



Capitol Weekly Report

July 16, 2010

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Little progress on budget Judge gives state workers minimum wage reprieve

We're two weeks into the new fiscal year and there's little to report this week in terms of progress on passing a balanced budget. Legislators remained in their districts while Senate and Assembly leaders from both parties have met, according to Assembly Speaker John Pérez (D-Los Angeles), "continuously."

Senate pro tem Darrell Steinberg (D-Sacramento) and Senate Minority Leader Dennis Hollingsworth (R-Murrieta) were said to have been having side bar conversations throughout the week, leading to speculation that the Senate would be likely initiators of a serious budget plan with Republican buy-in.

While the Budget Conference Committee did not meet this week, the Senate Appropriations Committee met on Thursday. With hundreds of bills in each house's appropriations committee waiting for action when legislators return August 2, Thursday's hearing was considered an

opportunity to get a head start on the backlog of bills.

In late-breaking news today, Sacramento County Superior Court Judge Patrick Marlette denied Governor Schwarzenegger's request to force State Controller John Chiang to pay state workers the federal minimum wage.

A preliminary hearing on the issues surrounding whether or not the Controller's payroll processing system has the ability to issue minimum wage checks will be held on July 26, with a full hearing sometime in August.

The state's 200,000 workers breathed a collective sigh of relief, at least for the latest round in the running battle between the Governor and the Controller over the state's capacity to pay its workers without an approved budget in place. ■

DWR to hold listening sessions on Water Conservation Act of 2009

The California Department of Water Resources (DWR) and the Agricultural Water Management Council (AWMC) are starting the process to comply with the requirements of the Water Conservation Act of 2009, Senate Bill x 7-7. Among other provisions the law provides directives regarding (1) requirements of developing a methodology for quantifying the efficiency of agricultural water use; and (2)

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adopting regulations that provide for a range of options for agricultural water measurement.

The Listening Sessions are for the public to provide input on possible approaches, effects of the requirements and their implications and to share concerns about regional variations and other considerations. Session participants are encouraged to provide input to DWR staff.

The Listening Sessions will be held:

Tuesday, July 27, 2010

9:00AM-1:00PM

California State University, Fresno
Alice Peters Auditorium
5245 North Backer Avenue
Fresno, California 93740

Thursday, July 29, 2010

9:00AM-1:00PM

Natural Resources Building
Auditorium
1416 9th Street
Sacramento, California 95814

Materials will be posted on the project website:

<http://www.dwr.water.ca.gov/wateruseefficiency/sb7/>. All meeting materials will be distributed to the Agricultural Stakeholder Committee (ASC) members and will be posted online for the public by July 20, 2010. The project website includes the text of the law.

For more information please email:

wue@water.ca.gov ■

ILG issues new leadership guide for water conservation

The [Institute for Local Government](#) issued a new report last week to help local governments get a handle on water conservation issues and take the lead in finding solutions.

[Water Conservation Leadership Guide: Issues for Local Officials to Consider](#) offers local

officials and staff guidance about key water conservation options for local agency policies and programs, water efficiency options for agency facilities, water efficiency options in the community and resources to help develop water efficiency policy and programs.

ILG is the research and education affiliate of the California State Association of Counties and the League of California Cities. Its mission is to promote good government at the local level with practical, impartial and easy-to-use resources for California communities.

Here's an excerpt from *Water Conservation Leadership Guide: Issues for Local Officials to Consider*:

Introduction

California's serious water shortages, brought on in part by drought conditions, have persisted over time. Thus, water conservation has always been an important element of contemporary California life. California also faces uncertainties for the near and longer term water picture as a result of the impacts of climate change on water supplies.

In addition, California laws provide a framework for local agencies to use water wisely and promote water conservation in the broader community. State law requires California to achieve a twenty-percent reduction in per person urban water use by the end of 2020 (also known as "20 x 2020").

Another law requires certain residential and commercial properties built before 1994 to install water efficient plumbing by 2017 or 2019, respectively.

Many California cities and counties are already implementing measures to reduce water use in agency facilities and in the community. Cities, counties, special districts, public and private water suppliers and state agencies offer a wealth of information and resources about ways to conserve and use water more efficiently.

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They also use other methods to encourage water conservation, including public service messaging, tiered pricing and rebates to reduce the cost of installing water efficient devices.

Using the Water Conservation Leadership Guide

The Water Conservation Leadership Guide identifies key issues local officials may consider to understand the options available to their agencies to use water resources more efficiently and ensure that their agencies are complying with the law. While all issue areas may not be relevant for all individual agencies, the guide offers a wide range of water conservation policies and programs to evaluate.

The guide is designed to assist local agencies, regardless whether they provide water services directly themselves to their residents or if they are served by another water agency or supplier. Most issue areas offer a “Resources to Learn More” link to policy, technical, or financing information.

The guide was prepared with financial and technical support from the law firm of Hanson Bridgett. For a free copy of the guide, click [here](#). ■

Prop 18 Water bond politics heat up

To stay or not to stay on the November 2010 ballot is the current conundrum facing Proposition 18, the \$11.1 water bond put on the ballot last year by the Legislature.

Proponents, including the Governor and three of the four legislative leaders want to postpone it to 2012. They are convinced the voters will have no appetite for more debt, at least this year. Opponents of the measure would just as soon take it off the ballot and dismantle it altogether.

Given the difficult, three-year effort and the many compromises (and unrelated-to-water goodies) that were necessary to get the bond this far, its ultimate fate remains very much in limbo.

The sides have begun to face off again: environmentalists vs. business; Delta protectionists vs. farmers; Northern California vs. Southern California; Republicans vs. Democrats; construction workers vs. conservationists. It’s about protecting the fragile Sacramento-San Joaquin Delta by blocking new reservoirs and dams vs. getting more water from Central to Southern California.

Possible plays include delaying the bond in its current state until November 2012, keeping it on the November 2010 ballot, renegotiating the scope of the bond and shifting some of the projects, especially the pork, reducing the total amount of the bond to a more manageable number than \$11 billion, or starting over.

Since Speaker John Pérez remains uncommitted to a position, it is also possible that the water bond will become a bargaining chip in the overall budget negotiations.

The Legislature has until August 9 to figure it out. To move the bond to the 2012 ballot will take two-thirds approval of each house. Given that the original measure to put the bond on the 2010 ballot squeaked by with one vote to spare in each house, an overhaul or even a postponement will be a political challenge.

In any case, JEA & Associates will stay on top of it and keep our clients informed. ■

If you have any questions or would like more information please contact JEA & Associates at jeaandassoc@aol.com or call us in Sacramento at (916) 669-1340.