

Legislative Update

SB 204 and AB 549

Agenda

1. Legislative Background and Previous Bills
2. Parks Forward Commission and a New Approach
3. Legislature and Department Collaboration
4. “Tools not Mandates”
5. Improving Partnerships
6. Natural and Cultural Resource Management
7. Revenue Generation

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Legislative Background and Previous Bills

2014

Legislation introduced –

- Assembly Bill 2150 (Rendon, Chair Assembly Water, Parks and Wildlife Committee)
- Senate Bill 633 (Pavley, Chair, Senate Natural Resources and Water Committee)

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Legislative Background and Previous Bills

AB 2150 (Rendon, Chair, Assembly Committee on Water, Parks, and Wildlife)

- **Required** extension of moratorium on park closures
- **Required** Department to prepare a prioritized deferred maintenance list based on criteria established in the bill
- **Required** the Reorganization of the Division of External Affairs into a new Division of Community Initiatives and Park Access with new roles and responsibilities.

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Legislative Background and Previous Bills

SB 633 (Pavley, Chair, Senate Natural Resources and Water Committee)

- **Required** the Department to establish “projects of the year”, wherein the public would choose a project(s) which would be funded exclusively from the State Parks Protection Fund.
- **Required** the State Park and Recreation Commission’s budget to be reflected separately from the Department’s budget.
- **Required** the Department to identify and report its energy costs to the Legislature by July 1, 2015.
- **Required** the Department to report to the Legislature, by July 1, 2016, on its efforts to increase the use of outside vendors to sell State Park passes and required development of two regional park passes by December 31, 2015.
- **Required** the Department to establish a pilot project for mobile food and beverage services and then report to the Legislature on the results of the pilot by January 1, 2018.

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Parks Forward Commission and a New Approach

Governor Brown Vetoes AB 2150 and SB 633

Veto Message (same for each bill):

I am returning Assembly Bill 2150/Senate Bill 633 without my signature.

The Parks Forward Commission, an independent commission appointed in 2013, is charged with conducting a process designed to address the financial, operational, and cultural challenges facing the Department to ensure the system's long-term viability. The final report with recommendations for a long-term plan will be completed this fall. It would be prudent to allow the Department to develop an overall strategic plan before requiring the specific activities called for in this bill. I am directing the Department to work with the author on common proposals that can be implemented in the next fiscal year.

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Legislature and Department Collaboration

2015:

- Parks Forward Commission release final report and recommendations
- Transformation Team established and Strategic Action Plan developed
- New Legislation introduced - Senate Bill 204 (Pavley) and Assembly Bill 549 (Levine)

Engagement and collaboration early and often to achieve shared goals of Department/Transformation Team, Parks Forward Commission, and Legislature

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Tools not Mandates – Improving Partnerships

SB 204 (Pavley):

- **Volunteers**

Intent language to extend complimentary park pass benefits to volunteers of coop associations (not just State Park volunteers).

- **Co-Ops**

Allows the Department to partner with cooperating associations on programming beyond just interpretation and education and allows the money they collect to be spent on all programs within the park unit.

- **Non-Profit Agreements**

Removes sunset date (2019) on statute authorizing non-profit operators of parks

Removes restriction of “at risk of closure” for operation of an entire park unit

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Tools not Mandates – Improving Partnerships

SB 204 (Pavley):

- **Youth Groups**

Authorizes the Department to enter into agreements with organizations that serve youth (like student conservation association) to train young people on being park leaders and stewards by providing opportunities to work on restoration and conservation projects

Authorizes the use of state funds, if available, and exempts these agreements from sections of the Public Contract Code regarding service agreements

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Tools not Mandates – Improving Partnerships

AB 549 (Levine):

- **Cabins**

Authorizes the Department to enter into agreements with non-profit partners to install and permit cabins and parking facilities for recreational vehicles, consistent with the general plan of a unit

Authorizes the Department to accept buildings, facilities, and other improvements as gifts to the State.

- **Donor Agreements**

Clarifies Department's authority to enter into agreements for restoration, repair, development, improvement, or enhancement of a park unit.

Clarifies that the Department may offer free or reduced cost access to facilities with entities with agreements with the state, so long as the public benefit of the agreement exceeds or is of equal value to the use of facilities granted.

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Tools not Mandates – Natural and Cultural Resource Management

SB 204 (Pavley):

- **State Park System**

Recognizes CA State Parks' role in preserving natural and cultural resources and promotes its use in a manner that conserves the scenery, natural and historic resources and wildlife in the individual units of the system for the enjoyment of future generations

- **Historical Building Restoration**

Increases the project threshold in Public Contract Code §10110 from \$25,000 to \$50,000 for the Department's requirement to solicit bids for historic restoration projects

- **General Plans**

Authorizes the Department to prepare a development plan in lieu of a general plan when improvements are necessary to comply with public service delivery obligations, operational or code compliance upgrades, or resource preservation requirements.

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Tools not Mandates – Revenue Generation

AB 549 (Levine):

- **Concessions**

Increases the gross revenue threshold of concession contracts which require Legislative approval from \$500,000 to \$1 million.

Eliminates requirement that these contracts be reviewed only once a year through the annual budget process.

New process provides 30 day review of the contract by the appropriate policy and fiscal committees of the Legislature and the Joint Legislative Budget Committee.

Result is that these contracts can be implemented year-round vs. annually on July 1st of each year.

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Conclusion

New laws offer the department tools, clarifications in statute, and guidance which will give us the ability to be better partners, more flexible in our approach to operations, and move towards the positive change recommended by the Legislature, Parks Forward Commission, Department and Transformation Team

Questions

If you have any questions regarding this presentation, please reach out to Liz McGuirk at liz.mcguirk@parks.ca.gov.