

# ACWA State LEGISLATIVE OUTREACH ALERT

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## TAKE IMMEDIATE ACTION

ACWA State Legislative Alert #05-03

March 16, 2005

### **ORTIZ INTRODUCES SB 393 SPECIAL DISTRICT REFORM: LETTERS NEEDED!**

#### **ACWA Alert SB 393 (Ortiz) Special District Reform--Oppose Unless Amended**

Senator Deborah Ortiz has introduced **SB 393** relating to special district reform. SB 393 is very similar to the final version of her SB 1272 of last year, which died in the Senate Appropriations Committee. Like its predecessor, SB 393 calls for significant reforms of special districts in the areas of auditing procedures, elected board member ethical conduct, investigations of improper governmental activity, whistle blower protections and board member compensation and benefits.

The most notable difference between SB 393 and SB 1272 is that Senator Ortiz has raised the minimum that an elected official can be paid for per diem from \$100.00 to \$150.00. She has also added a provision that allows for that amount to be increased up to 5% per annum or the cost of living allowance. Despite that change, ACWA still opposes compensation and benefit changes as well as unfair travel reimbursement. SB 393 is still flawed because it also singles out and treats special districts differently than all other forms of local government. On Friday, March 11, 2005, the ACWA State Legislative Committee voted unanimously to take a position on SB 393 of oppose unless amended. Senator Ortiz, through her staff, has opened a dialogue with ACWA staff to determine if amendments can be worked out to resolve ACWA member concerns.

As stated previously, last year SB 1272 failed in large part to an outstanding effort by ACWA members writing letters and personally meeting with their legislators to lobby against that bill. In order to stop SB 393, we need that same effort again this year, but an even higher level. SB 393 is set for hearing before the **Senate Local Government Committee on April 6, 2005. In order for your letter to be listed on the Local Government Committee's analysis your letter must be submitted to the author and the Senate Local Government Committee by close of business March 30, 2005.** Please forward your letter of opposition to Senator Ortiz and the members of the Senate Local Government Committee as soon as possible. Also, make sure that your local legislators are sent a copy of your letter to Senator Ortiz. Please remember to provide a copy to ACWA as well.

For your information, ACWA is also following AB 1234 (Salinas) that would implement reasonable, targeted reform measures for all local governments. ACWA has a support with amendments position on AB 1234. More to follow on AB 1234.

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The Senate Local Government Committee members are:

Christine Kehoe (D)-Los Angeles, Chair  
Phone (619) 260.0776  
Fax (916) 327.2188

Dave Cox (R)- San Andreas , Vice Chair  
Phone (530) 888.6126  
Fax (916) 324.2680

Dick Ackerman (R)-Irvine  
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Mike Machado (D)-Linden  
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Nell Soto (D)- Pomona  
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Tom Torlakson (D)- Antioch  
Phone (925) 602.6593  
Fax (916) 445.2527

For more information, please contact Ron Davis at [rdavis@acwanet.com](mailto:rdavis@acwanet.com) or (916) 441-4545.

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Honorable Christine Kehoe  
Chair, Senate Local Government Committee  
State Capitol  
Sacramento, CA 95814

Dear Senator Kehoe:

I am writing on behalf of the \_\_\_\_\_(insert your district's name) to express our (opposition) or (concerns) regarding SB 393 (Ortiz) relating to special district reform.

\_\_\_\_\_ (district name) is willing to support targeted reform for all local governments such as ethics training for all forms of local elected officials and top management staff. However, we also believe that any such legislation should apply to all forms of local government. The fact that SB 393 would apply only to special districts is one of several serious concerns our district has with your bill.

SB 393 also unnecessarily duplicates several areas of existing law that provide protection for whistleblowers. Moreover, it would provide county auditors with new investigatory powers over special districts. This proposal is unnecessary and erodes the independent nature of special districts.

**SB 393 would reduce special district director compensation and benefits, which have been established in statute since 1984. Reducing the compensation of dedicated, hard working public servants sends the wrong message. Like city and county elected officials, special district elected officials commit substantial time to public service, which takes them away from their family, friends, and career. They should be encouraged to participate in public service, not discouraged. We believe that this is far too strict a response to abuses that have occurred in a handful of special districts and respectfully submit that this section should be amended out of the bill.**

In addition, SB 393 would limit the reimbursement of reasonable and necessary director expenses to levels established for state employees. These limits rarely have any relationship to the travel requirements of special district directors.

\_\_\_\_\_ (district name) therefore must oppose (not support) SB 393 without further amendment to resolve the concerns mentioned herein.

Sincerely,

Cc     Senate Local Government Committee  
        Senator Deborah Ortiz  
        Association of California Water Agencies