

**THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

**MINUTES**

**LEGISLATION COMMITTEE**

**August 16, 2011**

Chair Ackerman called the meeting to order at 10:01 a.m. in Committee Room 2-456 at Metropolitan's Headquarters.

Members present: Chair Ackerman, Vice Chair Peterson, Directors Ballin, Barbre, Brick, Camacho, Fleming, Gray, Griset, Heidel, K. Murray, and Record.

Members absent: Directors Abdo, Friedman, Lewinger, Montalvo, and Morris.

Other Board Members present: Directors Blake, Brown, Dick, Edwards, Evans, Foley, Grandsen, Hawkins, Little, Steiner, Wunderlich, and Wright.

Staff present: Acuna, Bennion, J. Carrillo, Cole (via video conference), DeBacker, Escuadro-Dailey, Green, Harris, Hiltcher, Kightlinger, Man, Neal, Patterson, Philp, Riss, Schlotterbeck, Scully, Stites, Waade, T. Wong, and Zinke.

**1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION**

None.

**2. APPROVAL OF THE MINUTES OF THE LEGISLATION COMMITTEE MEETING HELD ON JULY 12, 2011**

Approved

Moved: Gray

Seconded: Record

**3. COMMITTEE CHAIR'S REPORT**

Chair Ackerman reported that our elected officials in both Sacramento and Washington, D.C., have been on their respective summer recesses. However, staff has been reviewing and discussing with the General Manager proposed legislation regarding chemical security matters.

She stated that during the Washington, D.C., report, Brad Hiltcher will provide an update on H.R. 1996 and S. 1061, introduced respectively by Representative Lummis and Senator Barrasso, both from Wyoming. The bills are titled the *Government Litigation Savings Act*.

**4. CONSENT CALENDAR ITEMS – ACTION**

None

**5. OTHER BOARD ITEMS – ACTION**

None

**6. BOARD INFORMATION ITEMS**

None

**7. COMMITTEE ITEMS**

- a. Subject: Report on activities from Washington, D.C.  
Presented by: Brad Hiltcher, Executive Legislative Representative

Mr. Hiltcher reported on the following activities in Washington, D.C.:

**Overview**

- After negotiating a ten-year spending reduction plan before adjourning for the summer, Congress left a number of deliberations unresolved.
- The House Appropriations Committee singled out several spending bills for the coming fiscal year. The reduction of spending for various programs would affect the water industry.

### **Drinking Water Chemical Security Legislation**

- Both the House and Senate have been debating legislation connected to Chemical Facility Anti-Terrorism Security (CFATS).
  - H.R. 901 (Lungren, R-CA) - Chemical Facility Anti-Terrorism Security Regulations
  - H.R. 908 (T. Murphy, R- PA) - Chemical Facility Anti-Terrorism Standards Program
  - S. 473 (Collins, R-ME) - Continuing Chemical Facilities Antiterrorism Security Act

### **Hoover Power Allocation Legislation**

- The Hoover Power bills are pending floor action in both Houses.
  - H.R. 470 (Heck, R-NV) - Hoover Power Allocation Act of 2011
  - S. 519 (Reid, D-NV) - Hoover Power Allocation Act of 2011

### **Recently Introduced Legislation**

The following bills are under review by staff:

- H.R. 2538 (Calvert, R-CA) - An amendment to the National Environmental Policy Act.
- H.R. 2664 (Napolitano, D-CA) - Reauthorization of Water Desalination Act.
- H.R. 2738 (Capps, D-CA) –A measure that would provide grants through the Environmental Protection Agency for water and wastewater agencies to prepare for and to build infrastructure in connection with climate change adaptation.

### **Bills of interest that appear on the Federal Matrix**

- H.R. 795 (Smith, R-NE) – Small-Scale Hydropower Enhancement Act of 2011.
- H.R. 1967 (Holt, D-NJ) – The Water Advanced Technologies for Efficient Resource Use Act of 2011.
- H.R. 2599 (Hayworth, R-NY) – The Property Assessment Protection Act of 2011.
- H.R. 2765 (Miller, R-CA) – The measure is designed to address the issue of conflict of interest by board members of regional water quality control boards.

### **Update on H.R. 1996**

- H.R. 1996 (Lummis, R-WY) and S. 1061 (Barrasso, R-WY) - “Government Litigation Savings Act”.
  - John Schlotterbeck, Senior Deputy General Counsel, addressed the committee on the two bills.

- Jeff Kightlinger, General Manager, stated that a letter was distributed to the Committee on the two bills and stated that the bills will be watched by Metropolitan.

b. Subject: Report on activities from Sacramento

Presented by: Kathy Cole, Executive Legislative Representative

Ms. Cole reported on activities in Sacramento:

**Legislative Dates:**

- August 15: Legislature reconvenes from its one month recess
- August 26: Fiscal deadline
- August 29-September 9: Floor session only
- September 9: Legislature will begin its interim recess

**State Legislation:**

- On August 15, the new 14-member Citizens Redistricting Commission approved the final legislative and congressional maps for the 2012 elections and beyond.
- The California Republican party and the Senate Republican Caucus will work together to support a signature drive to overturn the Senate District maps.
- As reflected in state legislative matrix, there are a considerable number of two-year bills that Metropolitan is following.
- Two-year bills must clear house-of-origin by January 31, 2012. Assembly Speaker John Perez (D-Los Angeles) is working on measures to dissolve the City of Vernon
- Assembly Member Feuer (D-Los Angeles) is working on a bill related to direct regulation of health insurance premiums. Other outstanding policy measures address land use, citing of facilities, and workplace rules.
- AB 741, by Assembly Member Jared Huffman (D-San Rafael), sponsored by Irvine Ranch Water District was signed by the Governor on July 25. The bill will give public wastewater agencies the option of providing a financing program to landowners, who voluntarily participate to replace sewer lateral replacements and septic-to-sewer conversions.
- SB 224, by Senator Fran Pavley (D-Agoura Hills), was taken off of the consent file on the Assembly floor to accommodate negotiations and discussions between agencies within the Administration.
- During the week of August 15, the Senate and Assembly Appropriations Committees suspense file items will be considered.

**State Budget:**

- The California Supreme Court may invalidate a key component of the June budget, which was the section to dismantle redevelopment agencies. The California Redevelopment Agencies, League of CA Cities and cities of San Jose and Union City filed a legal challenge before the Supreme Court (Court); the Court agreed to accept the case and agreed to issue an opinion by mid-January for 2012; and the Court said that redevelopment programs can continue to exist while the case is pending, but they do not want the redevelopment agencies to start any new projects or purchasing or transferring any property.
- California revenues are down from previously projected in the budget, as reflected in the 10.3 percent decrease in July.

**8. MANAGEMENT REPORT**

Deputy General Manager Linda Waade reported that External Affairs staff has been working closely with Metropolitan's legal staff, technical staff, and legislative staff on the draft Legislative Proposals for 2012. She stated that at the September Legislative Committee meeting, a form will be distributed to the Committee Members to solicit ideas and suggestions for the 2012 Legislative proposals. In October, Metropolitan will convene its annual meeting with member agency legislative coordinators where the draft legislative proposals will be discussed. At the November Legislation Committee meeting, a presentation will be given on the draft proposals. Also in November, a report will be made at the monthly member agency managers' meeting. In December, a board action letter will be presented for the Board's consideration.

Director Randy Record commented that an offsite Association of California Water Agencies' board meeting was held in July at Eastern Municipal Water District. A tour was provided on desalination and recycled water. He thanked staff for their support and assistance with this tour.

**9. FUTURE AGENDA ITEMS**

Director Barbre requested a review of the Metropolitan's internal legislative review process.

Next meeting will be held on September 13, 2011.

Meeting adjourned at 10:35 a.m.

Linda Ackerman  
Chair