

AMENDED IN ASSEMBLY APRIL 7, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 2777

Introduced by Assembly Member La Malfa

February 22, 2008

~~An act to amend Section 5001.65 of the Public Resources Code, relating to state parks. An act to amend Section 6217 of, and to add Section 6216.6 to, the Public Resources Code, relating to public lands.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2777, as amended, La Malfa. ~~State parks: resources. Public lands: beekeeping.~~

Under existing law, the State Lands Commission, within the Resources Agency, is vested with powers and duties with regard to the administration and control of state lands.

This bill would authorize the commission, in cooperation with the public officer or body that is responsible for managing or operating a particular division of public lands, to consider the temporary use of public lands, as defined, by commercial beekeepers. The commission and the public officer or body that is responsible for managing or operating a particular division of public lands would be required to negotiate reasonable fees, to be deposited in the General Fund, for the use of public lands by commercial beekeepers.

~~Under existing law, the Department of Parks and Recreation has control of the state park system. Commercial exploitation of resources in state park system units is prohibited, with exceptions.~~

~~This bill would make technical, nonsubstantive changes to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares as follows:*

2 *(a) California has the largest beekeeping industry of any state*
3 *in the country.*

4 *(b) Nearly 500,000 colonies of bees are operated by 400*
5 *commercial and semicommercial beekeepers.*

6 *(c) Commercial beekeepers move their hives on average six*
7 *times each year to pollinate crops or to place them near natural*
8 *food sources for bees.*

9 *(d) Most of the hives in California are rented one or more times*
10 *a year for pollination of agricultural crops.*

11 *(e) Nearly three-quarters of the country's documented*
12 *commercial honeybee crop pollination is conducted in California,*
13 *adding over six billion dollars (\$6,000,000,000) to the value of*
14 *California agricultural products.*

15 *(f) Drastic reductions in populations of native insect pollinators*
16 *have created a great need for honeybee pollination to insure*
17 *reseeding and perpetuation of wild plants that serve as sources of*
18 *fruits, nuts, and vegetation for consumption by various birds and*
19 *mammals.*

20 *(g) California is a national leader in the production of honey,*
21 *with the total yield averaging 20 million pounds per year, and an*
22 *average of 400,000 pounds of beeswax is produced per year.*

23 *(h) There has been a significant reduction in honeybee*
24 *population due to Colony Collapse Disorder and other problems,*
25 *including poor nutrition due to a lack of available pollen and*
26 *nectar producing flowers.*

27 *(i) Increased honeybee access to natural habitat on California's*
28 *public lands can aid in the pollination of many native plant species*
29 *while improving honeybee health.*

30 *SEC. 2. Section 6216.6 is added to the Public Resources Code,*
31 *to read:*

32 *6216.6. (a) Notwithstanding any other provision of law, the*
33 *commission, in cooperation with the public officer or body that is*
34 *responsible for managing or operating a particular division of*

1 *public lands, may consider the temporary use of public lands by*
2 *commercial beekeepers for the keeping of honeybee hives.*

3 *(b) (1) The commission and the public officer or body that is*
4 *responsible for managing or operating a particular division of*
5 *public lands shall negotiate reasonable fees for the use of public*
6 *lands by commercial beekeepers.*

7 *(2) The fees collected shall be deposited in the General Fund.*

8 *(c) For purposes of this section, "public lands" means*
9 *conservancies, state parks, wildlife areas, ecological reserves, and*
10 *undesignated lands.*

11 *SEC. 3. Section 6217 of the Public Resources Code is amended*
12 *to read:*

13 6217. ~~(a)~~—With the exception of revenue derived from state
14 school lands and from sources described in Sections 6216.6,
15 6217.6, 6301.5, 6301.6, and 6855, ~~and~~ Sections 8551 to 8558,
16 inclusive, and Section 6404 (insofar as the proceeds are from
17 property that has been distributed or escheated to the state in
18 connection with unclaimed estates of deceased persons), the
19 commission shall deposit all revenue, money, and remittances
20 received by the commission under this division, and under Chapter
21 138 of the Statutes of 1964, First Extraordinary Session, in the
22 General Fund. Out of those funds deposited in the General Fund,
23 sufficient moneys shall be made available each fiscal year for the
24 following purposes:

25 ~~(1)~~

26 *(a) Payment of refunds, authorized by the commission, out of*
27 *appropriations made for that purpose.*

28 ~~(2)~~

29 *(b) Payment of expenditures of the commission as provided in*
30 *the annual Budget Act.*

31 ~~(3)~~

32 *(c) Payments to cities and counties of the amounts specified in*
33 *Section 6817 for the purposes specified in that section, out of*
34 *appropriations made for that purpose.*

35 ~~(4)~~

36 *(d) Payments to cities and counties of the amounts agreed to*
37 *pursuant to Section 6875, out of appropriations made for that*
38 *purpose.*

39 ~~(b) This section shall become operative on July 1, 2006.~~

1 SECTION 1. ~~Section 5001.65 of the Public Resources Code~~
2 ~~is amended to read:~~
3 ~~5001.65. Commercial exploitation of resources in units of the~~
4 ~~state park system is prohibited. However, slant or directional~~
5 ~~drilling for oil or gas with the intent of extracting deposits~~
6 ~~underlying the Tule Elk State Reserve in Kern County is~~
7 ~~permissible in accordance with Section 6854. Commercial fishing~~
8 ~~is permissible, unless otherwise restricted, in state marine~~
9 ~~conservation areas, state marine cultural preservation areas, and~~
10 ~~state marine recreational management areas.~~
11 ~~Qualified institutions and individuals shall be encouraged to~~
12 ~~conduct nondestructive forms of scientific investigation within the~~
13 ~~state park system units, upon receiving prior approval of the~~
14 ~~director.~~
15 ~~Upon receiving prior approval of the director, the taking of~~
16 ~~mineral specimens for recreational purposes from state beaches,~~
17 ~~state recreation areas, or state vehicular recreation areas is~~
18 ~~permitted.~~