persons with pre-existing respiratory problems are excluded from this category of classification.

28. See ENVIRONMENTAL QUALITY STUDY COUNCIL PROGRESS REPORT, February 1971, at 1.