

Assembly Committee on Veterans Affairs Summary of Legislation 2011 2012

2011-2012 PAUL COOK **CHAIR** RICHARD PAN VICE CHAIR

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Assembly Committee on Veterans Affairs 2011-2012 Legislative Summary

ASSEMBLY BILLS:

AB 167 (Cook)

Chapter 69, Statues of 2011

California Stolen Valor Act

Expands existing provisions related to forfeiture of elected office under the Federal Stolen Valor Act, to additionally require that an elected officer, as specified, forfeit office upon conviction of a crime involving a false claim, with intent to defraud, that he or she is a veteran or a member of the Armed Forces of the United States. In addition, characterizes these and related provisions, as specified, as the "California Stolen Valor Act."

AB 188 (Block and Butler)

Chapter 202, Statutes of 2011

Property tax exemption: principal residence: veterans and their unmarried surviving spouses. Ensures that the disabled veterans' property tax exemption on a principal residence received by an unmarried surviving spouse will continue to be available to unmarried surviving spouses who are confined to a hospital or other care facility.

AB 201 (Butler) Vetoed

Veterans Courts

Authorizes superior courts to develop and implement veterans courts. This bill establishes standards and procedures for veterans courts and specifies that county participation in the veterans' courts program is voluntary.

AB 297 (Galgiani)

Public contracts: veterans preference.

Updates the Military and Veterans Code, relating to veterans. Allows a bid preference, as provided, to a bidder of a public works contract if that bidder utilizes the Center for Military Recruitment, Assessment, and Veterans Employment's Helmets to Hardhats program, as specified. This bill would require that the bidder and each listed subcontractor submit a certified statement, as specified, and would impose a civil penalty, as provided, for knowingly providing false information in that statement. This bill would also make various legislative findings and declarations.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 487 (Cook)

Veterans' homes: fees and charges.

Restores a cap on the amount veterans pay for residence and care in the Veterans Home of California and creates an inflator to be recalculated annually to reflect changes in the U.S. Department of Veterans Affairs disability compensation.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 488 (Cook)

Veterans' homes: fees and charges.

Creates, what is in effect, a cap on the charges that non-veteran spouses living in a veterans' home must pay by requiring non-veteran spouses to pay the same sliding scale fees and charges as the veteran spouse.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 557 (Speaker Perez)

Veterans: National Guard: California Interagency Council on Veteran Services and Programs. Creates the California Interagency Council on Veteran Services and Programs to assess how California veterans are accessing available state and federal benefits. The Council will be required to report to the Legislature by January 1, 2013 its recommendations for implementing policy, regulatory, and resource changes.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 629 (Monning)

Chapter 267, Statutes of 2011

Veterans Cemetery

Authorizes the Department of Veterans Affairs to contract with the Fort Ord Reuse Authority, rather than the Department of General Services, for design and construction of a state-owned and operated veterans' cemetery on the site of Fort Ord.

AB 635 (Knight)

Veterans' benefits: public postsecondary education: mandatory educational fees.

Permits the Trustees of the California State University, the Regents of the University of California, and the Board of Governors of the California Community Colleges to designate mandatory education fees as tuition for purposes of veterans' benefits. *Died pursuant to Art. IV, Sec. 10(c) of the Constitution.*

AB 636 (Knight)

Chapter 293, Statutes of 2011

Military service: benefits

Revises the conditions of tuition and fee refund for a student who withdraws from an academic institution due to active military service.

AB 697 (V. Manuel Pérez)

Chapter 368, Statutes of 2011

Veteran: acquisition of home: interest of record

Allows the Department of Veterans Affairs (DVA) to acquire a home for the purpose of refinancing an existing mortgage loan and requires the DVA to adopt rules and regulations.

AB 713 (Block)

Chapter 105, Statutes of 2011

Military service: legal benefits

Enhances the availability of certain benefits and protections from liability currently afforded to California National Guard and United States Military Reserve service members and their families during periods of active military service.

AB 882 (Cook and Blumenfield)

Chapter 730, Statutes of 2011

Veterans and military: public postsecondary education.

Modifies state law to conform with federal law granting a member of the Armed Forces, or his/her dependent, as provided, entitlement to resident classification for so long as he/she is continuously enrolled at that institution, and requests the Regents of the University of California to establish the same residency requirements as those established by this bill for students enrolled at the University of California.

AB 905 (Pan)

Chapter 321, Statutes of 2011

Disposition of remains: authorized agent.

Prioritizes the person authorized to direct disposition (PADD) indicated on a United States Department of Defense Record of Emergency Data, DD Form 93 (DD Form 93), as the agent authorized to take control of a decedent's remains of a military service member who dies while on duty under state law. This bill is operative only if the DD Form 93 and corresponding federal law are amended to allow the PADD to be any person, regardless of the relationship of the PADD to the decedent.

AB 1084 (Davis)

Chapter 377, Statutes of 2011

Veterans' farm and home purchases: shared equity cooperative housing.

Allows the Department of Veterans Affairs to fund a limited equity housing cooperative loan, through the California Veteran Home Loan Program and requires the fund transfer to take place within 30 days.

AB 1093 (Davis)

Student financial aid: Military and Veterans Benefits Offices.

Requires the California Community Colleges and the California State University, and encourages the University of California, to establish on each of its respective campuses a Military and Veterans Benefits Office and appoint a full-time Military and Veterans Benefits Advisor for each office to assist a qualified student in determining that student's eligibility for state or federal educational benefits or grants.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 1209 (Cook and Pan)

Department of Veterans Affairs: veterans' services.

Appropriates the sum of \$7,300,000 from the General Fund to the Department of Veterans Affairs for disbursement to the counties to fund the activities of the county veterans service officers to provide for specified veterans' services. The bill makes specific allocations for CVSOs, grants to counties and non-profit organizations for veterans services, and for Operation Welcome Home or a successor program. *Died pursuant to Art. IV, Sec. 10(c) of the Constitution.*

AB 1223 (Committee on Veterans Affairs)

Vetoed

Medi-Cal: Public Assistance Reporting Information System.

Repeals language creating a two-year pilot program to use the federal Public Assistance and Reporting Information System to identify veterans and their dependents or survivors who are enrolled in the Medi-Cal program and assists them in obtaining federal veterans' health care benefits, and makes the pilot program permanent and statewide.

AB 1224 (Committee on Veterans Affairs)

Chapter 396, Statutes of 2012

Veterans: veterans' farm and home purchases.

Authorizes the Department of Veterans Affairs to adopt regulations necessary to implement the Veterans' Farm and Home Purchase Act of 1974 for cooperative dwelling units in accordance with the Administrative Procedure Act, and also revises provisions relating to forfeiture and the calculation of net gain in connection with the sale of a cooperative dwelling unit.

AB 1225 (Committee on Veterans Affairs)

Chapter 774, Statutes of 2012

Cemeteries: veteran's commemorative property.

prohibits any person or entity from selling, trading, or transferring veteran's commemorative property, and authorizes the sale, trade or transfer of all or any part of any veteran's commemorative property if certain conditions are met.

AB 1505 (Pan)

Chapter 397, Statutes of 2012

Department of Veterans Affairs: veterans' benefits: reinstatement.

Requires the state to reinstate benefits to veterans that have their benefits reinstated by the federal government if the benefits were originally denied solely on the basis of sexual orientation. Additionally, the bill requires the Department of Veterans to distribute information regarding military discharge upgrades, as specified.

AB 1592 (Olsen)

Veterans: benefits: fee waiver.

Authorizes the governing board of a county or city to grant financial assistance, relief, and support to disabled veterans, as defined, by waiving service-related fees charged by the county or city, as specified.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 1739 (Allen)

Chapter 95, Statutes of 2012

Morale, Welfare, and Recreation Fund: Veterans' Home Allied Council: operation of facilities and activities.

Allows the administrator to permit Allied Councils to run certain activities at Veterans Homes.

AB 1805 (Huffman)

Chapter 95, Statutes of 2012

Military or overseas voters.

Establishes new voting procedures for military and overseas voters, as defined, to comply with the federal Uniformed and Overseas Citizens Absentee Voting Act and implement the policies of that act and the Uniform Military and Overseas Voters Act adopted by the National Conference of Commissioners on Uniform State laws.

AB 1806 (Cook)

Chapter 722, Statutes of 2012

Veteran interment: veterans' remains organizations.

Adds requirements for the county public administrator to make specified reports about unclaimed remains and for the California Department of Veterans Affairs to keep a list of unclaimed remains. Reduces time before which unclaimed remains may be released to a veterans' remains organization.

AB 1823 (Yamada)

Chapter 158, Statutes of 2012

Veterans' homes: accounting for charges.

Requires the quarterly accounting statements for veteran home occupants of all charges to include information relating to payment of any outstanding charges at the time of the veteran's death, including the use of a deceased veteran's personal property or money for payment of outstanding charges, and statement advising the member to seek counsel from a legal expert to protect his/her assets.

AB 1842 (Monning)

Chapter 745, Statutes of 2012

California Central Coast State Veterans Cemetery: Endowment Fund.

Authorizes the California Department of Veterans Affairs to use any moneys received from the State Veterans Cemetery Grant Program that are transferred to the California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund for the reimbursement of those specified costs to reimburse any cash advances made to the Fund used for those costs to the extent allowed by grant requirements.

AB 1931 (Gorell)

Department of Veterans Affairs: consolidation of services to veterans.

Establishes the California Veterans Services and Workforce Development Division within the Department of Veterans Affairs for the purpose of coordinating and administering veterans assistance programs in the state.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 1932 (Gorell)

United States armed services: healing arts boards.

Requires, by January 1, 2014, and annually thereafter, every healing arts board to issue a specified written report to the Department of Veterans Affairs and the Legislature, as specified, that clearly details the methods of evaluating the education, training, and experience obtained in military service and whether that education, training, and experience is applicable to the board's requirements for licensure

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 1936 (Knight)

State employment: military service: inactive duty training.

Requires that a civil service employee who is granted short-term military leave of absence for inactive duty training receive his or her salary or compensation for the first 30 days of inactive duty training during his or her absence, if specified conditions are met.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 1976 (Logue)

Medical training: veterans.

Requires a healing arts board within the Department of Consumer Affairs and the State Department of Public Health, upon the presentation of evidence by an applicant for licensure or certification, to, except as specified, accept education, training, and practical experience completed by an applicant in military service toward the qualifications and requirements to receive a license or certificate.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

Veterans: priority registration.

Enacts the Combat to College Act of 2012, which authorizes a qualifying student to use the four academic years during which these institutions are required, or requested, to grant priority registration for enrollment within 15 years of his/her leaving state or federal active duty. Also requests that the University of California (UC) comply with priority enrollment as specified in this bill.

AB 2198 (Nielsen)

Chapter 401, Statutes of 2012

Department of Veterans Affairs: reporting requirements.

Alters the annual reporting requirements of the Department of Veterans Affairs to the Legislature.

AB 2248 (Cook)

State contracts: veterans' services.

Requires the Director of General Services to establish criteria identifying state contracts for social services provided to veterans or their families and to create a process that would provide a participation incentive to specified bidders for state contracts for social services provided to veterans or their families for use by all state agencies. Would also make findings and declarations regarding the need for these programs.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 2250 (Gaines, Norby)

Public postsecondary education: nonresident tuition: military members.

Requires a student, or a spouse of a person, who is a former member of the Armed Forces of the United States or the State Military Reserve who served for at least 36 months and received a specified discharge, to be exempt from paying nonresident tuition for his or her first year of continuous enrollment at the California State University and the California Community Colleges if he or she files an affidavit with the institution stating his or her intent to establish residency in California as soon as possible, and would request those persons to that such a person be exempt from paying nonresident tuition for his or her first year of continuous enrollment at the University of California. By requiring community college districts to exempt these persons from paying nonresident tuition, this bill would impose a state-mandated local program. *Died pursuant to Art. IV, Sec. 10(c) of the Constitution*.

AB 2426 (Galgiani)

Public contracts: veterans preference.

Would allow a bid preference, as provided, to a bidder of a public works contract if that bidder utilizes the Helmets to Hardhats program administered by the Center for

Military Recruitment, Assessment, and Veterans Employment, as specified. Would also require that the bidder and each listed subcontractor submit a certified statement, as specified, and would impose a civil penalty, as provided, for knowingly providing false information in that statement.

Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 2462 (Bock, Cook, Fuentes)

Chapter 404, Statutes of 2012

Public postsecondary education: academic credit for prior military academic experience. Requires, by July 1, 2015 the Chancellor of the California Community Colleges, using common course descriptors and pertinent standards of the American Council on Education, to determine for which courses credit should be awarded for prior military experience.

AB 2475 (Committee on Veterans Affairs)

Chapter 204, Statutes of 2012

Military service protections: real and personal property rights.

Expands the time during which foreclosures on the homes of military members are prohibited.

AB 2476 (Committee on Veterans Affairs)

Chapter 101, Statutes of 2012

Service member obligations or liabilities: rate of interest

Extends the period during which interest rates are capped for servicemembers.

AB 2478 (Hayashi)

Chapter 405, Statutes of 2012

Student residency requirements: veterans

Provides that a California Community College student who was a member of the Armed Forces stationed in California for more than one year immediately prior to being discharged, is exempt from paying nonresident fees for up to one year, if he or she files an affidavit with the community college stating an intent to establish California residency, as specified.

AB 2490 (Butler)

Chapter 407, Statutes of 2012

Veterans: correctional counselors.

Requires the California Department of Corrections and Rehabilitation to develop policies to assist veteran inmates in pursuing veteran's benefits.

AB 2548 (Mitchell)

Chapter 205, Statutes of 2012

California Veterans Board.

Specifies that a member of the seven-member California Veterans Board must have experience in the issues of female veterans, which may include, but are not limited to, combat related disorders, sexual trauma, and homelessness.

AB 2611 (Butler) Vetoed

Veterans treatment courts.

Authorizes superior courts to implement veterans treatment courts.

ACR 16 (Eng)

Chapter 39, Statutes of 2011

Day of Remembrance

Declares February 19, 2011, as Day of Remembrance, in order to increase public awareness of the events surrounding the internment of American of Japanese ancestry during World War II.

ACR 40 (Solorio)

Chapter 14, Statutes of 2011

Vietnamese American history.

Recognizes April 24, 2011, to April 30, 2011, inclusive, as Black April Memorial Week in recognition of the great tragedy, suffering and lives lost during the Vietnam War era; and April 2011 as Vietnamese American Month to honor a community that has added personal, cultural, and economic value to the State of California.

ACR 107 (Eng)

Chapter 34, Statutes of 2012

PTSD Awareness Day.

Recognizes June 27, 2012, as Post-Traumatic Stress Disorder Awareness Day.

ACR 163 (Cook, Butler, Pan, John A. Pérez)

Chapter 132, Statutes of 2012

California Vietnam Veterans Memorial.

Recognizes the 25th anniversary of the California Vietnam Veterans Memorial in the Capitol Park, Sacramento on November 23, 2012, and encourages all Californians to take part in ceremonies.

AJR 6 (Ma, Cook and Fong)

Chaptered, Statutes of 2012

Filipino veterans.

Requests that Congress and the President of the United States enact the Filipino Veterans Fairness Act of 2011 (H.R. 210).

In Senate. To Committee on Rules

AJR 42 (Nestande)

Department of Defense budget cuts.

Opposes the budget presented by the United States Air Force to the House of Representatives and Senate of the United States.

Failed passage on Assembly Floor.

SENATE BILLS

SB 10 (Evans)

Chapter 265, Statutes of 2011

Military and veterans: Veterans' Home Allied Council

Provides for the establishment of a Veteran's Home Allied Council for each veterans' home, and would additionally permit each council to represent veterans who reside in the veterans' home for which the council was established in matters before the Legislature if each council, in the course of providing that representation, complies with specified requirements, as prescribed. This bill is intended to allow the Allied Council at one of the California Veterans Homes to represent veterans from those homes in front of the legislature.

SB 180 (Corbett)

Chapter 79, Statutes of 2011

Consumer transactions: public social services: unreasonable fees

Adds to the definition of "public social services" those activities and functions administered or supervised by the United States Department of Veterans Affairs ("USDVA") and the California Department of Veterans Affairs ("CDVA").

SB 197 (Cannella)

Veterans affairs: administration.

Updates the Military and Veterans Code, relating to veterans. Requires the Secretary of Veterans Affairs to conduct audits, as specified by statute, on internal controls, and to provide those audits to the inspector general.

Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 198 (Cannella)

State militia: Adjutant General: duties.

Updates the Military and Veterans Code, relating to veterans. Requires the Adjutant General to perform various duties with regard to the National Guard as are prescribed in the Military and Veterans Code and any additional duties that are consistent with the regulations and customs of the federal military organizations, as specified.

Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 443 (Strickland)

Veterans' memorial.

Allows the Department of Transportation to sell excess real property in the state-owned area associated with the park-and-ride lot at the Clark Avenue West exit from State Highway Route 135 in the Town of Orcutt to the County of Santa Barbara for purposes of erecting a veterans' memorial at that location.

Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 537 (Correa)

Chapter 630, Statutes of 2011

California Cadet Corps

Authorizes the Adjutant General of the California National Guard to enter into an agreement with a school governing board, to establish a military academy charter school. This bill also makes a series of updating and technical revisions to the existing California Cadet Corps program.

SB 546 (Correa)

Disabled veterans: families and dependents: employment opportunities.

Declares the intent of the Legislature to enact legislation that would extend employment opportunities to families and dependents of veterans who are not able to work due to service connected disabilities.

Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 663 (Correa)

Chapter 217, Statutes of 2012

Veterans: transitional housing.

Authorizes the Department of Veterans Affairs to provide transitional housing for veterans, address the housing needs of homeless veterans, or provide other assistance to homeless veterans.

SB 806 (Committee on Veterans Affairs)

Chapter 374, Statutes of 2011

State employees: military leave: salary overpayment.

Extends the statute of limitations for salary overpayments to state employees on leave for duty with the National Guard.

SB 807 (Correa and Lieu)

Chapter 355, Statutes of 2012

Retirement: compensation earnable.

Specifies that any travel expense or housing allowance paid to a state employee may not be included in compensation earnable for the purpose of calculating a pension.

SB 809 (Committee on Veterans Affairs)

Veterans: educational assistance: dependents.

Updates the Military and Veterans Code, relating to veterans. defines "veterans" for the purposes of the various programs bestowing benefits upon veterans, including, but not limited to, educational assistance for dependents of veterans.

Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 811 (Committee on Veterans Affairs)

Veterans: memorial districts: buildings.

Updates the Military and Veterans Code, relating to veterans. Authorizes the establishment of memorial districts with specified powers and duties relating to veterans' buildings. Existing law authorizes registered electors residing within a proposed district to propose the formation of a district, as provided.

Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 812 (Committee on Veterans Affairs)

Flag protocol: POW/MIA Flag.

Requires, where the National Flag, State Flag, and POW/MIA Flag are used, and only one flagpole is used, require the National Flag to be above the State Flag, and the State Flag to be above the POW/MIA Flag.

Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 813 (Committee on Veterans Affairs)

Chapter 375, Statutes of 2011

Public postsecondary education: veterans' enrollment.

Extends priority registration enrollment for veterans at the California State University and the California Community Colleges, from two to five years.

SB 816 (Committee on Veterans Affairs)

Veterans' homes of California: economic need.

Requires the administrator, in the admission of veterans who served in a time of war or peace, to consider the economic needs those of veterans.

Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 817 (Committee on Veterans Affairs)

State contracts: participation goals.

Revises the requirements imposed on disabled veteran business enterprises to, among other changes, require a disabled veteran to have at least a 10% service-connected disability and require a disabled veteran business enterprise to submit specified income tax information to the Office of Small Business and Disabled Veteran Business Enterprise Services.

Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 921 (Lieu, Correa)

Chapter 731, Statutes of 2012

Military Department: Office of the Inspector General: California Military Whistleblower Protection Act.

Creates a statutory requirement that there be a California Military Department Inspector General (Inspector General) and specifies many of his or her responsibilities.

SB 1198 (Calderon)

Chapter 408, Statutes of 2012

Department of Veterans Affairs: publicity of benefit programs for homeless veterans. Requires the California Department of Veterans Affairs (CDVA) to publicize information regarding federal and state benefits available to homeless veterans via printed materials, the department's web site, and other forms the department determines appropriate.

SB 1258 (Wolk, Correa)

Vetoed

Department of Veterans Affairs: monitoring outcomes for veterans: Director of Employment Development: disclosure of information.

Requires the Department of Veterans Affairs (DVA) to establish a system for monitoring outcomes for veterans including employment and employment-related earnings, incidence of suicide, higher education, and involvement with the child welfare system and with the criminal justice system.

SB 1413 (Negrete McLeod)

Chapter 412, Statutes of 2012

Adjutant General: support programs.

Authorizes the Adjutant General to establish specified support programs for the benefit of the Military Department, its components, and its soldiers, airmen, cadets, and their family members and to establish, construct, or acquire facilities or equipment for these programs.

SB 1563 (Cannella)

Chapter 768, Statutes of 2012

Civil service examinations: veterans' preference.

Requires that a veteran who has completed acceptable training in the United States Armed Forces as a military law enforcement officer shall receive 15 preference points in an examination for an open peace officer position in state employment and states legislative intent with regard to veterans' abilities to become state peace officers.

SCR 26 (Blakeslee)

Chapter 90, Statutes of 2011

Vietnam Veterans Memorial Highway.

Designates a portion of State Highway Route 1 in Santa Barbara County as the "Vietnam Veterans Memorial Highway."

SCR 27 (Correa)

Chapter 95, Statutes of 2011

Black April Memorial Week.

Declares the week of April 23 through April 30, 2011, as Black April Memorial Week.

SJR 8 (Veterans Affairs Committee)

TRICARE cost increases.

Urges the United States Congress to make itself the sole authority on determining future TRICARE cost increases and to base those increases on United States Department of Labor statistics.

Returned to Secretary of Senate pursuant to Joint Rule 56.

SJR 19 (Strickland)

Chapter 95, Statutes of 2012

Military base closures.

Urges the California delegates of Congress to protect California military bases from closure during upcoming base realignment and closure processes.

SJR 24 (Harman)

Chapter 96, Statutes of 2012

Naval Weapons Station Seal Beach.

Urges the California delegates of the Congress of the United States to protect the Naval Weapons Station Seal Beach during any upcoming base realignment and closure processes.

SJR 25 (Harman)

Chapter 97, Statutes of 2012

The Los Alamitos Joint Forces Training Base.

Urges the California delegates of Congress to protect the Los Alamitos Joint Forces Training Base during any upcoming base realignment and closure processes.

SJR 26 (Vargas)

Chapter 107, Statutes of 2012

The Naval Air Facility El Centro.

Urges the California delegates of Congress to protect the Naval Air Facility El Centro during any upcoming base realignment and closure processes.

SJR 28 (Emmerson, Dutton)

Chapter 98, Statutes of 2012

Department of Defense budget cuts.

Opposes the budget presented by the United States Air Force to the Senate and House of Representatives of the United States.