

AMENDED IN SENATE MAY 29, 2012

AMENDED IN SENATE APRIL 17, 2012

SENATE BILL

No. 1078

Introduced by Senator Evans

February 14, 2012

An act to add Sections 5080.46 and 5080.47 to *and repeal Section 5080.46 of the Public Resources Code, relating to state parks, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1078, as amended, Evans. State parks: state park revenue generation and insurance risk pool.

Existing law vests the Department of Parks and Recreation with control over the state park system. Existing law creates the State Parks and Recreation Fund into which are deposited revenues received by the department, which are available for expenditure for state park purposes upon appropriation by the Legislature.

This bill would ~~require~~ *authorize* the department, *until January 1, 2020, by July 1, 2013, to establish within the department an innovation team with specified responsibilities related to the generation of revenue for the department. The bill would authorize a district superintendent or park manager to establish an innovation working group for the district or unit of the state park system. The bill would require the innovation working group to develop a business plan for a 5-year period outlining ways that the specific park district or unit of the state park system can become more self-sustainable, increase visitation, and generate new revenues. The bill would require the innovation team to, among other things, assist the innovation working groups in developing business plans for their particular park district or unit of the state park system*

~~and to review the business plans. The bill would require the business plans to be submitted to the Director of Parks and Recreation for approval. The bill would require the director to review each business plan for compliance with the corresponding park's general plan. to assist a park district or unit of the state park system in establishing specified numbers of innovation working groups for the purpose of developing innovative revenue proposals for the district or the park unit, as prescribed. The bill would require the department, in addition to evaluating revenue-generating ideas submitted by innovation working groups, to consider specified factors relating to ways to generate revenues for state parks. The bill would require each innovation team working group to perform specific duties and to make recommendations to the department on innovative revenue proposals, or ideas about how to make those districts or units more self sufficient, increase visitation, and generate new revenues. The bill would require 70% of revenue generated by an approved business plan for the particular park district unit of the state park system to be deposited into the Park Innovation Account, which would be established in the State Parks and Recreation Fund. The bill would authorize the Controller to establish appropriate subaccounts in the account for each park district and unit of the state park system. The bill would continuously appropriate to the department moneys in the account and subaccounts for the support of the district or unit that generated the revenue, thereby making an appropriation. The bill would require the remaining 30% to be deposited into the State Parks and Recreation Fund.~~

~~This bill would also require the department to provide technical assistance to nonprofit organizations, which have or are developing operating agreements to manage a state park unit, to establish or join an insurance risk pool.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes-no~~. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. This act shall be known and may be cited as the
- 2 California State Parks Sustainability Through Innovation Act.
- 3 SEC. 2. (a) The Legislature finds and declares both of the
- 4 following:
- 5 (1) The state park system should become more self-sufficient
- 6 and financially sustainable without losing sight of its mission to

1 protect its valuable resources and provide maximum access to
2 residents and visitors.

3 (2) The Department of Parks and Recreation should value the
4 experience, commitment, and initiative of its employees and allies
5 throughout the state while providing training needed to meet new
6 professional goals.

7 (b) It is the intent of the Legislature to do both of the following:

8 (1) ~~Create~~ *Allow the district superintendent or park manager*
9 *to facilitate the creation of innovation working groups within park*
10 *districts or units of the state park system with the responsibility*
11 *for creating business plans ability to develop innovative revenue*
12 *proposals for those park districts or units of the state park system*
13 *to make those districts or units more self-sufficient, increase*
14 *visitation, and generate new revenues.*

15 (2) ~~Create, in the Department of Parks and Recreation, an~~
16 ~~innovation team that would be responsible for evaluating new~~
17 ~~revenue generation programs, both systemwide and for specific~~
18 ~~units of the state park system, and assisting the innovation working~~
19 ~~groups in the development of business plans.~~ *Encourage the*
20 *Department of Parks and Recreation to evaluate and implement*
21 *innovative revenue generation proposals.*

22 SEC. 3. Section 5080.46 is added to the Public Resources Code,
23 to read:

24 5080.46. (a) ~~(1) By July 1, 2013, the department shall establish~~
25 ~~an innovation team within the department. The innovation team~~
26 ~~shall consist of not more than 10 members, selected from current~~
27 ~~employees, and shall do all of the following:~~ *The department may*
28 *assist a park district or unit of the state park system in establishing*
29 *no more than 10 innovation working groups during the 2013*
30 *calendar year for the purpose of developing innovative revenue*
31 *proposals for the district or park unit. No more than an additional*
32 *10 innovation working groups may be established pursuant to this*
33 *section, per year in the 2014 calendar year. On and after January*
34 *1, 2015, additional working groups may be formed at the discretion*
35 *of the director.*

36 (b) *The department, in addition to evaluating revenue-generating*
37 *ideas submitted by innovation working groups, shall consider all*
38 *of the following:*

39 (A) ~~Study and implement ways to increase and generate new~~
40 ~~park revenues.~~

~~(B) Assist a park district or unit of the state park system in establishing an innovation working group and developing a business plan for that district or unit.~~

~~(2) The innovation team shall meet at least once a month.~~

~~(3) The innovation team, in evaluating revenue generation ideas, shall consider all of the following:~~

~~(A)~~

~~(1) The feasibility of establishing a regional park pass that can be used in specific regions of the state and has a lower cost than the annual state park pass.~~

~~(B)~~

~~(2) Participating in cooperative ventures with county park departments to establish a regional park pass that allows a person to access state and local parks in specific regions of the state.~~

~~(C)~~

~~(3) The feasibility of issuing a state park pass that provides extra value, such as coupons for recreational goods and services.~~

~~(D)~~

~~(4) The creation of a voluntary contribution checkoff option on state tax return forms allowing a person to purchase a state park pass.~~

~~(E)~~

~~(5) The implementation of a plan to—initiate review concessionaire contracts that will increase state revenues result in greater revenues to the state.~~

~~(F)~~

~~(6) The feasibility of contractual agreements with public and private transportation agencies to allow for the use of existing toll passes, such as FasTrak, at entrance facilities at a unit of the state park system.~~

~~(G)~~

~~(7) The use of credit cards at automated and manned entrance kiosks.~~

~~(H)~~

~~(8) The sale of state park passes at commercial retail establishments with special promotions.~~

~~(I)~~

~~(9) The removal of barriers to allow for, with proper safeguards, the use of historical buildings for revenue-generating events, such as theater, concerts, public meetings, and conventions, that do not~~

1 change the historical character of the building or lend its name to
2 a commercial enterprise.

3 ~~(4) (A) The innovation team~~

4 *(c) A district superintendent or park manager may recommend*
5 *to the director the dissolution of an innovation working group for*
6 *a specific unit of the state park system or park district.*

7 ~~(B) The innovation team shall assist the innovation working~~
8 ~~groups in developing a business plan for their particular park~~
9 ~~district or unit of the state park system.~~

10 ~~(5) (A) The innovation team shall review the business plan~~
11 ~~developed by an innovation working group and make~~
12 ~~recommendations to the director on the business plan.~~

13 ~~(B) (i) The director shall review the business plan for~~
14 ~~compliance with the park's general plan.~~

15 ~~(ii) If the director determines that the business plan is not in~~
16 ~~compliance with the park's general plan, the director shall amend,~~
17 ~~as appropriate, the park's general plan to accommodate the~~
18 ~~implementation of the business plan.~~

19 ~~(C) If the director approves a business plan, the director may~~
20 ~~authorize the appropriate district superintendent or park manager~~
21 ~~to implement the business plan.~~

22 ~~(D) The innovation team shall review and submit to the director~~
23 ~~the annual progress report submitted by the innovation working~~
24 ~~group on the implementation of the business plan.~~

25 ~~(b) (1) A district superintendent or park manager may establish~~
26 ~~an innovation working group with his or her district or unit of the~~
27 ~~state park system for the purposes of developing a business plan for~~
28 ~~the district or unit.~~

29 *(d) Each innovation team working group shall make*
30 *recommendations to the department on innovative revenue*
31 *proposals, or ideas about how to make those districts or units more*
32 *self-sufficient, increase visitation, and generate new revenues.*

33 *(e) The department may appoint an innovation working group*
34 *at a district or unit level of the state park system for the purposes*
35 *of developing innovative revenue proposals for the district and*
36 *the unit, and generating new ideas about how to make those*
37 *districts or units more self-sufficient, increase visitation, and*
38 *develop new revenue proposals.*

39 ~~(2)~~

(f) The district superintendent or park manager ~~shall may~~ establish a community advisory board of not more than six members and six alternates consisting of residents living near the park district or near the unit of the state park system for the purposes of providing community input in the development of the ~~business plan~~ *innovative revenue proposals*.

~~(3)~~

(g) The innovation working group of a particular park district or unit of the state park system shall do all of the following:

(A)

(1) ~~Develop a business plan for a five-year period~~ *innovative revenue proposals* outlining ways that the unit or district can become more self-sustainable, increase visitation, and generate new revenues.

~~(B)~~

(2) Consult with the district superintendent or park manager on the implementation of ~~the business plan~~ *an innovative revenue proposal* or projects generating new revenue for the district or unit of the state park system.

~~(C) Submit to the innovation team an annual progress report on the implementation of an approved business plan.~~

~~(D)~~

(3) Make recommendations to the district superintendent or park manager on the use of moneys appropriated pursuant to subparagraph (A) of paragraph (1) of subdivision ~~(e)~~ *(h)*.

~~(E) Meet at least quarterly with a community advisory board and hold at least one community public meeting per year.~~

~~(e) (1) Revenues generated by the business plan developed by an innovation working group for a particular unit of the state park system or park district shall be allocated as follows:~~

~~(A) Seventy percent shall be deposited into the Park Innovation Account, which is hereby established within State Parks and Recreation Fund. The Controller may establish appropriate subaccounts within the account for each park district or unit of the state park system with an approved business plan and deposit the appropriate revenue in those subaccounts. Notwithstanding Section 13340 of the Government Code, moneys in the account and subaccount shall be continuously appropriated to the department for the support of the particular park district or unit of the state park system generating the revenue.~~

1 ~~(B) Thirty percent shall be deposited into the State Parks and~~
2 ~~Recreation Fund established pursuant to Section 5010.~~

3 ~~(2) (A) Beginning January 15, 2014, and annually thereafter,~~
4 ~~a park superintendent or park manager receiving funds pursuant~~
5 ~~to subparagraph (A) of paragraph (1) shall provide to the director~~
6 ~~a report on the expenditure of those funds.~~

7 ~~(B) Beginning February 15, 2014, and annually thereafter, the~~
8 ~~director shall, pursuant to Section 9795 of the Government Code,~~
9 ~~submit to the Legislature, a report on the expenditures of revenues~~
10 ~~specified in subparagraph (A) of paragraph (1) by the park districts~~
11 ~~and units of the state park system.~~

12 ~~(4) Post on the department's Internet Web site all pending and~~
13 ~~recently approved innovative revenue proposals.~~

14 ~~(h) This section shall remain in effect only until January 1, 2020,~~
15 ~~and as of that date is repealed, unless a later enacted statute, that~~
16 ~~is enacted before January 1, 2020, deletes or extends that date.~~

17 ~~SEC. 4. Section 5080.47 is added to the Public Resources Code,~~
18 ~~to read:~~

19 ~~5080.47. The department shall provide technical assistance to~~
20 ~~a nonprofit organization that is developing or has in effect an~~
21 ~~operating agreement to manage a unit of the state park system to~~
22 ~~establish or join an insurance risk pool for the operation of the unit~~
23 ~~of the state park system.~~