

AMENDED IN SENATE AUGUST 31, 2015

AMENDED IN SENATE JULY 13, 2015

AMENDED IN SENATE JUNE 30, 2015

AMENDED IN SENATE JUNE 16, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 549

**Introduced by Assembly Member Levine
(Coauthor: Assembly Member Rendon)**

February 23, 2015

An act to amend Sections 5003.4, 5005, 5009.1, 5009.2, 5010.7, 5080.18, and 5080.20 ~~of, and to add Section 5010.3 to, of~~ the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 549, as amended, Levine. State park system.

Existing law authorizes the Department of Parks and Recreation to ~~install~~ *install*, or permit the installation of camping cabins within the units of the state park system if installation of camping cabins is consistent with the general plan of the unit.

This bill would authorize the department to acquire, install or permit the installation of, and operate or permit the operation of, camping cabins and parking facilities for recreational vehicles within the units of the state park system, if the installation and operation is consistent with the classification of the park system unit, and with the general plan of the unit, if one exists. The bill would authorize the department to enter into an agreement with a qualified nonprofit organization for those purposes.

Existing law authorizes the department to receive and accept in the name of the people of the state any gift, dedication, devise, grant, or other conveyance of title to or any interest in real property, including water rights, roads, trails, and rights-of-way, to be added or used in connection with the state park system, subject to the approval of the Director of Finance, except as provided.

This bill would include buildings, facilities, and other improvements to the types of interests that the department may receive to be used in connection with the state park system.

Existing law authorizes the department to enter into an agreement to receive money from any entity for the maintenance or operation, on a nonprofit basis, of a designated state park unit or facility. Existing law requires the money received to be used to supplement existing resources for enhancing the maintenance and operation of the unit or facility, with priority given to preventing closure or reduced hours of service to the public.

This bill would authorize the department to enter into an agreement to receive funds from any entity for the maintenance, operation, restoration, repair, *development, improvement*, or enhancement of a designated state park system unit or facility or for research, educational, interpretive, recreational, or visitor services provided on or for a designated state park system unit or facility. The bill would provide that the funds received shall be used to supplement, but not replace, existing resources, would remove the priority given to preventing closure or reduced hours of service to the public, and would authorize the department to provide free or ~~reduced-cost~~ *reduced-cost* access to and use of park facilities to an entity that enters into this agreement, if the public benefit provided by the agreement exceeds or is of comparable value, as determined by the department, to the access to or use of park facilities granted.

Existing law authorizes the department to enter into an agreement to receive funds from any entity for the maintenance or operation of a state beach, any other unit of the state park system that encompasses a beach, or any area or facility of the state beach or other unit. Existing law requires funds received to be used to supplement existing resources.

This bill would authorize the department to enter into an agreement to receive funds from any entity for the maintenance, operation, restoration, repair, *development, improvement*, or enhancement of a state beach, any other unit of the state park system that encompasses a beach, or any area or facility of the state beach or other unit, or for

research, educational, interpretive, recreational, or visitor services provided on or for a state beach, any other unit of the state park system that encompasses a beach, or any area or facility of the state beach or other unit. The bill would provide that funds received shall be used to supplement, but not replace, existing resources, and would authorize the department to provide free or ~~reduced-cost~~ *reduced-cost* access to and use of beach facilities to an entity that enters into this agreement, if the public benefit provided by the agreement exceeds or is of comparable value, as determined by the department, to the access to or use of beach facilities granted.

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 50% of certain program revenues deposited into the subaccount generated by a park district to be allocated 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.

~~Existing law authorizes the department to collect fees, rents, and other returns for the use of any state park system area, the amounts of which are to be determined by the department.~~

~~This bill would require the department to develop a statewide fee policy for assessment of fees, as specified, to report to the Legislature on the statewide fee policy on or before December 31, 2016, to make its annual fee schedule publicly available on its Internet Web site, and to update the fee schedule on its Internet Web site to reflect fee-rate changes.~~

Existing law authorizes the department to enter into competitively bid contracts with natural persons, corporations, partnerships, and associations for the construction, maintenance, and operation of concessions within units of the state park system.

This bill would require all renewals of those concession contracts to be subject to competitive bidding requirements.

Existing law requires every concessionaire to submit to the department its sales and use tax returns.

This bill would also require every concessionaire to, at the request of the department, provide an annual financial statement prepared or audited by a certified public accountant.

Existing law requires a concession contract entered into pursuant to specified provisions that is expected to involve a total investment or gross sales in excess of \$500,000 to comply with certain other contract requirements.

This bill would impose those requirements on a concession contract that is expected to involve a total investment or gross sales in excess of \$1,000,000 and would revise those contract requirements, as specified.

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

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

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

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

13 (2) 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 (3) 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 (4) Establishment of a stable and diversified funding structure,
21 including a more entrepreneurial and robust revenue generation
22 strategy.

23 (b) In its 2015 report, the California’s Parks Forward
24 Commission recommended expanding the availability of safe,

1 clean, and affordable cabins and similar overnight accommodations
2 in state and local parks as an important means of providing
3 equitable park access and building public support for parks
4 statewide.

5 (c) It is the intent of the Legislature in enacting the changes to
6 Section 5003.4 of the Public Resources Code made by this act that
7 agreements entered into pursuant to subdivision (b) of that section
8 not compete with existing concession contracts through which
9 comparable services, as determined by the department, are or could
10 be provided.

11 SEC. 2. Section 5003.4 of the Public Resources Code is
12 amended to read:

13 5003.4. (a) There shall be provided in each state park in which
14 camping is permitted those parking facilities for recreational
15 vehicles, as defined by Section 18010 of the Health and Safety
16 Code, that can be accommodated within the park consistent with
17 the objective of providing camping facilities for the public in these
18 parks. In addition, the Department of Parks and Recreation may
19 acquire, install or permit the installation of, and operate or permit
20 the operation of, camping cabins, as defined by Section 18862.5
21 of the Health and Safety Code, and parking facilities for
22 recreational vehicles within the units of the state park system, if
23 the installation and operation is consistent with the classification
24 of the park system unit and with the general plan of the unit, if one
25 exists.

26 (b) The department may enter into agreements with qualified
27 nonprofit organizations, as defined in subdivision (g) of Section
28 5080.42, for acquisition, installation, and operation of camping
29 cabins or parking facilities for recreational vehicles as described
30 in subdivision (a), within units of the state park system. The
31 agreements shall be subject to the requirements of Section 5080.42.

32 SEC. 3. Section 5005 of the Public Resources Code is amended
33 to read:

34 5005. (a) The department may receive and accept in the name
35 of the people of the state any gift, dedication, devise, grant, or
36 other conveyance of title to or any interest in real property,
37 including water rights, roads, trails, rights-of-way, buildings,
38 facilities, and other improvements, to be added to or used in
39 connection with the state park system. It may receive and accept
40 gifts, donations, contributions, or bequests of money to be used in

1 acquiring title to or any interest in real property, or in improving
2 it as a part of or in connection with the state park system, or to be
3 used for any of the purposes for which the department is created.
4 It may also receive and accept personal property for any purpose
5 connected with the park system.

6 (b) Subdivision (a) is subject to the requirements and exceptions
7 set forth in Section 11005 of the Government Code, except that
8 conditional gifts or bequests of money valued at one hundred
9 thousand dollars (\$100,000) or less, shall not require the approval
10 of the Director of Finance.

11 (c) The department shall annually report to the Department of
12 Finance all conditional gifts or bequests of money valued at one
13 hundred thousand dollars (\$100,000) or less that it accepts and
14 receives pursuant to subdivision (b).

15 SEC. 4. Section 5009.1 of the Public Resources Code is
16 amended to read:

17 5009.1. (a) The department may enter into an agreement to
18 accept funds from any person, educational institution, tribal
19 government, corporation or other business entity, or organization
20 for the maintenance, operation, restoration, repair, *development*,
21 *improvement*, or enhancement of a designated state park system
22 unit or facility, or for research, educational, interpretive,
23 recreational, or visitor services provided on or for a designated
24 state park system unit or facility. Any funds so received shall be
25 deposited in a separate account in the State Park Contingent Fund.
26 The funds received shall supplement, but not replace, existing
27 resources for the maintenance, operation, restoration, repair,
28 *development*, *improvement*, or enhancement of the unit or facility,
29 or for establishing or enhancing park services provided to visitors.
30 The department and the sponsoring or donating person, entity,
31 government, or organization shall specify in the agreement the
32 level of service that is to be performed.

33 (b) The department may enter into an agreement to accept from
34 any person, educational institution, tribal government, corporation
35 or other business entity, or organization services for the cleanup,
36 repair, *development*, *improvement*, restoration, or enhancement of
37 any designated state park system unit or facility, or for research,
38 educational, interpretive, recreational, or visitor services provided
39 on or for a state park system unit or facility. Under the direction
40 of the department, these services shall supplement, but not replace,

1 existing staff resources for the purpose of enhancing the
2 maintenance and operation of the unit or facility or for establishing
3 or enhancing park services provided to visitors.

4 (c) The director may authorize the erection of an appropriate
5 sign in recognition of a donation or sponsorship provided in
6 accordance with this section, consistent with existing law and with
7 the rules and regulations of the department regarding signs in units
8 of the state park system.

9 (d) The department may provide free or ~~reduced-cost~~
10 *reduced-cost* access to, and use of, park facilities to entities that
11 have entered into agreements as described in this section, if the
12 public benefit to be provided pursuant to the agreement exceeds
13 or is of comparable value, as determined by the department, to the
14 access to or use of park facilities granted.

15 SEC. 5. Section 5009.2 of the Public Resources Code is
16 amended to read:

17 5009.2. (a) The department may enter into an agreement to
18 accept funds from any person, business entity, educational
19 institution, tribal government, or organization for the maintenance,
20 operation, restoration, repair, *development, improvement,* or
21 enhancement of a state beach, any other unit of the state park
22 system that encompasses a beach, or any area or facility of the
23 state beach or other unit, or for research, educational, interpretive,
24 recreational, or visitor services provided on or for a state beach,
25 any other unit of the state park system that encompasses a beach,
26 or any area or facility of the state beach or other unit. Any funds
27 so received shall be deposited in a separate account in the State
28 Park Contingent Fund. The funds received shall supplement, but
29 not replace, existing resources for the purposes of enhancing the
30 maintenance, operation, restoration, repair, *development,*
31 *improvement,* or enhancement of the state beach, other unit of the
32 state park system that encompasses a beach, or area or facility of
33 the state beach or other unit, or for establishing or enhancing beach
34 services provided to visitors. The department and the sponsoring
35 or donating person, business entity, government, or organization
36 may specify in the agreement the level of maintenance, operation,
37 restoration, repair, *development, improvement,* or enhancement
38 that will be performed.

39 (b) The department may also enter into an agreement to accept
40 from any person, educational institution, tribal government,

1 business entity, or organization services for the operation,
 2 restoration, repair, *development, improvement*, maintenance, or
 3 enhancement of a state beach, other unit of the state park system
 4 that encompasses a beach, or area or facility of the state beach or
 5 other unit, or ~~for research~~ *research*, educational, interpretive,
 6 recreational, or visitor services provided on or for a state beach,
 7 other unit of the state park system that encompasses a beach, or
 8 area or facility of the state beach or other unit. Under the direction
 9 of the department, those services shall supplement, but not replace,
 10 existing staff resources for the purposes of operation, restoration,
 11 repair, *development, improvement*, maintenance, or enhancement
 12 of the state beach, other unit of the state park system that
 13 encompasses a beach, or area or facility of the state beach or other
 14 unit.

15 (c) The director may authorize the erection of an appropriate
 16 sign in recognition of a donation or sponsorship provided in
 17 accordance with this section, in accordance with department rules
 18 and regulations regarding signs in the state park system.

19 (d) The department may provide free or ~~reduced-cost~~
 20 *reduced-cost* access to, and use of, beach facilities to entities that
 21 have entered into agreements as described in this section, if the
 22 public benefit to be provided pursuant to the agreement exceeds
 23 or is of comparable value, as determined by the department, to the
 24 access to or use of beach facilities granted.

25 (e) The activities authorized by this section shall be implemented
 26 as part of the department’s Adopt-A-Beach program.

27 ~~SEC. 6. Section 5010.3 is added to the Public Resources Code,~~
 28 ~~to read:~~

29 ~~5010.3. (a) The department shall develop a statewide policy~~
 30 ~~for assessment of fees pursuant to Section 5010 that balances the~~
 31 ~~state’s goal of sustainable revenue generation to support state~~
 32 ~~parks, with the state’s goal of preserving affordable public access~~
 33 ~~to public lands, including, but not limited to, lands in the coastal~~
 34 ~~zone. The fee policy shall, at a minimum, do all of the following:~~

35 ~~(1) To the extent feasible, ensure that fees do not serve as a~~
 36 ~~deterrent to equitable public access and are comparable to fees~~
 37 ~~charged for other similar services.~~

38 ~~(2) Reflect the appropriate role of user fees as part of an overall,~~
 39 ~~equitable, and sustainable revenue generation strategy that includes~~

1 a proper balance of public funding and earned revenue to support
2 state parks.

3 ~~(3) Be based on uniform principles that reflect the different~~
4 ~~levels of services provided at different parks, the department's~~
5 ~~goals for service-based budgeting, and the best practices for pricing~~
6 ~~that align policy goals with visitor expectations. To the extent~~
7 ~~feasible, fees should be commensurate with the benefits and~~
8 ~~services provided to visitors.~~

9 ~~(4) Describe the process for setting and approving all~~
10 ~~fee-schedule changes.~~

11 ~~(5) Provide for public accountability and transparency, and~~
12 ~~advance public notice for proposed changes to fee schedules.~~

13 ~~(b) The department may consult with the National Park Service~~
14 ~~for guidance in developing a statewide fee policy.~~

15 ~~(c) The department shall conduct public workshops on~~
16 ~~development of the statewide fee policy and may seek assistance~~
17 ~~with scheduling and conducting of the workshops from the State~~
18 ~~Park and Recreation Commission.~~

19 ~~(d) (1) The department shall report to the Legislature on the~~
20 ~~statewide fee policy on or before December 31, 2016.~~

21 ~~(2) The report required pursuant to paragraph (1) shall be~~
22 ~~submitted in compliance with Section 9795 of the Government~~
23 ~~Code.~~

24 ~~(3) This subdivision shall be inoperative on December 31, 2020,~~
25 ~~pursuant to Section 10231.5 of the Government Code.~~

26 ~~(e) The department shall make its fee schedule publicly available~~
27 ~~on the department's Internet Web site and update the fee schedule~~
28 ~~to reflect any fee-rate changes.~~

29 ~~(f) It is the intent of the Legislature that the department, in~~
30 ~~addition to developing a statewide fee policy, provide convenient~~
31 ~~and cost-effective options for fee payment and collection by~~
32 ~~expanding and integrating fee collection methodologies across the~~
33 ~~state park system and offering modern fee collection and payment~~
34 ~~options that include, but are not necessarily limited to, cash, credit~~
35 ~~card, and smart phone technology, if appropriate.~~

36 ~~(g) The department may also implement additional options,~~
37 ~~including hourly fees, regional passes, and promotional free-day~~
38 ~~annual events, and explore opportunities for collaborative fee~~
39 ~~arrangements and passes with other federal, state, and local park~~
40 ~~agencies, if appropriate.~~

1 ~~SEC. 7.~~

2 *SEC. 6.* Section 5010.7 of the Public Resources Code is
3 amended to read:

4 5010.7. (a) The department shall develop a revenue generation
5 program as an essential component of a long-term sustainable park
6 funding strategy. On or before July 1, 2014, and annually thereafter,
7 the department shall assign a revenue generation target to each
8 district under the control of the department. The department shall
9 develop guidelines for districts to report the use of funds generated
10 by the revenue generation program, and shall post information and
11 copies of the reports on its Internet Web site.

12 (b) The California State Park Enterprise Fund is hereby created
13 in the State Treasury as a working capital fund, and the revenue
14 shall be available to the department upon appropriation by the
15 Legislature for capital outlay or support expenditures for revenue
16 generating investments in state parks. These investments may
17 include, but are not limited to, planning and implementation of a
18 statewide electronic fee collection system that includes installation
19 of modern fee collection equipment and technologies to enhance
20 collection of state park users fees and that will enable park users
21 to pay fees with commonly used forms of electronic fund transfers,
22 including, but not limited to, credit and debit card transactions,
23 and other park revenue generating projects, and shall be available
24 for encumbrance and expenditure until June 30, 2019, and for
25 liquidation until June 30, 2021.

26 (1) The department shall prepare guidelines for districts to apply
27 for funds for capital projects that are consistent with this
28 subdivision.

29 (2) The guidelines prepared pursuant to this subdivision shall
30 require all of the following:

- 31 (A) A clear description of the proposed use of funds.
- 32 (B) A timeframe of implementation of the capital project.
- 33 (C) A projection of revenue, including annual income, fees, and
34 projected usage rates.
- 35 (D) A projection of costs, including design, planning,
36 construction, operation, staff, maintenance, marketing, and
37 information technology.
- 38 (E) A market analysis demonstrating demand for the project.
- 39 (F) A projected rate of return on the investment.

1 (c) The revenue generated by the revenue generation program
2 developed pursuant to subdivision (a) shall be deposited into the
3 State Parks and Recreation Fund. Revenue identified as being in
4 excess of the revenue targets shall be transferred to the State Parks
5 Revenue Incentive Subaccount, established pursuant to Section
6 5010.6, on or before June 1, annually.

7 (d) Moneys transferred to the State Parks Revenue Incentive
8 Subaccount pursuant to subdivision (c) shall be expended as
9 follows:

10 (1) (A) The department shall allocate 50 percent of the total
11 amount of revenues deposited into the State Parks Revenue
12 Incentive Subaccount pursuant to subdivision (c), generated by a
13 park district to that district if the amount of revenues generated
14 exceeds the targeted revenue amount prescribed in the revenue
15 generation program. The revenues to be allocated to a park district
16 that fails to achieve the revenue target shall remain in the
17 subaccount.

18 (B) With the approval of the director, each district shall use the
19 funds it receives pursuant to this section to improve the parks in
20 that district through revenue generation programs and projects and
21 other activities that will assist in the district's revenue generation
22 activities, and the programs, projects, and other activities shall be
23 consistent with the mission and purpose of each unit and with the
24 plan developed for the unit pursuant to subdivision (a) of Section
25 5002.2.

26 (C) The department shall report to the Legislature, commencing
27 on July 1, 2014, and annually on or before each December 31
28 thereafter, on the revenue distributed to each district pursuant to
29 this section.

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

33 (A) To fund the capital costs of construction and installation of
34 new revenue and fee collection equipment and technologies and
35 other physical upgrades to existing state park system lands and
36 facilities.

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

1 (C) For costs to the department to implement the action plan
2 required to be developed by the department pursuant to Section
3 5019.92.

4 (D) Pursuant to subdivision (c) of Section 5010.6, for
5 expenditures to support revenue generation projects that include,
6 but are not limited to, staffing kiosks, campgrounds, and parking
7 lots.

8 (e) The funds generated by the revenue generation program
9 shall not be used by the department to expand the park system,
10 unless there is significant revenue generation potential from such
11 an expansion.

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

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

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

23 ~~SEC. 8.~~

24 *SEC. 7.* Section 5080.18 of the Public Resources Code is
25 amended to read:

26 5080.18. All concession contracts entered into pursuant to this
27 article shall contain, but are not limited to, all of the following
28 provisions:

29 (a) (1) The maximum term shall be 10 years, except that a term
30 of more than 10 years may be provided if the director determines
31 that the longer term is necessary to allow the concessionaire to
32 amortize improvements made by the concessionaire, to facilitate
33 the full utilization of a structure that is scheduled by the department
34 for replacement or redevelopment, or to serve the best interests of
35 the state. The term shall not exceed 20 years without specific
36 authorization by statute. Except as provided in Section 5080.16,
37 all renewals of concession contracts pursuant to this paragraph
38 shall be subject to competitive bidding requirements.

39 (2) The maximum term shall be 50 years if the concession
40 contract is for the construction, development, and operation of

1 multiple-unit lodging facilities equipped with full amenities,
2 including plumbing and electrical, that is anticipated to exceed an
3 initial cost of one million five hundred thousand dollars
4 (\$1,500,000) in capital improvements in order to begin operation.
5 The term for a concession contract described in this paragraph
6 shall not exceed 50 years without specific authorization by statute.
7 Except as provided in Section 5080.16, all renewals of concession
8 contracts pursuant to this paragraph shall be subject to competitive
9 bidding requirements.

10 (3) Notwithstanding paragraph (1), a concession agreement at
11 Will Rogers State Beach executed prior to December 31, 1997,
12 including, but not limited to, an agreement signed pursuant to
13 Section 25907 of the Government Code, may be extended to exceed
14 20 years in total length without specific authorization by statute,
15 upon approval by the director and pursuant to a determination by
16 the director that the longer term is necessary to allow the
17 concessionaire to amortize improvements made by the
18 concessionaire that are anticipated to exceed one million five
19 hundred thousand dollars (\$1,500,000) in capital improvements.
20 Any extensions granted pursuant to this paragraph shall not be for
21 more than 15 years.

22 (b) Every concessionaire shall submit to the department all sales
23 and use tax returns and, at the request of the department, provide
24 an annual financial statement prepared or audited by a certified
25 public accountant.

26 (c) Every concession shall be subject to audit by the department.

27 (d) A performance bond shall be obtained and maintained by
28 the concessionaire. In lieu of a bond, the concessionaire may
29 substitute a deposit of funds acceptable to the department. Interest
30 on the deposit shall accrue to the concessionaire.

31 (e) The concessionaire shall obtain and maintain in force at all
32 times a policy of liability insurance in an amount adequate for the
33 nature and extent of public usage of the concession and naming
34 the state as an additional insured.

35 (f) Any discrimination by the concessionaire or his or her agents
36 or employees against any person because of the marital status or
37 ancestry of that person or any characteristic listed or defined in
38 Section 11135 of the Government Code is prohibited.

39 (g) To be effective, any modification of the concession contract
40 shall be evidenced in writing.

1 (h) Whenever a concession contract is terminated for substantial
2 breach, there shall be no obligation on the part of the state to
3 purchase any improvements made by the concessionaire.

4 ~~SEC. 9.~~

5 *SEC. 8.* Section 5080.20 of the Public Resources Code is
6 amended to read:

7 5080.20. A contract, including a contract entered into on lands
8 operated pursuant to an agreement entered into under Article 2
9 (commencing with Section 5080.30), that is expected to involve
10 a total investment or estimated annual gross sales in excess of one
11 million dollars (\$1,000,000), shall not be advertised for bid,
12 negotiated, renegotiated, or amended in any material respect unless
13 and until all of the following requirements have been complied
14 with:

15 (a) The commission has reviewed the proposed services,
16 facilities, and location of the concession and determined that they
17 meet the requirements of Sections 5001.9 and 5080.03 and are
18 compatible with the classification of the unit in which the
19 concession will be operated.

20 (b) At least 30 days advance written notice of the proposed
21 concession has been provided by the director to the appropriate
22 policy and fiscal committees of the Legislature and the Joint
23 Legislative Budget Committee.

24 (c) The proposed concession is accompanied with documentation
25 sufficient to enable the commission and the Joint Legislative
26 Budget Committee to ascertain whether the concession will
27 conform to the requirements of this article and to evaluate fully
28 all terms on which the concession is proposed to be let, including
29 the rent and other returns anticipated to be received.