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## **Governor Brown Announces New Drought Legislation to Help Locals Enforce Water Conservation Requirements**

*Maximum Daily Penalties Would Rise from \$500 to \$10,000 per Violation*

Gov. Jerry Brown on Tuesday held [a meeting](#) with a group of mayors to discuss the drought and release preliminary details on legislation he is proposing to help with the enforcement of water restrictions. According to the Governor's Office, cities, counties and water agencies will be given greater authority to increase the penalties for water waste. The legislation has not yet appeared in draft form, but it reportedly will supplement not replace, local ordinances on the same subject, with penalties from enforcement be used for local conservation efforts. Separately, the Governor announced he has directed state agencies to help local water agencies by streamlining the state's environmental reviews of local water supply projects. *For more, see Page 2.*



## **Comprehensive Medical Marijuana Legislation Passes First Committee**

The Assembly Business and Professions Committee on a unanimous 12-0 bipartisan vote yesterday passed AB 266 (Cooley). This measure would enact a structure for the business-based distribution and regulation of marijuana in California with an emphasis on local government enforcement. The bill will next advance to the Assembly Appropriations Committee. *For more, see Page 2.*



## **Senate Transportation Funding Proposal Moves to Next Committee**

*Assembly Bill to Lower Voter Threshold on Local Special Taxes for Local Transportation Projects Also Passes First Committee*

Sen. Jim Beall (D-San Jose) presented his transportation funding proposal on Tuesday before the Senate Committee on Transportation and Housing, the committee he chairs. The committee passed [SB 16](#) after a long line of advocates for cities, counties, transportation and other groups expressed their support. The League announced its [support](#) of the proposal on April 15 when the senator released it. The bill will be heard next in the Senate Governance and Finance Committee next Wednesday, May 6. *For more, see Page 3.*

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The mayors, from more than a dozen cities stood with the Governor as he made the announcement. League First Vice President Dennis Michael, mayor of Rancho Cucamonga, represented the organization. Other mayors present include:

- Anaheim Mayor Tom Tait;
- Coachella Mayor Steve Hernandez;
- Fresno Mayor Ashley Swearengin;
- Livermore Mayor John Marchand;
- Long Beach Mayor Robert Garcia;
- Oakland Mayor Libby Schaaf;
- Redding Mayor Francie Sullivan;
- Riverside Mayor Rusty Bailey;
- San Diego Mayor Kevin Faulconer;
- San Jose Mayor Sam Liccardo;
- Santa Ana Mayor Miguel Pulido;
- Santa Rosa Mayor John Sawyer; and
- Visalia Mayor Steven Nelsen.

League Executive Director Chris McKenzie was also present at the meeting. He remarked on the myriad of strategies local governments are implementing to save water both in their operations and by their residents. "The League appreciates the Governor's strong leadership on water conservation. While cities either already have in place or are in the process of developing and adopting drought related penalties to discourage water waste, we welcome any assistance from the state in providing cities with additional enforcement tools to address this emergency situation. The public understands the depth of the water crisis our states faces, and protecting our remaining precious water supplies from misuse and waste is a top priority of city leaders."

The Governor's proposal in brief would:

- Establish a new penalty of up to \$10,000 per violation, expanding on \$500 per day maximum infraction established in last year's drought legislation.
- Allow penalties to be issued administratively by wholesale and retail water agencies, as well as city and county governments. This change speeds up an infraction process involving courts that was established in last year's emergency drought legislation.
- Enable these entities to enforce local water restrictions against water waste, as well as conservation restrictions established by the State Water Resources Control Board.
- Allow local public agencies to deputize staff to issue water conservation-related warnings and citations.

The Governor also wants to streamline environmental permitting for critical water supply projects. The Office of Planning and Research and other state agencies will be charged with working with local water agencies to cut down the time it takes to comply with state reviews.

The League will update members with more details as they become available.

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**'AB 266' Continued from Page 1...**

The success of this bill is due in part to the leadership of the author, Assembly Member Ken Cooley (D-Rancho Cordova), who has been effective at bringing together disparate groups on the issue of marijuana regulation. Assembly Member Cooley, a former League first vice president and Rancho Cordova mayor and council member, understands quite well the challenges that local governments face on the issue of marijuana regulation.

AB 266 unconditionally protects local control with a dual licensing scheme, under which the state would issue a conditional license only, and local governments would issue the actual permit to operate in a specific jurisdiction. It is unequivocal on the issue of allowing locals to maintain existing bans.

It will impose uniform health and safety standards, testing standards for contaminants and potency, and security standards throughout the state.

More information is available at [www.cacities.org/medicalmarijuana](http://www.cacities.org/medicalmarijuana).

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The funding proposal is focused on the backlog of maintenance needs on the state and local system and is estimated to generate between \$2.8 and \$3.6 billion annually. In addition, 5 percent of the revenues would be set aside to incentivize counties currently without a local transportation funding measure to approve such a measure.

The senator's testimony focused on the mounting need of California's highways, roads and streets and he stressed how all users of the system should support it. State highways have a \$59 billion backlog. The local system, in the next decade, will have a nearly \$80 billion shortfall of funding to maintain our streets, roads and bridges. Sen. Beall simply stated: "We can pay now or pay a lot later." He urged legislators to come together and approve this proposal instead of "kicking the can down the road."

Several committee members expressed how they were concerned that this proposal would not provide enough funding because the need is so great. However, the majority of the committee recognized the importance of moving the proposal so that discussions can continue.

In brief, the Senate's plan would raise revenues through:

- A 10 cent increase in the excise tax on gasoline and a 12 cent increase in the excise gas on diesel;
- \$35 Vehicle Registration Fee (VRF) increase for all vehicles;
- A \$100 VRF increase for zero-emission vehicles;
- Payback of outstanding transportation loans over a three-year period; and
- Truck Weight Fees would be returned to the transportation fund over a five-year period (20 percent annually. The General Fund would be backfilled by a 0.35 percent increase in the VLF over the five-year period (raised in 0.07 increments over the five-year period).

#### **ACA 4 — Lowering the Voter Threshold**

On Monday, the Assembly Committee on Transportation heard and passed Assembly Member Jim Frazier (D-Oakley)'s ACA 4. This [League-supported](#) measure would lower the voter threshold requirements for special taxes by a local government to provide funding for transportation projects. The threshold would be lowered from two-thirds to 55 percent. The bill now goes to the Assembly Committee on Revenue and Taxation.

The League is a strong advocate for transportation funding as in the next 10 years there is a projected almost \$80 billion shortfall of funding for streets and roads. ACA 4 would strengthen local control and permit local communities to move forward that address their pressing infrastructure needs.

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#### **Comments on Proposed Emergency Water Conservation Regulations due May 4**

The Proposed Emergency Regulation to implement the urban water conservation called for in Gov. Jerry Brown's April 1 [Executive Order](#) is now available on the State Water Resources Control Board [website](#). The Water Board is asking stakeholders to review and submit comments on the Proposed Emergency Regulation and supporting documents by 10 a.m. on Monday, May 4.

The Water Board scheduled to adopt the Proposed Emergency Regulations at its May 5-6 meeting in Sacramento.

Submit comments electronically to: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) or in writing to the Water Board with the subject line: "Comment Letter – Emergency Conservation Regulation."

The following documents are available on the Water Board website:

- [Fact sheet](#);
- [Proposed Emergency Regulation](#); and
- [Proposed Urban Water Supplier Usage Tiers](#) (spreadsheet).