

# NEWSLETTER

## california state park rangers association

VOLUME VI NUMBER 3

NOVEMBER 1988

### FROM THE RECEIVING END

by John Quirk

The office staff hears just bits and pieces as they head out the door for home. The night shift is arriving. I am off for an after-work run. Words like "baby choking," "ambulance," "CPR," and "oxygen" come over the scanner as CHP responds on nearby Highway 101 to their medical emergency, not mine, not yet.

There is something unsettling about seeing two park patrol vehicles sitting in your driveway as you jog home. And when one of them spots you and races toward you, the possibilities begin to form in your mind...

They tell me my color went instantly from flushed red to pale white when I heard "One of the kids, something about choking, go to the hospital immediately." "Thanks, I'll drive myself," I say, and head up the driveway, my world collapsing inward as if I am a black hole.

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### COOPERATING ASSOCIATIONS

by Nina Gordon and Lois Harter, with input from Carol Nelson (Continued from October issue)

#### DPR Staff Involvement

In addition to the Executive Secretary, other DPR staff are often members or otherwise involved in cooperating associations. Who gets state time for such activity and under what conditions? Is there sufficient recognition and involvement of other DPR personnel who may be directly or indirectly affected by association activities?

#### Association Finances

As association budgets increase, issues regarding financial

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### Happy Thanksgiving



**THE CALIFORNIA  
STATE PARK RANGERS  
ASSOCIATION**

A professional association.

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Executive Manager

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For additional information on  
the association, write the  
Executive Manager.

## PRESIDENT'S MESSAGE

The GEC is the means by which you, the membership, get to shape the future of our organization. Policies are made for CSPRA through the presentation and adoption of resolutions by delegates to the GEC. If you are an active member or active retired member, then you are eligible to present and vote on resolutions.

CSPRA was begun as a grass-roots, issue-driven organization with an active and dynamic membership. An organization can not be effective unless its members are well informed and take an active role in setting goals and objectives for the organization. The GEC is the perfect forum for doing just that.

For example, the overwhelming majority of our members are opposed to the use of "Green Sticker OHVs" in State Parks. Most of us are also opposed to the Off Highway Vehicle Commission's attempts to dictate policy within State Parks where they have no jurisdiction. A resolution could be submitted at the next GEC stating that CSPRA opposes the interference by the OHV Commission in State Parks. The resolution would look something like this.

Whereas, there exists the California Park and Recreation Commission;

Whereas, that Commission is given the responsibility for setting policy within the State Park System;

Whereas, the OHV Commission was established for the purpose of setting policy in State Vehicular Recreation Areas within the OHV Division of the Department of Parks and Recreation; and

Whereas, no authority is given to the OHV Commission to set policy within the State Park System; therefore,

Be It Resolved that the California State Park Rangers Association opposes the efforts of the OHV Commission to dictate policy within the State Park System; and

Be it Further Resolved that the California State Park Rangers Association will take whatever steps necessary to maintain the integrity of the State Park System and to protect it from special interest groups who would use it for purposes inconsistent with State Park Commission classification.

A resolution for adoption at the GEC can also be positive. It could be to honor someone or a group, or to acknowledge the outstanding contribution

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## RECEIVING END (continued from page 1)

Of course they do not let me drive. Chewing bubble gum while walking, or fighting your way out of a paper bag may be safe endeavors for a person in my frame of mind, but having the life of your family race before your eyes while you break the basic speed law on a treacherous road is certainly not.

"There is something your'e not telling me," I say accusingly to Tim my chauffeur, who in calmer times I view as my neighbor and Supervising Ranger. "Is he dead?" I demand, without knowing the "he" of whom I speak. Tim turns on the scanner and tells me the bits and pieces. "Do you know which one?" I ask. "Twenty-two months." "Oh God, Darin," I say. It makes no difference really that this is my younger son. It just narrows the diameter of the black hole now that the "kid" has a name. I am instantly crushed. But, from the ruin of myself a plan takes shape..."How to" take care of family needs if the worst is true. In less than the thirteen minutes it takes to get to the hospital, the next few hours, days, and years are suddenly clear. Now, in the emergency room the black hole explodes. My universe begins anew. Darin is alive, and well.

As the pieces come together to form a whole story I feel grateful and tremendously fortunate. I am more than a bit surprised to find myself on the receiving end of an emergency system I well know. It is enlightening to experience how good people feel when the system works for them. Of course I want to give heroism medals to all: the emergency room staff, the ambulance team, the CHP officers, the good samaritan EMT who stopped on the highway with the oxygen tank. But mostly it is the first responder to whom I am indebted, a nurse employed by the State of California named Barbara Fedullo, who rushed from her vehicle and quickly assessed no breathing, no pulse, and took control. Calmly she gave the quick puffs of breath to Darin, a real child with but minutes to live, not a CPR practice doll that can tolerate your mistakes all day.

After stabilizing the emergency, she yields to the ambulance staff and then drives off, her day briefly interrupted by the intensity of some strangers' lives, leaving me to wonder much later as the dust cloud clears just who was that masked woman?

I am lucky, but luck has nothing to do with the human compassion and professional competence of all those who helped.

These are skills they willingly employ. And in a world where highway snipers and airport terrorists can so coldly and randomly take a life, it is comforting to know that there are people out there like Barbara Fedullo who can warmly but just as randomly give back life. 🍏

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## YELLOWSTONE FIRE FORUM

**HOST:** Park and Resources Committee at California State University, Chico.

**DATE:** Thursday, December 8, 1988, 7 - 9 p.m.

**LOCATION:** Laxson Auditorium, CSU, Chico Campus.

**OBJECTIVE:** To present the facts surrounding the fires at Yellowstone.

**PARTICIPANTS:** Alston Chase, author of *Playing God in Yellowstone*. Dennis Bungarz, USFS, Forest Management Officer, incident commander on one of the Yellowstone fires. There will be a representative from NPS. Senator Alan Cranston and Secretary Donald Hodell are other possible participants.

For further information contact: Vern Huffman, PARC President. (916) 895-6408.

## COOPERATING ASSOCIATIONS

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activities become more prevalent. The financial relationship between the association and the Department is separate from that of other control agencies (IRS, State Franchise Tax Board, etc.). As in many other areas, the nature of that relationship varies tremendously with each association. The relationship has two aspects: revenue generation and fund expenditure.

**Revenue Generation:** Traditionally associations have generated revenue through the sale of interpretive and educational materials in on-site bookstores and visitor centers. Efforts have been made, through the DOM, CAM, and regional directives, to establish what is appropriate and inappropriate for sale by associations. In addition, sales must not jeopardize an association's non-profit status. The means by which associations generate revenue, however, have greatly expanded beyond these traditional activities to include charging public admission to association-sponsored seminars and lecture series, entering contracts with the Department which permit the associations to collect a percentage of park fees, administering special event permits and collecting associated fees, and handling reservations of group picnic areas and collecting associated fees. Again many questions have arisen:

**\*\*Is it appropriate for associations to collect money which traditionally has gone into the general fund (day use fees, guided walk fees, etc.)? If so, under what conditions and guidelines?**

**\*\*If an association is collecting fees for activities taking place on park property, who decides what will be charged?**

**\*\*Is it appropriate for associations to collect the fees from activities if DPR staff are doing a portion or all**

of the associated work? For example, at one historic park the revenue generated from sales in the information center all goes to the association. Although association members keep the center stocked and handle the financial records, the center is staffed by DPR park aids or Rangers 90-95% of the time, and they are the ones who actually do the selling. Section 513 of the Public Resources Code does provide that the Department will "provide the services of departmental personnel" for the educational or interpretive materials furnished by the association, but to what degree?

Another example involves the association that is allowed to administer and collect the fees from special event permits, and which charges clean-up fees which also go to the Association, but DPR maintenance staff does the event preparation and clean-up.

**\*\*If an association and DPR do not agree on what is an appropriate revenue generating activity, how are those differences resolved?**

**Fund Expenditures** The associations are obliged to use all monies received to further "the educational and interpretive programs of the

State Park System or unit for which the association has been designated to serve" (Section 513, Public Resources Code). In addition to meeting administrative costs of the association, expenditures are usually the result of, a) association approved requests from DPR staff, or b) association generated activities. The degree of "cooperation" between the Department and associations runs the spectrum from associations whose expenditures are almost entirely the result of DPR staff requests which are "rubber-stamped" through, to associations whose expenditures are almost entirely association generated and expenditures for DPR staff requests are minimal.

**\*\* Does the Department (Executive Secretary) have a role in the association budget approval? The CAM states that DPR cannot manage cooperating associations. What does this mean in regards to the writing and approval of the budget when association budget items affect the park operation for which the Department is responsible?**

**\*\*How are differences resolved if**  
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Association sales counter - California State RR Museum.



## COOPERATING ASSOCIATIONS

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the Department and an association do not agree on what is an appropriate use of funds? What happens when an association wants to "assist" the Department in ways DPR does not want to be assisted? Some associations have agreed to a clause in which the District Superintendent must approve any non-administrative expenditures for items which will be used by DPR employees (including docents) and/or on State Park Property. Should there be a similar standard approval process which applies to all associations and Districts for these types of expenditures? What about for other types of expenditures?

**\*\*How are expenditure requests by DPR staff made to associations and who can make them?** Instances have occurred where employees have made requests to the association without the supervisor's knowledge or approval.

**\*\*Is it appropriate for associations to hire staff?** There are two main staffing categories: administrative staff (bookkeeper, fundraiser, etc.) and operational staff (docent coordinator, kiosk operator, etc.). Do some or all of these association staff positions represent an appropriate expenditure of funds? If so, who decides on the salaries, raises and benefits? Is there an appropriate percentage of the budget for staffing which should not be exceeded? For example, in one association 54% of its budget is allocated for staffing.

**\*\*As a non-profit organization, should there be a limit on noncommitted funds ("reserve funds")?** If so, who enforces this?

**\*\*Is it appropriate for associations to authorize fund expenditure for projects which directly or indirectly impact other DPR staff or divisions?**

**\*\*Is it appropriate and if so, in what manner should associations**

be involved in the Department's fund expenditures process—particularly requests for funding through Volunteer Enhancement monies?

### Paid Association Staff

The phenomenon of paid association staff is not addressed in any existing Department document. When these positions directly affect park operations for which the Department is responsible, questions arise. Some of these concerns have already been touched on; others include:

**\*\*What are the labor relations ramifications when an association decides to fund a paid staff position whose duties duplicate the efforts of an existing departmental employee, for example hiring a docent coordinator whose responsibilities overlap those in DOM identified for the Interpretive Coordinator?**

Where this has happened, the result has been confusion, inefficiency, and dissension. Should duty statements be required for paid association staff positions and, if so, who should write and approve them?

**\*\*Who supervises the paid association staff (i.e., hiring, training, scheduling, direction, evaluation and disciplinary action)?** The association has certain legal rights as the organization paying the salary. These include hiring and firing. Yet the Department is responsible for the programs in which many of these association employees work. Can DPR fulfill its unit management obligations if it does not have supervision over the employees working in DPR programs?

Many paid association staff directly interface with the public. In one unit it is the paid association staff person, for example, who operates the ticket booth through which more than 60,000 annual visitors are obligated to pass. This employee provides an orientation, handles all late arrivals and "stand-bys," and serves as one of the main

sources for information in a popular Departmental program. Yet the park staff has no supervision over this employee and thus, no control over his/her actions which directly reflect on the Department. In other units paid association employees report directly to ranger staff.

**\*\*What uniform, if any, should paid association staff members wear, particularly those who interface with the public?** Should the Department have review or approval involvement?

### Public Relations and Communications

Does the Department have an obligation to approve media/public relations efforts such as press releases and flyers by associations, in order to ensure quality and accuracy, when such efforts concern DPR programs? Some Districts have instituted a review procedure for all publicity concerning DPR programs and operations. In other Districts such material is being generated and disseminated by association staff without any knowledge or approval by DPR. Problems may arise when, a) the public assumes wrongly that such material reflects DPR philosophy and operations, or b) the quality does not meet Departmental standards.

### Use and Ownership of Facilities, Equipment, and Materials

There are an increasing number of associations which are purchasing facilities, equipment, and materials for use by the association or in park operations. There are few guidelines, however, for the associations and Department in this area. Section 513, Public Resources Code states in regards to interpretive and educational materials furnished by an association, "...the department would provide the... space for the materials at state park system unit visitor information facilities."

When the Department does

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"provide the...space for the materials"....,"does it retain the right to approve the appearance and layout of that space? This question most commonly arises with association-operated bookstores. Who approves expansion of that space? Who does the work? Does the Department have an obligation to provide associations administrative space within the park unit? (Note: This is a different issue than providing space for docents since docents are state park employees.) In some units, all association administrative activity occurs outside of the park. Some units provide space for associations within park facilities. (At times even this may generate conflict: one association executive director expressed strong objection when the District needed "his space" in the corner of the public visitor center for interpretive displays and moved him, after ample notification, to an office space with the rangers.) Who is responsible for the resulting utility fees? In another unit, the association purchased and retains ownership of a trailer which is placed on state park property for exclusive use by association. An increasing number of associations are asking that state facilities be provided for association staff. Does the Department have an obligation to provide space for association-sponsored activities? For example, who decides on the appropriateness when an association wants to sponsor an event which will result in restrictions on public use of a state park facility? Although association revenue must be used for interpretive and educational purposes, there are no guidelines regarding ownership of items purchased by an association. Associations are "encouraged" to donate equipment such as computers, copying machines, audiovisual equipment to the state for purposes

of liability and repair. However, many associations are choosing to retain ownership, sometimes without realizing that they then are assuming all maintenance responsibilities. When Departmental programs are dependent on association-owned equipment, problems can arise if the Department cannot ensure proper maintenance. What is the appropriate course of action when an association does not properly maintain association-owned equipment used in the park operation, and vice-versa? Since an association is not required to donate equipment to the state, the access to this equipment is totally dependent on the relations between the association members and Departmental staff at the time. This also applies to interpretive/educational objects and supplies owned by an association. Many Departmental interpretive programs rely heavily on these items. There are instances where associations which have retained ownership of such objects denied Department staff access to the items after disagreements with the state. The threat of such denial has also been used for leverage in disagreements with the Department. Generally associations purchase and use their own materials for association business. However, in some units, associations use Department office and administrative supplies. What are the guidelines?

### Lobbying and Political Activity

There are conflicting directives regarding the legality and extent of lobbying by cooperating associations. The Internal Revenue Code (Section 501-C-3) and Section 23701d of the California Revenue and Taxation Code states that engaging in activities influencing legislation does not result in the loss of tax exempt status unless the activities are substantial in relationship to all other activities. The Department, which is also a control agency, has stated in the CAM that "Associations must avoid engaging

in any propaganda activities or attempting to influence legislation, substantially or otherwise." A likely result of this action is "termination of the association's authority to operate in the area. Associations are more frequently engaging in lobbying efforts, with some associations forming lobbying committees. The enabling legislation (Public Law 633) states that cooperating associations are established "to aid the... activities of the park system units... ." Yet in some units, associations are lobbying directly against a Departmental stance or lobbying to change an existing aspect of Departmental operations. Is it appropriate for cooperating associations to engage in such lobbying?

Another aspect is the use of association funds, both in salaries (i.e., paid staff) and materials, for lobbying. Should such funds (which may be revenue obtained from Departmental Programs) be used to lobby against a Departmental stance or position? Are these actions in violation of the basic premise for the founding of associations, i. e., "to aid the... activities of the State Park System units"?

### RESOLUTION OF DIFFERENCES

As with any group of people, there are times that an association and the Department will not agree on the interpretation of their contract or feel that the other side has violated a provision of the contract. Currently, there is no established method for resolving these differences. Should there be a grievance procedure or memorandums of understanding? What correctional procedures are available besides the ultimate one - cancelling the contract?

### SUMMARY

As indicated by the issues raised in this paper, there obviously is a

## PRESIDENTS MESSAGE

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of a member. A resolution could be passed by the members directing the Board of Directors to explore the possibilities of acquiring office space. A great debate could center around such a proposal. The point is you as a member have a lot more to say about how the organization is run than you may have thought. It is a goal of mine to get the membership involved again in running its association. The GEC is an excellent vehicle for this.

So what must you do to get the ball rolling? If you have an idea for a resolution, talk it over with other members. See how they feel about it. Then, draft the resolution, get five members to sign it, and submit it prior to the next GEC which is March 7 to 9. Copies will be made, distributed at the GEC session on March 9, for discussion, and a vote will be taken. If the resolution passes it becomes the guiding policy for the organization for whatever time may have been stipulated or until the resolution's goal are accomplished. 🍏

Don Murphy, President

## COOPERATING ASSOCIATIONS

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need for clearer guidelines between the Department and cooperating associations, whether achieved through revision of the DOM, CAM, new legislation, new contracts, or some other option.

The tremendous contributions of cooperating associations must be recognized, promoted, and supported by the Department. These organizations must be acknowl-

edged and respected as separate corporations with goals in common with the Department.

The role associations play within the Department must be clearly defined and understood by all parties.

Because some areas within these roles are gray, we must address these issues with a cooperative spirit, recognizing the legal, liability, and corporate constraints which are limiting factors in our decisions. These issues cannot be resolved without working closely with associations, Departmental staff, labor unions, professional organizations (particularly CSPRA) and the League of Cooperating Associations, as well as with legislative support.

Associations statewide have grown and evolved from their local "mom & pop" origins to large-scale businesses. As Bill Dillinger, former Department coordinator for cooperating associations, said, "We can't put a grown person in a pair of kid's shorts..." Districts and associations no longer operate in a vacuum - every action has the potential for statewide ramifications. The future success of cooperating association depends on the resolution of these issues. 🍏

## PROFESSIONAL DUES REFUNDS FOR ALL MANAGERS and SUPERVISORS

Manager and supervisory employees may be reimbursed for professional dues.

The maximum per year is \$100. The maximum paid by a CSPRA managerial or supervisory employee in 1988 was \$64.

To claim this refund prepare

## CSPRA/PRAC/LEAGUE CONFERENCE

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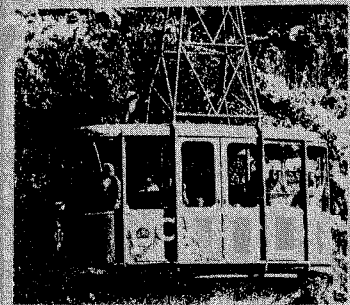
March 7 - 9, 1989

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Palm Springs  
Racquet Club

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Honoring our 25th Birth-  
day and our Charter Mem-  
bers



a travel claim, after you have paid all dues for 1988, and submit it through regular channels. You must include copies of your payroll deduction stubs for each month which you had dues withheld or refunded, or submit a receipt from CSPRA for the dues paid during 1988.

If you want a receipt for your dues paid to CSPRA during 1988 submit a request to Doug Bryce and he will send you a receipt by return mail.

## SCHOLARSHIPS

Scholarships have been awarded to: Santos D. Rodriguez, SPR I, of Monterey District; and Kevin Joe, SPR I, of Mendocino District. If you are interested in a scholarship, see the article on page 4 of the September Issue and then contact Fred Jee, P. O. Box 483, Borrego Springs, CA 92004. 🍏

## INTERPRETER OPPORTUNITY

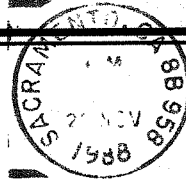
The Department of Fish & Game is planning to hire about 15 interpretive persons. They have advertised for Interpreter I, \$1,755-\$2,606; Interpreter II, \$2,740-\$3,307; and Interpreter III, \$3,011-\$3,633. Contact Personnel Branch (916) 445-3188 ASAP. 🍏

## WELCOME TO CSPRA

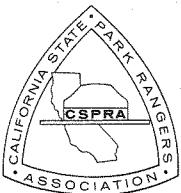
We are glad to introduce these new members to our organization. CSPRA offers a forum for sharing ideas and concerns and a means of making an impact in the professional field of the ranger. There is a place for each of you here, and your commitment to CSPRA requires a commitment to you from this organization. Each of us by getting involved can help the other. Again, welcome to CSPRA. 🍏

I hate to report that we had no new members this month. When was the last time you asked a co-worker to join with us in CSPRA to help provide the State of California the professional services and recommendations of an organized body of public employees dedicated to the highest principles of public service? 🍏

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