

2010

ESTABLISHES \$18 ANNUAL VEHICLE  
LICENSE SURCHARGE TO HELP FUND  
STATE PARKS AND WILDLIFE PROGRAMS.  
GRANTS SURCHARGED VEHICLES FREE  
ADMISSION TO ALL STATE PARKS

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ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS California Proposition 21 (2010).

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# ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE.

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

## ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE.

- Requires deposit of surcharge revenue in a new trust fund and requires that trust funds be used solely to operate, maintain and repair state parks and to protect wildlife and natural resources.
- Exempts commercial vehicles, trailers and trailer coaches from the surcharge.
- Requires annual audit by the State Auditor and review by a citizens oversight committee.

### Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- Increased state revenues of about \$500 million annually from an annual surcharge on vehicle registrations.
- New revenues would be used to offset about \$50 million loss of park day-use fee revenues, and could be used to replace up to \$200 million annually from existing state funds currently spent on state parks and wildlife conservation programs.
- **Increased funding for state parks and wildlife conservation of at least \$250 million annually.**

## ANALYSIS BY THE LEGISLATIVE ANALYST

### BACKGROUND

***The State Park System and State Wildlife Conservation Agencies.*** California has 278 state parks, of which 246 are operated and maintained by the California Department of Parks and Recreation (DPR) and 32 by local entities. Other state departments, such as the Department of Fish and Game (DFG) and various state conservancies, own and maintain other lands for wildlife conservation purposes. The State Wildlife Conservation Board acquires property and provides grants for property acquisition to state and local entities for wildlife conservation purposes. The Ocean Protection Council is a state agency responsible for coordinating state activities to protect ocean resources.

***Funding for State Parks and Wildlife Conservation.*** Over the last five years, state funding for the operation of state parks has been around \$300 million annually. Of this amount, about \$150 million has come from the General Fund, with the balance coming largely from park user fees (such as admission, camping, and other

use fees) and state gasoline tax revenues. The development of new state parks and capital improvements to existing parks are largely funded from bond funds that have been approved in the past by voters. There is a significant backlog of maintenance projects in state parks, which have no dedicated annual funding source. The DPR also administers grant programs for local parks, funded largely through bond funds.

Wildlife conservation programs in various other state departments, such as DFG, are funded through a combination of the General Fund, regulatory fees, and bond funds. State funding for wildlife conservation program operations is around \$100 million per year. Bond funds are the primary funding source for land acquisitions and other capital projects for wildlife conservation purposes.

***Annual Vehicle Registration Fees.*** The state collects a number of charges annually when a person registers a vehicle. The Department of Motor Vehicles (DMV) collects these revenues on behalf of the state.

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ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

**PROPOSAL**

**Imposition of an \$18 Surcharge on Vehicle Registrations.** This measure places an \$18 annual surcharge on all vehicles registered on or after January 1, 2011, except for commercial vehicles, trailers, and trailer coaches. The surcharge would be collected when annual vehicle registration fees are paid. These surcharge revenues would be deposited into the newly created State Parks and Wildlife Conservation Trust Fund. The measure expressly prohibits these funds from being used for purposes other than state parks and wildlife conservation.

**Free Day-Use Entry to All State Parks for Surcharge Payers.** Typically, most state parks charge a vehicle day-use fee that covers entry into the park and parking. Currently, this single fee is in the range of \$5 to \$15 per day depending on the park and the time of year. Under this measure, all California vehicles subject to the surcharge

would have free vehicle admission, parking, and day-use at all units of the state parks system, including state parks currently operated by local entities, as well as to other specified state lands and wildlife areas. State parks would still be able to charge fees for camping, tours, and other activities.

**Allocation of Funds.** This measure allows up to 1 percent of the revenues deposited into the trust fund to be used for certain administrative and oversight activities, discussed further below. The remaining funds in the trust fund would be allocated each year, upon appropriation by the Legislature, to various park and wildlife conservation-related programmatic purposes. As shown in Figure 1, these surcharge revenues would be allocated as follows:

- **Operations, Maintenance, and Development of State Parks.** Eighty-five percent of the funds would be allocated to DPR for the operations, maintenance, and

**Figure 1**  
**Proposition 21: Allocation of Surcharge Revenues Among State Parks and Wildlife Programs**

(In Millions)

Purpose	Allocation	Estimate of Annual Funding
<b>Operations, Maintenance, and Development of State Parks:</b>		
• General state park funding	76%	\$375
• Grants to local agencies for lost fee revenue	5	25
• Grants for urban river parkways	4	20
Subtotals	(85%)	(\$420)
<b>Wildlife Conservation Activities:</b>		
• Management and operation of Department of Fish and Game lands	7%	\$35
• Ocean Protection Council	4	20
• State land conservancies	2	10
• Wildlife Conservation Fund	2	10
Subtotals	(15%)	(\$75)
<b>Totals, Allocations to State Parks and Wildlife Programs</b>	<b>100%</b>	<b>\$495</b>
<b>Administration and Oversight<sup>a</sup></b>	—	\$5
<b>Total Allocations</b>		<b>\$500</b>

<sup>a</sup> One percent of total revenues from the surcharge would be allocated for administration costs in the Department of Motor Vehicles, the Bureau of State Audits, and the Natural Resources Agency.

development of the state parks system. From this amount, the department would award grants to local entities to replace the loss of day-use fees at locally operated state park units. (As we discuss below, some fee revenues would no longer be collected because this measure would now allow certain vehicles free access to these parks.) From this amount, the department would also provide grants to public agencies for urban river parkways to provide recreational benefits to underserved urban communities. The measure requires DPR to develop a strategic plan to improve access to the state parks system for underserved groups and regions of the state.

- **Management and Operation of DFG Lands.** Seven percent of the funds would be allocated to DFG for the management and operation of wildlife refuges, ecological reserves, and other DFG lands.
- **Other Wildlife Conservation Activities.** Additional funds would be allocated to other wildlife conservation activities, in some cases for state-operated programs but in other cases for grants to local agencies. Four percent would be allocated to the Ocean Protection Council, 2 percent to state conservancies, and 2 percent to the Wildlife Conservation Board.

**Administration and Oversight.** As discussed above, this measure allows for up to 1 percent of annual revenues to be used for collection, administration, auditing, and oversight of the trust fund. The DMV would collect the surcharge and would deposit it into the trust fund. The measure requires the State Auditor to conduct annual audits of expenditures from the fund to be reported to the Legislature and made publicly available. It also directs the Secretary for Natural Resources to establish a Citizens Oversight Committee that would review the audits and issue

reports on how the measure is being implemented and its effectiveness in protecting state parks and natural resources.

## FISCAL EFFECTS

**New State Revenues.** The \$18 surcharge established by this measure would generate about \$500 million in revenues annually for the trust fund. This amount would grow in line with any increases in the number of annual vehicle registrations.

**Net Increase in Funding for State Parks and Wildlife Conservation.** The \$500 million in annual revenues from the \$18 surcharge is a new source of funds for state parks and wildlife conservation. However, not all of these monies would have to be used to expand programs and carry out new projects. A portion of these new revenues could be used instead to take the place of existing funds, such as monies from the General Fund, currently used for the support of parks and wildlife conservation activities. The savings to the General Fund and other special funds could be as much as \$200 million annually. Also, since all California vehicles subject to the surcharge would receive free day-use entry to state parks, revenues from day-use fees at state parks (including those operated by local governments) would decline by an estimated \$50 million annually.

Accounting for all of these factors, the *net* increase in funding for state parks and wildlife conservation programs would probably be at least \$250 million annually. A majority of this amount would go to state parks and could be used to address the significant deferred maintenance in state parks or to develop and enhance existing park programs. The remainder of the new funding would be available to enhance the management of state lands for wildlife conservation purposes and for new wildlife habitat restoration projects (for example, marine habitat protection).

**PROP**  
**21** ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND  
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**ANALYSIS BY THE LEGISLATIVE ANALYST**

**CONTINUED**

In addition, state parks may receive additional revenues from other types of park fees, such as from tours, camping, and park concessions. That

is because the elimination under this measure of day-use fees would result in a larger number of visits to park facilities.

**PROP 21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE.**

★ ARGUMENT IN FAVOR OF PROPOSITION 21 ★

CALIFORNIA'S STATE PARKS AND BEACHES ARE IN PERIL.

Sacramento politicians have repeatedly cut funding for California's state parks and beaches in every region of our state. Parks and wildlife are now at immediate risk.

150 state parks were closed part-time or suffered deep service reductions during the past year. Our park facilities are poorly maintained, unsanitary and falling apart.

With no reliable funding, state parks have accumulated a backlog of more than \$1 billion in maintenance and repairs. Cuts in ranger and lifeguard positions have reduced safety and increased crime. The National Trust for Historic Preservation named California state parks among the 11 most endangered places in America.

**PROP. 21 KEEPS STATE PARKS AND BEACHES OPEN, WELL-MAINTAINED AND SAFE.**

Prop. 21 gives California vehicles free day-use admission to state parks and beaches by establishing a new \$18 vehicle license fee, paid just once a year, that's solely dedicated to state parks and wildlife conservation. This immediately-needed and dedicated funding source will prevent the shutdown of our parks and beaches and ensure they are properly maintained and safe for public use.

**PROP. 21 PROTECTS JOBS AND BOOSTS CALIFORNIA'S ECONOMY.**

California's state parks receive more than 80 million visits from residents and tourists every year, supporting tens of thousands of jobs and generating billions in business and tax revenues for nearby communities and our state. By keeping parks open, Prop. 21 preserves very important jobs and revenues.

**PROP. 21 PROTECTS IRREPLACEABLE NATURAL AREAS, OCEAN AND WILDLIFE HABITATS.**

In addition to keeping our state parks and beaches open and safe, Prop. 21 provides essential funding for wildlife and ocean conservation programs, helping preserve natural areas and improve the state's air and water quality.

**PROP. 21 CREATES A TRUST FUND FOR PARKS THAT POLITICIANS CAN'T TOUCH.**

Prop. 21 contains tough fiscal and accountability safeguards to protect the voters' investment, including a Citizen's Oversight Committee and annual audits. The revenues will go into a special Trust Fund specifically dedicated to the operation and maintenance of state parks and beaches, the protection and safety of visitors, and the preservation of natural areas and wildlife. Under Prop. 21, the money in this Trust Fund cannot be redirected by politicians to their pet projects.

**PROP. 21 PRESERVES CALIFORNIA'S PARKS AS A LEGACY FOR OUR CHILDREN AND GRANDCHILDREN.**

Our state parks and beaches—and the forests, wildlife, and historic and natural resources they protect—are part of what makes California unique. If we allow them to be degraded or shut down, they cannot be replaced.

Prop. 21 will keep state parks open, properly maintained and safe, preserve the opportunities they provide for family recreation, help our economy, and protect jobs.

Early supporters include the Ocean Conservancy, California Teachers Association, Latino Health Access, Public Health Institute, California Travel Industry Association, California State Parks Foundation, California State Lifeguard Association and local businesses and chambers of commerce throughout the state. Vote Yes For State Parks and Wildlife Conservation—YES on 21.

[www.YesForStateParks.com](http://www.YesForStateParks.com)

**JIM ADAMS**, Regional Executive Director, Pacific Region  
National Wildlife Federation

**MIKE SWEENEY**, Executive Director  
The Nature Conservancy California

**PAMELA JO ARMAS**, President  
California State Park Rangers Association

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 21 ★

While appearing well intended, Prop. 21 is designed to trick you into bringing back the "Car Tax."

Politicians may not be able to "raid" these funds, but they can definitely take existing state park money and put those dollars into other wasteful projects. In fact, during a budget hearing, *a senator openly encouraged taking more money from parks so voters would want to raise the car tax with Prop. 21.*

Prop. 21 represents wrong priorities.

Prop. 21 is just more "ballot box budgeting" that raises your taxes without addressing California's most urgent issues. While state parks are a wonderful resource, is this really the time to pay more for parks while schools, universities and road construction are ignored?

Real reform is needed to fix our chronic budget woes. Pension reform, a spending limit and a real "rainy day" reserve would be

useful reforms to relieve California's rising debt. Prop. 21 offers no solutions or reforms. It only offers a higher car tax with no guarantee that state park funding will actually increase.

Prop. 21 is deceptively written. While paying the new car tax will allow you to enter state parks, the measure still *allows for new additional fees inside the park.* It could easily cost more than ever to visit a state park.

Say NO to higher taxes and bad priorities. Vote NO on Prop. 21.

**MICHELLE STEEL**, Member  
State Board of Equalization

**PETER FOY**, California Chairman  
Americans for Prosperity

**PROP 21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE.**

**★ ARGUMENT AGAINST PROPOSITION 21 ★**

State parks are some of California's true jewels, but Proposition 21 is a cynical ploy by Sacramento insiders to bring back the "Car Tax" to the tune of \$1 billion every two years—according to the venerable watchdog, the Legislative Analyst's Office.

*Say NO to the "Car Tax" and vote NO on Proposition 21.*

Instead of reducing the size of government to fit these difficult times, this new car tax will allow politicians to play a cynical budget shell game that could still leave our state parks dilapidated while diverting hundreds of millions of dollars into other government programs.

Veteran Sacramento Bee columnist Dan Walters recently exposed the politicians' car tax scheme by reporting that a state senator had argued for eliminating \$140 million from the state parks' budget so that you, the voter, would be more likely to vote for Proposition 21.

Walters quotes Senator Alan Lowenthal telling a legislative committee:

"Why would anyone vote for the park pass (Prop. 21) if we've already fully funded it (state parks)? I mean why do you need to vote for a park pass if we're fully funded?"

Walters rightly concluded that Lowenthal's comments "let the cat out of the bag."

This stunning insight into what goes on in the Capitol is galling, exposes the cynical shell game, and reveals the depths to which politicians will plunge to deceive voters and increase taxes.

Clearly, the real agenda the politicians have for Proposition 21 is to fool you into approving a car tax for state parks so that they can shift money towards other wasteful spending.

*Send the politicians a message with a NO vote on Proposition 21.*

California's most trusted taxpayer protection organizations are opposed to Proposition 21.

The California Taxpayers' Association opposes Proposition 21. The Howard Jarvis Taxpayers Association opposes Proposition 21.

"As well intended as this measure may appear, Prop. 21 is nothing more than a \$1 billion car tax every two years on Californians while offering no guarantee that state parks will be repaired or kept open.

"But even worse, voting for Prop. 21 only enables and encourages the Sacramento politicians to maintain their wasteful spending while finding deceptive ways to increase our taxes. Vote NO on Prop. 21." —Jon Coupal, President, Howard Jarvis Taxpayers Association

*Join these taxpayer advocates in voting NO on Proposition 21.*

Sacramento needs real budget reform and real solutions. Proposition 21 is just more "ballot box budgeting" that makes Sacramento dysfunctional. We need to hold the politicians accountable and force them to do their jobs for us.

Proposition 21 just promotes more budget chaos and politics as usual and doesn't address the most pressing problems in California like education and job creation.

Proposition 21 may seem well intended but don't be fooled. It's just Sacramento politics as usual and a sneaky way to increase our taxes by \$1 billion every two years.

*Say NO to Sacramento. Say NO to car taxes. Vote No on Proposition 21.*

**PETER FOY**, California Chairman  
Americans for Prosperity

**MICHELLE STEEL**, Member  
California Board of Equalization

**★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 21 ★**

**SACRAMENTO POLITICIANS HAVE DEVASTATED STATE PARKS AND WILDLIFE CONSERVATION PROGRAMS**

California state parks attract more than 80 million visits from residents and tourists annually, and generate enormous economic and public health benefits for our state and nearby communities.

Yet state parks have suffered in recent years at the whim of Sacramento politicians, attacking parks with erratic, severe and damaging funding cuts.

The impacts of Sacramento's neglect are devastating . . . parks closed, dirty and unsafe bathrooms, contaminated drinking water, buildings falling apart, dangerous and eroding trails, and delayed maintenance that only costs us more in the long run.

The price tag for backlogged maintenance: more than \$1 billion.

The effects of closed and deteriorating parks, including lost jobs and revenues, ripple throughout California.

**PROP. 21 ESTABLISHES A TRUST FUND—KEEPS PARKS OPEN AND PROTECTS TAXPAYERS**

A coalition of citizens and respected organizations put Prop. 21 on the ballot as a solution. Prop. 21 creates a special Trust Fund that can only be used to maintain our parks and wildlife

conservation programs. Prop. 21 mandates strict accountability, including a Citizens' Oversight Committee and annual audits, to ensure funds are properly spent and the Trust Fund cannot be raided by politicians for pet projects.

**DIVERSE AND RESPECTED COALITION SUPPORTS PROP. 21**

A bipartisan group of 300 organizations, representing millions of Californians, supports Prop. 21, including:

- California Federation of Teachers;
- California League of Conservation Voters;
- California Nurses Association;
- California State Lifeguard Association;
- League of California Afterschool Providers;
- Local chambers of commerce.

YES on 21. [www.YesForStateParks.com](http://www.YesForStateParks.com)

**GRAHAM CHISHOLM**, Executive Director  
Audubon California

**JAN LEWIS**, State Chair  
California Action for Healthy Kids

**ELIZABETH GOLDSTEIN**, President  
California State Parks Foundation

certified map violates this Constitution, the United States Constitution, or any federal or state statute, the court shall fashion the relief that it deems appropriate, *including, but not limited to, the relief set forth in subdivision (j) of Section 2.*

SEC. 4. Conflicting Ballot Propositions.

(a) In the event this measure and another measure or measures relating to the redistricting of Senatorial, Assembly, congressional, or Board of Equalization districts are approved by a majority of voters at the same election, and this measure receives a greater number of affirmative votes than any other such measure or measures, this measure shall control in its entirety and the other measure or measures shall be rendered void and without any legal effect. If this measure is approved by a majority of the voters but does not receive a greater number of affirmative votes than the other measure or measures, this measure shall take effect to the extent permitted by law.

(b) If this measure is approved by voters but is superseded in whole or in part by the provisions of any other conflicting measure approved by the voters and receiving a greater number of affirmative votes at the same election, and the conflicting measure or any superseding provisions thereof are subsequently held to be invalid, the formerly superseded provisions of this measure shall be self-executing and given full force of law.

SEC. 5. Severability.

The provisions of this act are severable. If any provision of this act or its application is held to be invalid, that invalidity shall not affect other provisions or applications that can be given effect in the absence of the invalid provision or application.

**PROPOSITION 21**

This initiative measure is submitted to the people in accordance with the provisions of Article II, Section 8, of the California Constitution.

This initiative measure adds sections to the Public Resources Code and the Revenue and Taxation Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

**PROPOSED LAW**

State Parks and Wildlife Conservation Trust Fund Act

The people of the State of California find and declare all of the following:

- (1) California’s natural resources and wildlife must be preserved and protected for future generations.
- (2) The California state park system is essential to protecting these resources for the people of California. Along with the wildlife protection and conservation agencies of the state, the state park system is responsible for preserving the state’s unique wildlife, natural lands, and ocean resources.
- (3) Persistent underfunding of the state park system and wildlife conservation has resulted in a backlog of more than a billion dollars in needed repairs and improvements, and threatens the closure of parks throughout the state and the loss of protection for many of the state’s most important natural and cultural resources, recreational opportunities, and wildlife habitat.
- (4) California’s state park system benefits all Californians by providing opportunities for recreation, nature education, and preservation of cultural and historic landmarks, and by protecting

natural resources that improve the state’s air and water quality.

(5) Californians deserve a world-class state park system that will preserve and protect the unique natural and cultural resources of the state for future generations.

(6) Rebuilding the state park system and protecting the state’s wildlife resources will grow California’s economy and create jobs by drawing millions of tourists each year to contribute to the state’s multibillion-dollar tourism economy.

(7) It is the intent of the people in enacting this measure to protect the state’s resources and wildlife by establishing a stable, reliable, and adequate funding source for the state park system and for wildlife conservation, and to provide increased and equitable access to those resources for all Californians.

(8) It is further the intent of the people that the state park system be operated and maintained at a level of excellence, allow increased access to state parks for all Californians while continuing to charge out-of-state visitors for the use of state parks, and protect the state’s natural and cultural resources, recreational opportunities, and wildlife for future generations.

SECTION 1. Chapter 1.21 (commencing with Section 5081) is added to Division 5 of the Public Resources Code, to read:

*CHAPTER 1.21. STATE PARKS AND WILDLIFE CONSERVATION TRUST FUND ACT*

*Article 1. Trust Fund*

*5081. There is hereby established the State Parks and Wildlife Conservation Trust Fund in the State Treasury. All money deposited in the fund shall be held in trust for the people of the State of California and used solely for the purposes of this chapter. The moneys in the fund shall be available for appropriation only for the following purposes:*

- (a) Operation, maintenance, and repair of facilities, including visitor centers, restrooms, campsites, and ranger stations, in the state park system.*
- (b) Wildlife conservation and protection of natural resources, including forests, other natural lands, and lands that provide clean water, clean air, and protect the health of people and nature.*
- (c) Expanding public access to the state park system and natural areas through outreach, public education, improved transportation access and providing for the safety and security of park visitors.*
- (d) Development, management, and expansion of state park units and facilities as needed to provide and enhance public access and recreational opportunities.*
- (e) Protecting rivers, lakes, streams, coastal waters, and marine resources.*
- (f) Grants to local agencies that operate units of the state park system to offset the loss of day use revenues as provided in this chapter, and to state and local agencies that manage river parkways.*
- (g) Protecting and restoring state park cultural and historical resources.*
- (h) Auditing and oversight of the implementation of this chapter to ensure that funds are only spent in accordance with the provisions of this chapter and are not diverted or misspent.*
- (i) Other costs related to the operation and management of the state park system.*
- (j) Collection costs for the State Parks Access Pass.*

*5082. The Department of Parks and Recreation shall prepare a strategic plan to improve access to the state park system that addresses the needs of each region of the state and identifies*

programs and policies consistent with this chapter to improve access to state parks and state park services and benefits to underserved groups and regions.

5082.5. For the purposes of this chapter, “fund” means the State Parks and Wildlife Conservation Trust Fund.

5082.6. For the purposes of this chapter, “department” means the Department of Parks and Recreation.

5082.7. For the purposes of this chapter, “wildlife” has the same meaning as provided in Section 711.2 of the Fish and Game Code.

#### Article 2. Fiscal Accountability and Oversight

5085. (a) The State Parks and Wildlife Conservation Trust Fund shall be subject to an annual independent audit by the State Auditor that shall be released to the public, placed on the department’s Internet Web site, and submitted to the Legislature for review as part of the state budget.

(b) Up to 1 percent of the annual revenues of the fund may be used for auditing, oversight, and administrative costs of this article and costs for collection of the State Parks Access Pass.

(c) The Secretary of Natural Resources shall establish the Citizens Oversight Committee to review the annual audit and issue a public report on the implementation of this chapter and its effectiveness at protecting state parks and natural resources. Members shall include citizens with expertise in business and finance, park management, natural resource protection, cultural and historical resource protection, and other disciplines as may be deemed necessary by the secretary.

5085.5. Funds deposited into the State Parks and Wildlife Conservation Trust Fund, together with any interest earned by the fund, shall be used solely for the purpose of this chapter and shall not be subject to appropriation, reversion, or transfer for any other purpose, shall not be loaned to the General Fund or any other fund for any purpose, and shall not be used for the payment of interest, principal, or other costs related to general obligation bonds.

5086. Notwithstanding any other provision of law, all state park fee and concession revenues shall be deposited into the State Parks and Recreation Fund pursuant to Section 5010, and, together with any interest earned thereon, shall be available for appropriation only to the department for operation, management, planning, and development of the state park system and shall not be subject to appropriation, reversion, or transfer for any other purpose, shall not be loaned to the General Fund or any other fund for any purpose, and shall not be used for the payment of interest, principal, or other costs related to general obligation bonds.

5086.5. It is the intent of the people in enacting this chapter to provide a stable and adequate level of funding to the department. General Fund moneys used to support the department may be reallocated to other uses if the Legislature determines that the financial resources provided from the State Parks and Wildlife Conservation Trust Fund and the State Parks and Recreation Fund are adequate to fully maintain and operate the state park system.

#### Article 3. State Parks Access Pass

5087. (a) All California vehicles subject to the State Parks Access Pass shall have free admission to all units of the state park system and to designated state lands and wildlife areas as provided in this chapter.

(b) For the purposes of this section, “free admission” means free vehicle admission, parking, and day use at all units of the state park system and shall be subject only to those limitations as the

department deems necessary to manage the state park system to avoid overcrowding and damage to natural and cultural resources and for public health and safety. Other state and local agencies shall designate those lands whose management and operation is funded pursuant to this chapter for free vehicle access where that access is consistent with the management objectives of the land. As used in this subdivision, free admission does not include camping, tour fees, swimming pool fees, the use of boating facilities, museum and special event fees, any supplemental fees, or special event parking fees.

5087.1. The department shall issue rebates of the State Parks Access Pass surcharge to veterans who qualify for a park fee exemption pursuant to Section 5011.5.

#### Article 4. Allocation of State Parks and Wildlife Conservation Trust Fund Revenues

5088. Except for the costs pursuant to Article 2 (commencing with Section 5085) of audits, oversight, and collection costs, all funds deposited in the State Parks and Wildlife Conservation Trust Fund shall be allocated only to the following agencies and as provided in this section:

(a) Eighty-five percent shall be available for appropriation from the fund to the department. Except for costs for grants and grant management pursuant to Section 5088.1, all funds allocated for appropriation to the department shall be used only for operation, management, planning, and development of the state park system.

(b) Seven percent shall be available for appropriation from the fund to the Department of Fish and Game for the management and operation of wildlife refuges, ecological reserves, and other lands owned or managed by the Department of Fish and Game for wildlife conservation.

(c) Four percent shall be available for appropriation from the fund to the Ocean Protection Council for marine wildlife conservation and the protection of coastal waters, with first priority given to the development, operation, management, and monitoring of marine protected areas.

(d) Two percent shall be available for appropriation from the fund to state conservancies for management, operation, and wildlife conservation on state lands that are managed for park and wildlife habitat purposes by those conservancies. A state conservancy may provide grants to a local agency that assists the conservancy in managing state-owned lands under that conservancy’s jurisdiction.

(e) Two percent shall be available for appropriation from the fund to the Wildlife Conservation Board for grants to local public agencies for wildlife conservation.

5088.1. The department shall develop and administer a program of grants to public agencies to enhance the operation, management, and restoration of urban river parkways providing recreational benefits and access to open space and wildlife areas to underserved urban communities. The department shall allocate each year an amount equal to 4 percent of the funds deposited in the State Parks and Wildlife Conservation Trust Fund from the funds the department receives pursuant to subdivision (a) of Section 5088. For the purposes of this section, “public agencies” means state agencies, cities, counties, cities and counties, local park districts, and joint powers authorities. In consultation with the California River Parkways Program (Chapter 3.8 (commencing with Section 5750)), the department shall adopt best management practices for the stewardship, operation, and management of urban river parkways. The department shall consider those best

management practices and providing continuity of funding for urban river parkways when allocating grant funds pursuant to this section. The department shall give highest priority for grants to urban river parkways that benefit the most underserved communities.

5088.2. The department shall provide grants to local agencies operating units of the state park system to assist in the operation and maintenance of those units. The department shall first grant available funds to local agencies operating units of the state park system that, prior to the implementation of this chapter, charged entry or parking fees on vehicles, and shall allocate any remaining funds, on a prorated basis, to local agencies to assist in the operation and maintenance of state park units managed by local agencies, based on the average annual operating expenses of those units over the three previous years, as certified by the chief financial officer of that local agency. Of the funds provided in subdivision (a) of Section 5088, an amount equal to 5 percent of the amount deposited in the fund shall be available for appropriation for the purposes of this section. The department shall develop guidelines for the implementation of this section.

5089. For the purposes of this chapter, eligible expenditures for wildlife conservation include direct expenditures and grants for operation, management, development, restoration, maintenance, law enforcement and public safety, interpretation, costs to provide appropriate public access, and other costs necessary for the protection and management of natural resources and wildlife, including scientific monitoring and analysis required for adaptive management.

5090. Funds provided pursuant to this chapter, and any appropriation or transfer of those funds, shall not be deemed to be a transfer of funds for the purposes of Chapter 9 (commencing with Section 2780) of Division 3 of the Fish and Game Code.

SEC. 2. Section 10751.5 is added to the Revenue and Taxation Code, to read:

10751.5. (a) Except as provided in subdivision (b), in addition to the license fee imposed pursuant to Section 10751, for licenses and renewals on or after January 1, 2011, there shall also be imposed an annual surcharge, to be called the State Parks Access Pass, in the amount of eighteen dollars (\$18) on each vehicle subject to the license fee imposed by that section. All revenues from the surcharge shall be deposited into the State Parks and Wildlife Conservation Trust Fund pursuant to subdivision (a) of Section 5081 of the Public Resources Code.

(b) The surcharge established in subdivision (a) shall not apply to the following vehicles:

(1) Vehicles subject to the Commercial Vehicle Registration Act (Section 4000.6 of the Vehicle Code).

(2) Trailers subject to Section 5014.1 of the Vehicle Code.

(3) Trailer coaches as defined by Section 635 of the Vehicle Code.

## PROPOSITION 22

This initiative measure is submitted to the people of California in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure amends, amends and renumbers, repeals, and adds sections to the California Constitution; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

### PROPOSED LAW

Section 1. Title.

This act shall be known and may be cited as the “Local Taxpayer, Public Safety, and Transportation Protection Act of 2010.”

Section 2. Findings and Declarations.

The people of the State of California find and declare that:

(a) In order to maintain local control over local taxpayer funds and protect vital services like local fire protection and 9-1-1 emergency response, law enforcement, emergency room care, public transit, and transportation improvements, California voters have repeatedly and overwhelmingly voted to restrict state politicians in Sacramento from taking revenues dedicated to funding local government services and dedicated to funding transportation improvement projects and services.

(b) By taking these actions, voters have acknowledged the critical importance of preventing State raids of revenues dedicated to funding vital local government services and transportation improvement projects and services.

(c) Despite the fact that voters have repeatedly passed measures to prevent the State from taking these revenues dedicated to funding local government services and transportation improvement projects and services, state politicians in Sacramento have seized and borrowed billions of dollars in local government and transportation funds.

(d) In recent years, state politicians in Sacramento have specifically:

(1) Borrowed billions of dollars in local property tax revenues that would otherwise be used to fund local police, fire and paramedic response, and other vital local services;

(2) Sought to take and borrow billions of dollars in gas tax revenues that voters have dedicated to on-going transportation projects and tried to use them for non-transportation purposes;

(3) Taken local community redevelopment funds on numerous occasions and used them for unrelated purposes;

(4) Taken billions of dollars from local public transit like bus, shuttle, light-rail, and regional commuter rail, and used these funds for unrelated state purposes.

(e) The continued raiding and borrowing of revenues dedicated to funding local government services and dedicated to funding transportation improvement projects can cause severe consequences, such as layoffs of police, fire and paramedic first responders, fire station closures, healthcare cutbacks, delays in road safety improvements, public transit fare increases, and cutbacks in public transit services.

(f) State politicians in Sacramento have continued to ignore the will of the voters, and current law provides no penalties when state politicians take or borrow these dedicated funds.

(g) It is hereby resolved, that with approval of this ballot initiative, state politicians in Sacramento shall be prohibited from seizing, diverting, shifting, borrowing, transferring, suspending, or otherwise taking or interfering with tax revenues dedicated to