

AMENDED IN ASSEMBLY APRIL 26, 2016

AMENDED IN ASSEMBLY APRIL 13, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2444

Introduced by Assembly Member Eduardo Garcia

February 19, 2016

An act to add Chapter 14 (commencing with Section 5880) to Division 5 of the Public Resources Code, relating to a parks, water, climate, and coastal protection and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

LEGISLATIVE COUNSEL'S DIGEST

AB 2444, as amended, Eduardo Garcia. California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016.

Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities.

This bill would enact the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016, which, if approved by the voters, would authorize the issuance of bonds in ~~an unspecified~~ *the amount of \$2,985,000,000* pursuant to the State General Obligation Bond Law to finance a parks, water, climate, and coastal protection and outdoor access for all program.

The bill would provide for the submission of these provisions to the voters at the November 8, 2016, statewide general election.

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

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

SECTION 1. Chapter 14 (commencing with Section 5880) is added to Division 5 of the Public Resources Code, to read:

CHAPTER 14. CALIFORNIA PARKS, WATER, CLIMATE, AND
COASTAL PROTECTION AND OUTDOOR ACCESS FOR ALL ACT OF
2016

Article 1. General Provisions

5880. (a) The people of California find and declare all of the following:

(1) From California's beautiful rivers, streams, coastal shorelines, and other waterways, to our federal, state, local, and regional parks and outdoor settings, to our vast network of trails connecting people with natural landscapes, Californians value the rich diversity of outdoor experiences afforded to this state and its citizens.

(2) There has not been a "true" park and outdoors bond approved by the voters of this state since 2002.

(3) Demand for local parks has exceeded available funding by a factor of 8 to 1, with particularly high demand in urban, disadvantaged communities.

(4) Many Californians across the state lack access to safe parks, trails, and recreation areas, which limits their ability to experience the outdoors, improve their physical and emotional health, exercise, and connect with their communities.

(5) Investments to create and improve parks and recreation areas, and to create trail networks that provide access from neighborhoods to parks and recreational opportunities, will help ensure all Californians have access to safe places to exercise and enjoy recreational activities.

(6) The California Center for Public Health Advocacy estimates that inactivity and obesity cost California over forty billion dollars

1 (\$40,000,000,000) annually, through increased health care costs
2 and lost productivity due to obesity-related illnesses, and that even
3 modest increases in physical activity would result in significant
4 savings. Investments in infrastructure improvements such as biking
5 and walking trails and pathways, whether in urban or natural areas,
6 are cost-effective ways to promote physical activity.

7 (7) Continued investments in the state's parks, trails, and natural
8 resources, and greening urban areas will mitigate the effects of
9 climate change, making cities more livable, and will protect
10 California's natural resources for future generations.

11 (8) California's outdoor recreation economy represents an
12 eighty-seven-billion-dollar (\$87,000,000,000) industry, providing
13 over 700,000 jobs and billions of dollars in local and state revenues.

14 (9) California's state, local, and regional park system
15 infrastructure and national park system infrastructure is aging out
16 and a significant infusion of capital is required to protect this
17 investment.

18 (10) There has been a historic underinvestment in parks, trails,
19 and outdoor infrastructure in disadvantaged areas and many
20 communities throughout California.

21 (11) Tourism is a growing industry in California and remains
22 an economic driver for the more rural parts of the state.

23 (b) It is the intent of the people of California that all of the
24 following shall occur in the implementation of this chapter:

25 (1) The investment of public funds pursuant to this chapter will
26 result in public benefits that address the most critical statewide
27 needs and priorities for public funding.

28 (2) In the appropriation and expenditure of funding authorized
29 by this chapter, priority will be given to projects that leverage
30 private, federal, or local funding or produce the greatest public
31 benefit.

32 (3) The funding authorized by this chapter will support
33 implementation of the recommendations contained in the Parks
34 Forward Commission Plan released in February 2015.

35 (4) To the extent practicable, a project that receives moneys
36 pursuant to this chapter will include signage informing the public
37 that the project received funds from the California Parks, Water,
38 Climate, and Coastal Protection and Outdoor Access For All Act
39 of 2016.

(5) To the extent practicable, when developing program guidelines for urban recreation projects and habitat protection or restoration projects, administering entities are encouraged to give favorable consideration to projects that provide urban recreation and protect or restore natural resources. Additionally, the entities may pool funding for these projects.

5880.01. The following definitions govern the construction of this chapter:

(a) “Committee” means the California Parks, Water, Climate, Coastal Protection, and Outdoor Access For All Finance Committee created by Section 5889.02.

(b) “Department” means the Department of Parks and Recreation.

(c) “Disadvantaged community” has the same meaning set forth in subdivision (g) of Section 75005.

(d) “District” means any regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3, any recreation and park district formed pursuant to Chapter 4 (commencing with Section 5780), or an authority formed pursuant to Division 26 (commencing with Section 35100). With respect to any community or unincorporated region that is not included within a district, and in which no city or county provides parks or recreational areas or facilities, “district” also means any other entity that is authorized by statute to operate and manage parks or recreational areas or facilities, employs a full-time park and recreation director, offers year-round park and recreation services on land and facilities owned by the entity, and allocates a substantial portion of its annual operating budget to parks or recreation areas or facilities.

(e) “Fund” means the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Fund, created by Section 5880.08.

(f) “Severely disadvantaged community” has the same meaning set forth in subdivision (g) of Section 75005.

5880.02. An amount that equals not more than 5 percent of the funds allocated for a grant program pursuant to this chapter may be used to pay the administrative costs of that program.

5880.03. (a) Except as provided in subdivision (b), up to 10 percent of funds allocated for each program funded by this chapter

1 may be expended for planning and monitoring necessary for the
2 successful design, selection, and implementation of the projects
3 authorized under that program. This section shall not otherwise
4 restrict funds ordinarily used by an agency for “preliminary plans,”
5 “working drawings,” and “construction” as defined in the annual
6 Budget Act for a capital outlay project or grant project. Planning
7 may include feasibility studies for environmental site cleanup that
8 would further the purpose of a project that is eligible for funding
9 under this chapter.

10 (b) Funds used for planning projects that benefit disadvantaged
11 communities may exceed 10 percent of the funds allocated if the
12 state agency administering the moneys determines that there is a
13 need for the additional funding.

14 5880.04. (a) At least 10 percent of the funds available pursuant
15 to each article of this chapter shall be allocated for projects serving
16 severely disadvantaged communities.

17 (b) Except as provided in subdivision (c), up to 10 percent of
18 the funds available pursuant to each article of this chapter may be
19 allocated for technical assistance to disadvantaged communities.
20 The agency administering the moneys shall operate a
21 multidisciplinary technical assistance program for small
22 disadvantaged communities.

23 (c) Funds used for providing technical assistance to
24 disadvantaged communities may exceed 10 percent of the funds
25 allocated if the state agency administering the moneys determines
26 that there is a need for the additional funding.

27 5880.05. Before disbursing grants pursuant to this chapter,
28 each state agency that receives funding to administer a competitive
29 grant program under this chapter shall do the following:

30 (a) Develop and adopt project solicitation and evaluation
31 guidelines. The guidelines shall include monitoring and reporting
32 requirements and may include a limitation on the dollar amount
33 of grants to be awarded. If the state agency has previously
34 developed and adopted project solicitation and evaluation
35 guidelines that comply with the requirements of this subdivision,
36 it may use those guidelines.

37 (b) Conduct three public meetings to consider public comments
38 before finalizing the guidelines. The state agency shall publish the
39 draft solicitation and evaluation guidelines on its Internet Web site
40 at least 30 days before the public meetings. One meeting shall be

1 conducted at a location in northern California, one meeting shall
2 be conducted at a location in the central valley of California, and
3 one meeting shall be conducted at a location in southern California.

4 (c) Submit the guidelines to the Secretary of the Natural
5 Resources Agency. The Secretary of the Natural Resources Agency
6 shall verify that the guidelines are consistent with applicable
7 statutes and for all the purposes enumerated in this chapter. The
8 Secretary of the Natural Resources Agency shall post an electronic
9 form of the guidelines submitted by state agencies and the
10 subsequent verifications on the Natural Resources Agency's
11 Internet Web site.

12 (d) Upon adoption, transmit copies of the guidelines to the fiscal
13 committees and the appropriate policy committees of the
14 Legislature.

15 5880.06. (a) The Department of Finance shall provide for an
16 independent audit of expenditures pursuant to this chapter. The
17 Secretary of the Natural Resources Agency shall publish a list of
18 all program and project expenditures pursuant to this chapter not
19 less than annually, in written form, and shall post an electronic
20 form of the list on the agency's Internet Web site.

21 (b) If an audit, required by statute, of any entity that receives
22 funding authorized by this chapter is conducted pursuant to state
23 law and reveals any impropriety, the California State Auditor or
24 the Controller may conduct a full audit of any or all of the activities
25 of that entity.

26 (c) The state agency issuing any grant with funding authorized
27 by this chapter shall require adequate reporting of the expenditures
28 of the funding from the grant.

29 5880.07. A project whose application includes the use of
30 services of the California Conservation Corps or certified
31 community conservation corps, as defined in Section 14507.5,
32 shall be given preference for receipt of a grant under this chapter.

33 5880.075. A project that includes water efficiencies, stormwater
34 capture, or carbon sequestration features in the project design may
35 be given priority for grant funding under this chapter.

36 5880.08. (a) The proceeds of bonds issued and sold pursuant
37 to this chapter shall be deposited in the California Parks, Water,
38 Climate, and Coastal Protection and Outdoor Access For All Fund,
39 which is hereby created in the State Treasury.

(b) Proceeds of bonds issued and sold pursuant to this chapter shall be allocated according to the following schedule:

(1) Nine hundred ninety-five million dollars (\$995,000,000) for purposes of Article 2 (commencing with Section 5881).

(2) Nine hundred ninety-five million dollars (\$995,000,000) for purposes of Article 3 (commencing with Section 5882), Article 4 (commencing with Section 5883), Article 5 (commencing with Section 5884), and Article 6 (commencing with Section 5885).

(3) Nine hundred ninety-five million dollars (\$995,000,000) for purposes of Article 7 (commencing with Section 5886), Article 7.5 (commencing with Section 5887), and Article 8 (commencing with Section 5888).

5880.09. The Legislature may enact legislation necessary to implement programs funded by this chapter.

Article 2. Investments in Environmental and Social Equity,
Enhancing California's Disadvantaged Communities

5881. (a) ~~The Pursuant to Section 5880.08, the sum of _____~~
~~nine hundred ninety-five million dollars (\$_____)~~ (\$995,000,000) shall be available to the department, upon appropriation by the Legislature, for the creation and expansion of safe neighborhood parks in park-poor neighborhoods in accordance with the Statewide Park Development and Community Revitalization Act of 2008's competitive grant program described in Chapter 3.3 (commencing with Section 5640).

(b) When developing or revising criteria or guidelines for the grant program, the department may consider the population densities of an applicant in relation to countywide populations, comparative income levels, and other poverty-related factors that are relative to regionwide statistics.

Article 3. Investments in Protecting, Enhancing, and Accessing
California's Local and Regional Outdoor Spaces

5882. (a) ~~The Pursuant to Section 5880.08, the sum of _____~~
dollars (\$_____) shall be available to the department, upon appropriation by the Legislature, for local park rehabilitation and improvement grants to local governments on a per capita basis. Grant recipients shall be encouraged to utilize awards to rehabilitate

1 existing infrastructure and to address deficiencies in neighborhoods
2 lacking access to the outdoors.

3 (b) Unless the entity has been identified as a disadvantaged
4 community, an entity that receives an award pursuant to this section
5 shall be required to provide a match of 20 percent as a local share.

6 5882.02. (a) (1) The department shall allocate 60 percent of
7 the funds available pursuant to subdivision (a) of Section 5882 to
8 cities and districts, other than a regional park district, regional park
9 and open-space district, or regional open-space district. Each city's
10 and district's allocation shall be in the same ratio as the city's or
11 district's population is to the combined total of the state's
12 population that is included in incorporated areas and unincorporated
13 areas within the district, except that each city or district shall be
14 entitled to a minimum allocation of _____ dollars (\$_____). If the
15 boundary of a city overlaps the boundary of a district, the
16 population in the overlapping area shall be attributed to each
17 jurisdiction in proportion to the extent to which each operates and
18 manages parks and recreational areas and facilities for that
19 population. If the boundary of a city overlaps the boundary of a
20 district, and in the area of overlap the city does not operate and
21 manage parks and recreational areas and facilities, all grant funds
22 for that area shall be allocated to the district.

23 (2) On or before April 1, 2018, a city and a district that are
24 subject to paragraph (1), and whose boundaries overlap, shall
25 collaboratively develop and submit to the department a specific
26 plan for allocating the grant funds in accordance with the formula
27 specified in paragraph (1). If, by that date, the plan has not been
28 developed and submitted to the department, the director shall
29 determine the allocation of the grant funds between the affected
30 jurisdiction.

31 (b) (1) The department shall allocate 40 percent of the funds
32 available pursuant to subdivision (a) of Section 5882 to counties
33 and regional park districts, regional park and open-space districts,
34 and regional open-space districts formed pursuant to Article 3
35 (commencing with Section 5500) of Chapter 3.

36 (2) Each county's allocation under paragraph (1) shall be in the
37 same ratio that the county's population is to the total state
38 population, except that each county shall be entitled to a minimum
39 allocation of _____ dollars (\$_____).

1 (3) In any county that embraces all or part of the territory of a
2 regional park district, regional park and open-space district, or
3 regional open-space district, and whose board of directors is not
4 the county board of supervisors, the amount allocated to the county
5 shall be apportioned between that district and the county in
6 proportion to the population of the county that is included within
7 the territory of the district and the population of the county that is
8 outside the territory of the district.

9 (c) For the purpose of making the calculations required by this
10 section, population shall be determined by the department, in
11 cooperation with the Department of Finance, on the basis of the
12 most recent verifiable census data and other verifiable population
13 data that the department may require to be furnished by the
14 applicant city, county, or district.

15 (d) The Legislature intends all recipients of funds pursuant to
16 subdivision (a) of Section 5882 to use those funds to supplement
17 local revenues in existence on the effective date of the act adding
18 this chapter. To receive an allocation pursuant to subdivision (a)
19 of Section 5882, the recipient shall not reduce the amount of
20 funding otherwise available to be spent on parks or other projects
21 eligible for funds under this chapter in its jurisdiction. A one-time
22 allocation of other funding that has been expended for parks or
23 other projects, but which is not available on an ongoing basis, shall
24 not be considered when calculating a recipient's annual
25 expenditures. For purposes of this subdivision, the Controller may
26 request fiscal data from recipients for the preceding three fiscal
27 years. Each recipient shall furnish the data to the Controller no
28 later than 120 days after receiving the request from the Controller.

29 5882.04. (a) The director of the department shall prepare and
30 adopt criteria and procedures for evaluating applications for grants
31 allocated pursuant to subdivision (a) of Section 5882. The
32 application shall be accompanied by certification that the project
33 is consistent with the park and recreation element of the applicable
34 city or county general plan or the district park recreation plan, as
35 the case may be.

36 (b) To utilize available grant funds as effectively as possible,
37 overlapping and adjoining jurisdictions and applicants with similar
38 objectives are encouraged to combine projects and submit a joint
39 application. A recipient may allocate all or a portion of its per
40 capita share for a regional or state project.

(c) The director of the department shall annually forward a statement of the total amount to be appropriated each fiscal year for projects approved for grants pursuant to this article to the Director of Finance for inclusion in the annual Budget Act. A list of eligible jurisdictions and the amount of grant funds to be allocated to each jurisdiction shall also be made available by the department.

(d) Funds appropriated pursuant to this article shall be encumbered by the recipient within three years from the date the appropriation is effective. Regardless of the date of encumbrance of the granted funds, the recipient is expected to complete all funded projects within eight years of the effective date of the appropriation.

5882.06. ~~The Pursuant to Section 5880.08, the sum of _____~~ dollars (\$____) shall be available to the department, upon appropriation by the Legislature, for grants to regional park districts, counties, open-space districts, open-space authorities, and eligible nonprofit organizations on a competitive grant basis to expand, rehabilitate, or restore parks and park facilities, including trails, that facilitate new or enhanced use and enhanced user experiences.

Article 4. Restoring California's Natural, Historic, and Cultural Legacy

5883. (a) ~~The Pursuant to Section 5880.08, the sum of _____~~ dollars (\$____) shall be available to the department, upon appropriation by the Legislature, for restoration and preservation of existing state park facilities and units to preserve and increase public access to those facilities and units and to protect the natural, cultural, and historic resources of those facilities and units.

(b) Of the amount made available pursuant to this section, not less than 80 percent shall be available for capital improvements that address the department's backlog of deferred maintenance.

(c) The amount made available pursuant to subdivision (a), less the amount made available for capital improvements pursuant to subdivision (b), shall be allocated as follows:

(1) The sum of _____ dollars (\$____) shall be available to the department for enterprise projects that facilitate new or enhanced

1 park use and user experiences and increase revenue generation to
2 support operations of the department.

3 (2) The sum of ____ dollars (\$____) shall be available to the
4 department for grants to local agencies that operate a unit of the
5 state park system.

6
7 Article 5. Trails and Waterfront Greenway Investment
8

9 5884. (a) ~~The Pursuant to Section 5880.08,~~ the sum of ____
10 dollars (\$____) shall be available to the Natural Resources
11 Agency, upon appropriation by the Legislature, for competitive
12 grants to local agencies, state conservancies, federally recognized
13 Native American tribes, nonfederally recognized California Native
14 American tribes listed on the California Tribal Consultation List
15 maintained by the Native American Heritage Commission, and
16 nonprofit organizations to provide nonmotorized infrastructure
17 development and enhancements that promote new or alternate
18 access to parks, waterways, outdoor recreational pursuits, and
19 forested or other natural environments to encourage health-related
20 commuting and opportunities for Californians to reconnect with
21 nature.

22 (b) Of the amount made available pursuant to this section, up
23 to 25 percent may be made available to communities for innovative
24 transportation programs that provide new and expanded outdoor
25 experiences to disadvantaged youth.

26 (c) Alignment, development, and improvement of nonmotorized
27 infrastructure and trails that lead to safer interconnectivity between
28 parks, waterways, and natural areas may be encouraged.

29 (d) The Natural Resources Agency is encouraged, when
30 designing guidelines, for grants awarded under this article, to utilize
31 existing program guidelines including, if applicable, guidelines
32 that have been established for the California Recreational Trails
33 Act (Article 6 (commencing with Section 5070) of Chapter 1) and
34 the Active Transportation Program (Chapter 8 (commencing with
35 Section 2380) of Division 3 of the Streets and Highway Code).

Article 6. Rural Recreation, Tourism, and Economic Enrichment
Investment

5885. (a) ~~The~~ Pursuant to Section 5880.08, the sum of _____ dollars (\$_____) shall be available to the department, upon appropriation by the Legislature, to administer a competitive grant program for cities, counties, and districts in nonurbanized areas, as defined in subdivision (e) of Section 5621, that are eligible for a grant under the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620)). In awarding the grants, the department may consider the following factors:

(1) Whether the project would provide new recreational opportunities in rural communities that have demonstrated deficiencies and lack of outdoor infrastructure in support of economic and health-related goals.

(2) Whether the project proposes to acquire and develop lands to enhance residential recreation while promoting the quality of tourism experiences and the economic vitality of the community. These enhancements may include trails, bikeways, regional or destination-oriented recreational amenities, and visitor centers.

(3) Whether the project includes collaboration between public and nonprofit organizations, including, but not limited to, nonprofit land trusts, to facilitate public access to privately-owned lands for regional trail development for wildlife viewing, recreation, or outdoor experiences for youth.

(b) Unless the entity has been identified as a disadvantaged community, an entity that receives an award under this article shall be required to provide a match of 20 percent.

Article 7. California Clean Water, Coastal, and Watershed
Cobenefit Program

5886. (a) ~~The~~ Pursuant to Section 5880.08, the sum of _____ dollars (\$_____) shall be available to the Natural Resources Agency, upon appropriation by the Legislature, for grants pursuant to the California River Parkway Act of 2004 (Chapter 3.8 (commencing with Section 5750)).

(b) Unless the entity has been identified as a disadvantaged community, an entity that receives an award under this article shall be required to provide a match of 20 percent.

(c) To maximize cooperation and leverage resources, the Natural Resources Agency may give priority to projects that include partnerships among federal, state, and local agencies and to projects proposed by nonprofit organizations, including, but not limited to, nonprofit land trusts.

(d) Not less than ___ percent of the amount made available pursuant to this section shall be allocated for project grants to protect and enhance an urban creek, as defined in subdivision (e) of Section 7048 of the Water Code, and its tributaries, pursuant to Division 22.8 (commencing with Section 32600), Division 23 (commencing with Section 33000), and Section 79508 of the Water Code. *Money allocated pursuant to this subdivision shall be equally divided between projects in areas described in Division 22.8 (commencing with Section 32600) and projects in areas described in Division 23 (commencing with Section 33000).*

Article 7.5. State Conservancy Funding

5887. ~~The~~ Pursuant to Section 5880.08, the sum of _____ dollars (\$_____) shall be available, upon appropriation by the Legislature, in accordance with the following schedule, to fulfill the purposes of the specified entity:

- (a) Baldwin Hills Conservancy, _____ dollars (\$_____).
- (b) California Tahoe Conservancy, _____ dollars (\$_____).
- (c) Coachella Mountains Conservancy, _____ dollars (\$_____).
- (d) Sacramento-San Joaquin Delta Conservancy, _____ dollars (\$_____).
- (e) Salton Sea Authority, _____ dollars (\$_____).
- (f) San Diego River Conservancy, _____ dollars (\$_____).
- (g) San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, _____ dollars (\$_____).
- (h) San Joaquin River Conservancy, _____ dollars (\$_____).
- (i) Santa Monica Mountains Conservancy, _____ dollars (\$_____).
- (j) Sierra Nevada Conservancy, _____ dollars (\$_____).
- (k) State Coastal Conservancy, _____ dollars (\$_____). Of this amount, not less than 40 percent shall go toward the San Francisco

1 Bay Area Conservancy Program (Chapter 4.5 (commencing with
2 Section 31160) of Division 21).

3 5887.02. The Legislature shall strive to consider population
4 size, land mass, and natural resource significance as factors when
5 determining the amount of any other funds to be given to an entity
6 described in Section 5887.

7

8 Article 8. Climate Preparedness and Habitat Resiliency

9

10 5888. ~~The Pursuant to Section 5880.08, the~~ sum of _____
11 dollars (\$_____) shall be available to plan, develop, and implement
12 climate adaptation and resiliency projects that improve a
13 community's ability to adapt to the unavoidable impacts of climate
14 change. Projects shall improve and protect coastal and rural
15 economies, agricultural viability, wildlife corridors, or habitat,
16 develop future recreational opportunities, or enhance drought
17 tolerance and water retention, in accordance with the following
18 schedule:

19 (a) _____ dollars (\$_____) shall be available to the Wildlife
20 Conservation Board for grants for the protection and expansion of
21 wildlife corridors, including projects to improve connectivity
22 between habitat areas, for projects to improve climate adaptation
23 and resilience of natural systems, and for projects to protect and
24 improve existing open-space corridors and trail linkages related
25 to utility or transportation infrastructure that provide habitat
26 connectivity and public access or trails.

27 (b) _____ dollars (\$_____) shall be available for deposit into the
28 California Climate Resilience Account, established pursuant to
29 Section 31012, for projects that assist coastal communities,
30 especially those reliant on commercial fisheries, with adaptation
31 to climate change, including projects that address ocean
32 acidification, sea level rise, or the protection of habitat associated
33 with the Pacific Flyway.

34 (c) _____ dollars (\$_____) shall be available for projects that
35 improve agricultural and open-space soil health, to improve carbon
36 soil sequestration, water quality, and water retention, or projects
37 that replace inefficient groundwater pumps.

38 (d) _____ dollars (\$_____) shall be available for projects that
39 reduce fire risk, improve forest health, and provide feedstock for
40 compost, energy, or alternative fuels facilities.

(e) _____ dollars (\$_____) shall be available to the California Conservation Corps for projects to rehabilitate or improve parks and restore watersheds, including regional and community fuel load reduction projects on public lands, and stream and river restoration projects. Not less than 50 percent of these funds shall be in the form of grants to certified local community conservation corps, as defined in Section 14507.5.

Article 9. Fiscal Provisions

5889. (a) Bonds in the total amount of _____ two billion nine hundred eighty-five million dollars (~~\$_____~~), (\$2,985,000,000), not including the amount of any refunding bonds issued in accordance with Section 5889.12, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) The Treasurer shall sell the bonds authorized by the committee pursuant to this section. The bonds shall be sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

5889.01. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter.

5889.02. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), of the bonds authorized by this chapter, the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Finance Committee is hereby created. For purposes of this chapter, the California Parks,

1 Water, Climate, and Coastal Protection and Outdoor Access For
2 All Finance Committee is the “committee” as that term is used in
3 the State General Obligation Bond Law.

4 (b) The committee consists of the Director of Finance, the
5 Treasurer, and the Controller. Notwithstanding any other provision
6 of law, any member may designate a representative to act as that
7 member in his or her place for all purposes, as though the member
8 were personally present.

9 (c) The Treasurer shall serve as the chair of the committee.

10 (d) A majority of the committee may act for the committee.

11 5889.03. The committee shall determine whether or not it is
12 necessary or desirable to issue bonds authorized by this chapter in
13 order to carry out the actions specified in this chapter and, if so,
14 the amount of bonds to be issued and sold. Successive issues of
15 bonds may be authorized and sold to carry out those actions
16 progressively, and it is not necessary that all of the bonds
17 authorized to be issued be sold at any one time.

18 5889.04. For purposes of the State General Obligation Bond
19 Law, “board,” as defined in Section 16722 of the Government
20 Code, means the Secretary of the Natural Resources Agency.

21 5889.05. There shall be collected each year and in the same
22 manner and at the same time as other state revenue is collected,
23 in addition to the ordinary revenues of the state, a sum in an amount
24 required to pay the principal of, and interest on, the bonds each
25 year. It is the duty of all officers charged by law with any duty in
26 regard to the collection of the revenue to do and perform each and
27 every act that is necessary to collect that additional sum.

28 5889.06. Notwithstanding Section 13340 of the Government
29 Code, there is hereby appropriated from the General Fund in the
30 State Treasury, for the purposes of this chapter, an amount that
31 will equal the total of the following:

32 (a) The sum annually necessary to pay the principal of, and
33 interest on, bonds issued and sold pursuant to this chapter, as the
34 principal and interest become due and payable.

35 (b) The sum that is necessary to carry out the provisions of
36 Section 5889.09, appropriated without regard to fiscal years.

37 5889.07. The board may request the Pooled Money Investment
38 Board to make a loan from the Pooled Money Investment Account
39 in accordance with Section 16312 of the Government Code for the
40 purpose of carrying out this chapter less any amount withdrawn

1 pursuant to Section 5889.09. The amount of the request shall not
2 exceed the amount of the unsold bonds that the committee has, by
3 resolution, authorized to be sold for the purpose of carrying out
4 this chapter. The board shall execute those documents required by
5 the Pooled Money Investment Board to obtain and repay the loan.
6 Any amounts loaned shall be deposited in the fund to be allocated
7 in accordance with this chapter.

8 5889.08. Notwithstanding any other provision of this chapter,
9 or of the State General Obligation Bond Law, if the Treasurer sells
10 bonds that include a bond counsel opinion to the effect that the
11 interest on the bonds is excluded from gross income for federal
12 tax purposes under designated conditions or is otherwise entitled
13 to any federal tax advantage, the Treasurer may maintain separate
14 accounts for the bond proceeds invested and for the investment
15 earnings on those proceeds, and may use or direct the use of those
16 proceeds or earnings to pay any rebate, penalty, or other payment
17 required under federal law or take any other action with respect
18 to the investment and use of those bond proceeds, as may be
19 required or desirable under federal law in order to maintain the
20 tax-exempt status of those bonds and to obtain any other advantage
21 under federal law on behalf of the funds of this state.

22 5889.09. For the purposes of carrying out this chapter, the
23 Director of Finance may authorize the withdrawal from the General
24 Fund of an amount or amounts not to exceed the amount of the
25 unsold bonds that have been authorized by the committee to be
26 sold for the purpose of carrying out this chapter less any amount
27 borrowed pursuant to Section 5889.09. Any amounts withdrawn
28 shall be deposited in the fund. Any moneys made available under
29 this section shall be returned to the General Fund, with interest at
30 the rate earned by the moneys in the Pooled Money Investment
31 Account, from proceeds received from the sale of bonds for the
32 purpose of carrying out this chapter.

33 5889.10. All moneys deposited in the fund that are derived
34 from premium and accrued interest on bonds sold pursuant to this
35 chapter shall be reserved in the fund and shall be available for
36 transfer to the General Fund as a credit to expenditures for bond
37 interest, except that amounts derived from premiums may be
38 reserved and used to pay the cost of bond issuance prior to any
39 transfer to the General Fund.

1 5889.11. Pursuant to Chapter 4 (commencing with Section
2 16720) of Part 3 of Division 4 of Title 2 of the Government Code,
3 the cost of bond issuance shall be paid out of the bond proceeds,
4 including premiums, if any. To the extent the cost of bond issuance
5 is not paid from premiums received from the sale of bonds, these
6 costs shall be shared proportionately by each program funded
7 through this chapter by the applicable bond sale.

8 5889.12. The bonds issued and sold pursuant to this chapter
9 may be refunded in accordance with Article 6 (commencing with
10 Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of
11 the Government Code, which is a part of the State General
12 Obligation Bond Law. Approval by the voters of the state for the
13 issuance of the bonds under this chapter shall include approval of
14 the issuance of any bonds issued to refund any bonds originally
15 issued under this chapter or any previously issued refunding bonds.

16 5889.13. The proceeds from the sale of bonds authorized by
17 this chapter are not “proceeds of taxes” as that term is used in
18 Article XIII B of the California Constitution, and the disbursement
19 of these proceeds is not subject to the limitations imposed by that
20 article.

21 SEC. 2. (a) Notwithstanding the requirements of Sections
22 9040, 9043, 9044, 9061, and 9082 of the Elections Code, or any
23 other law, the Secretary of State shall submit this act to the voters
24 at the November 8, 2016, statewide general election.

25 (b) The Secretary of State shall include in the ballot pamphlets
26 mailed pursuant to Section 9094 of the Elections Code the
27 information specified in Section 9084 of the Elections Code
28 regarding the bond act contained in this act. If that inclusion is not
29 possible, the Secretary of State shall publish a supplemental ballot
30 pamphlet regarding this act to be mailed with the ballot pamphlet.
31 If the supplemental ballot pamphlet cannot be mailed with the
32 ballot pamphlet, the supplemental ballot pamphlet shall be mailed
33 separately.

34 (c) Notwithstanding Section 9054 of the Elections Code or any
35 other law, the translations of the ballot title and the condensed
36 statement of the ballot title required pursuant to Section 9054 of
37 the Elections Code may be made available for public examination
38 at a later date than the start of the public examination period for
39 the ballot pamphlet, provided that the translations of the ballot title

1 and the condensed statement of the ballot title must remain
2 available for public examination for eight days.

3 (d) Notwithstanding Section 13282 of the Elections Code or
4 any other law, the public shall be permitted to examine the
5 condensed statement of the ballot title for not more than eight days.
6 Any voter may seek a writ of mandate for the purpose of requiring
7 the condensed statement of the ballot title, or portion thereof, to
8 be amended or deleted only within that eight-day period.

9 SEC. 3. This act shall take effect upon approval by the voters
10 of the California Parks, Water, Climate, and Coastal Protection
11 and Outdoor Access For All Act, as set forth in Section 1 of this
12 act.

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