

ASSEMBLY BILL

No. 549

Introduced by Assembly Member Levine

February 23, 2015

An act to amend Section 5010.7 of the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 549, as introduced, Levine. State park system: revenue generation program: reports.

The Department of Parks and Recreation has control of the state park system. Existing law requires the department to develop a revenue generation program as an essential component of a long-term sustainable park funding strategy. Existing law establishes the State Park Revenue Incentive Subaccount in the State Parks and Recreation Fund with money available to the department for activities, programs, and projects, as provided, relating to the revenue generation program. Existing law requires the money to be spent in a specified way, including 50% of the total amount of revenues deposited into the subaccount generated by a park district to that district, as provided. Existing law requires the department to report to the Legislature annually on or before July 1 on the revenue distributed to each park district.

This bill would instead require the department to report to the Legislature annually on or before December 31.

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

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

1 SECTION 1. It is the intent of the Legislature to enact changes
2 in law necessary to facilitate and expedite implementation of
3 reforms recommended by the Parks Forward Commission to ensure
4 a vibrant and sustainable park system for all Californians and for
5 present and future generations. The changes to be enacted include,
6 but are not necessarily limited to, those that will facilitate all of
7 the following:

8 (a) The organizational, administrative, and technological changes
9 needed at the Department of Parks and Recreation to modernize
10 the department’s processes, ensure efficiency and accountability
11 throughout the department, diversify the department’s workforce,
12 and better serve the needs of park visitors.

13 (b) New public-private partnerships to provide improved
14 stewardship of state parks and the natural and cultural resources
15 they contain and to enhance programs and services for park visitors.

16 (c) Enhanced park access for all Californians, and engagement
17 of younger generations through increased opportunities for
18 environmental and outdoor education in parks and for youth
19 leadership development.

20 (d) Establishment of a stable and diversified funding structure,
21 including a more entrepreneurial and robust revenue generation
22 strategy.

23 SEC. 2. Section 5010.7 of the Public Resources Code is
24 amended to read:

25 5010.7. (a) The department shall develop a revenue generation
26 program as an essential component of a long-term sustainable park
27 funding strategy. On or before July 1, 2014, and annually thereafter,
28 the department shall assign a revenue generation target to each
29 district under the control of the department. The department shall
30 develop guidelines for districts to report the use of funds generated
31 by the revenue generation program, and shall post information and
32 copies of the reports on its Internet Web site.

33 (b) The California State Park Enterprise Fund is hereby created
34 in the State Treasury as a working capital fund, and the revenue
35 shall be available to the department upon appropriation by the
36 Legislature for capital outlay or support expenditures for revenue
37 generating investments in state parks. These investments may
38 include, but are not limited to, planning and implementation of a

1 statewide electronic fee collection system that includes installation
2 of modern fee collection equipment and technologies to enhance
3 collection of state park users fees and that will enable park users
4 to pay fees with commonly used forms of electronic fund transfers,
5 including, but not limited to, credit and debit card transactions,
6 and other park revenue generating projects, and shall be available
7 for encumbrance and expenditure until June 30, 2019, and for
8 liquidation until June 30, 2021.

9 (1) The department shall prepare guidelines for districts to apply
10 for funds for capital projects that are consistent with this
11 subdivision.

12 (2) The guidelines prepared pursuant to this ~~paragraph~~
13 *subdivision* shall require all of the following:

14 (A) A clear description of the proposed use of funds.

15 (B) A timeframe of implementation of the capital project.

16 (C) A projection of revenue, including annual income, fees, and
17 projected usage rates.

18 (D) A projection of costs, including design, planning,
19 construction, operation, staff, maintenance, marketing, and
20 information technology.

21 (E) A market analysis demonstrating demand for the project.

22 (F) A projected rate of return on the investment.

23 (c) The revenue generated by the revenue generation program
24 developed pursuant to subdivision (a) shall be deposited into the
25 State Parks and Recreation Fund. Revenue identified as being in
26 excess of the revenue targets shall be transferred to the State Parks
27 Revenue Incentive Subaccount, established pursuant to Section
28 5010.6, on or before June 1, annually.

29 (d) Moneys transferred to the State Parks Revenue Incentive
30 Subaccount pursuant to subdivision (c) shall be expended as
31 follows:

32 (1) (A) The department shall allocate 50 percent of the total
33 amount of revenues deposited into the State Parks Revenue
34 Incentive Subaccount pursuant to subdivision (c), generated by a
35 park district to that district if the amount of revenues generated
36 exceeds the targeted revenue amount prescribed in the revenue
37 generation program. The revenues to be allocated to a park district
38 that fails to achieve the revenue target shall remain in the
39 subaccount.

1 (B) With the approval of the director, each district shall use the
 2 funds it receives pursuant to this section to improve the parks in
 3 that district through revenue generation programs and projects and
 4 other activities that will assist in the district’s revenue generation
 5 activities, and the programs, projects, and other activities shall be
 6 consistent with the mission and purpose of each unit and with the
 7 plan developed for the unit pursuant to subdivision (a) of Section
 8 5002.2.

9 (C) The department shall report to the Legislature, commencing
 10 on July 1, 2014, and annually on or before each ~~July 1~~ *December*
 11 *31* thereafter, on the revenue distributed to each district pursuant
 12 to this section.

13 (2) The department shall use 50 percent of the funds deposited
 14 into the State Parks Revenue Incentive Subaccount pursuant to
 15 subdivision (c) for the following purposes:

16 (A) To fund the capital costs of construction and installation of
 17 new revenue and fee collection equipment and technologies and
 18 other physical upgrades to existing state park system lands and
 19 facilities.

20 (B) For costs of restoration, rehabilitation, and improvement of
 21 the state park system and its natural, historical, and visitor-serving
 22 resources that enhance visitation and are designed to create
 23 opportunities to increase revenues.

24 (C) For costs to the department to implement the action plan
 25 required to be developed by the department pursuant to Section
 26 ~~5019.92 of the Public Resources Code.~~ *5019.92.*

27 (D) Pursuant to subdivision (c) of Section 5010.6, for
 28 expenditures to support revenue generation projects that include,
 29 but are not limited to, staffing kiosks, campgrounds, and parking
 30 lots.

31 (e) The funds generated by the revenue generation program
 32 shall not be used by the department to expand the park system,
 33 unless there is significant revenue generation potential from such
 34 an expansion.

35 (f) Notwithstanding Section 5009, moneys received by the
 36 department from private contributions and other public funding
 37 sources may also be deposited into the California State Park
 38 Enterprise Fund and the State Parks Revenue Incentive Subaccount
 39 for use for the purposes of subdivision (c) and subdivision (d).

1 (g) The department shall provide all relevant information on its
2 Internet Web site concerning how funds in the State Parks and
3 Recreation Revenue Incentive Subaccount and the California State
4 Park Enterprise Fund are spent.

5 (h) The department may recoup its costs for implementing and
6 administering the working capital from the fund.

O