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JAMES RAMOS
CHAIR

AGENDA

Tuesday, April 26, 2022
4 p.m. -- State Capitol, Room 126

HEARD IN FILE ORDER

- | | | | |
|----|----------|-------------------------------|--|
| 1. | AB 1595 | Quirk-Silva | Veterans cemetery: County of Orange.(Urgency) |
| 2. | AB 1606* | Ramos | Public postsecondary education: veterans: waiver of mandatory systemwide tuition and fees. |
| 3. | AB 1633* | Seyarto | Public postsecondary education: veterans' educational benefits: information sharing. |
| 4. | AB 2032* | Eduardo Garcia | Ending Military and Veteran Suicide Task Force. |
| 5. | AB 2509* | Fong | Vehicles: registration fees: exemptions. |
| 6. | AB 2949* | Lee | Vehicles: toll exemptions. |
| 7. | AB 2963* | Military and Veterans Affairs | Veterans: California Central Coast Veterans Cemetery Advisory Committee. |

COVID FOOTER

SUBJECT:

We encourage the public to provide written testimony before the hearing by visiting the committee website at www.amva.assembly.ca.gov. Please note that any written testimony submitted to the committee is considered public comment and may be read into the record or reprinted. All are encouraged to watch the hearing from its live stream on the Assembly's website at <https://www.assembly.ca.gov/todaysevents>.

The hearing room will be open for attendance of this hearing. Any member of the public attending a hearing is encouraged to wear a mask at all times while in the building. The public may also participate in this hearing by telephone. We encourage the public to monitor the committee's website for updates.

*Proposed Consent

Date of Hearing: April 26, 2022

ASSEMBLY COMMITTEE ON MILITARY AND VETERANS AFFAIRS

James Ramos, Chair

AB 1595 (Quirk-Silva) – As Amended April 18, 2022

SUBJECT: Veterans cemetery: County of Orange

SUMMARY: This bill makes any location within the County of Orange eligible for construction of a Southern California Veterans Cemetery, and requires the California Department of Veterans Affairs (CalVet) to study the feasibility and costs associated with such construction. Specifically, **this bill**:

- 1) Amends statute to render any site within the County of Orange eligible for construction of a Southern California Veterans Cemetery.
- 2) Requires that CalVet, in consultation with the Department of General Services (DGS) conduct an acquisition study, assessing the feasibility and costs of constructing a Southern California Veterans Cemetery.
- 3) States the intent of the Legislature to appropriate funds from the Southern California Master Development Fund, not to exceed \$700,000, to pay for the acquisition study.

EXISTING LAW:

- 1) Requires CalVet to acquire, study, design, develop, construct, and equip a state-owned and state-operated Southern California Veterans Cemetery on one of two specified locations within Orange County:
 - a) The site of the former Marine Corps Air Station El Toro, on 125 acres known as the Amended and Restated Development Agreement Site in the Orange County Great Park in the City of Irvine,
 - b) The approximately 100 acres known as the Golf Course Site in the Orange County Great Park in the City of Irvine, as described and adopted by the City Council of the City of Irvine at the July 23, 2019, special joint meeting.
- 2) Requires that the department, after completing acquisition studies on both sites, consult with the Department of General Services to determine which site to pursue based on the economic feasibility, benefits to veterans and City of Irvine residents, and availability of each location.
- 3) Permits all local government entities in the County of Orange to join together for the purpose of cooperating with the department in the design, development, construction, and equipment of the cemetery.
- 4) Requires all moneys received for the acquisition, study, design, development, construction, and equipment of the cemetery to be deposited in the Southern California Veterans Cemetery Master Development Fund, created in the State Treasury, with expenditure subject to appropriation by the Legislature in the annual Budget Act.

- 5) Existing law makes honorably discharged veterans, their spouses, and dependent children eligible for interment in the cemetery, as specified.
- 6) The Secretary of United States Department of Veterans Affairs (USDVA) is authorized to make a grant to any state for the purpose of establishing, expanding, or improving a veterans' cemetery owned by the state and operating and maintaining a veterans' cemetery.

FISCAL EFFECT: This bill has not been analyzed in a fiscal committee.

COMMENTS: According to the author: "Our Country's veterans were willing to give their lives to defend our freedom and Democracy. All gave some and some gave all. I have supported the proposed Southern California Veterans Cemetery legislatively since 2014. I believe AB 1595 is the final tool needed for Orange County to bring home for the veterans and their families, this much needed and long awaited, honorable and final resting place for the men and women with the courage to serve our Nation in the armed forces."

Background

Veterans Affairs State Cemetery Grants Program:

Under the federal Veterans Affairs State Cemetery Grants Program, the federal government will reimburse up to 100% of the cost of establishing, expanding, or improving state veterans' cemeteries, including the acquisition of initial operating equipment, if the state agrees to cover the administrative and oversight costs. These administrative and oversight costs are offset eventually through federal veterans burial benefits. The USDVA will not pay any off-site costs, land purchases, demolition costs or state employee costs such as DGS may charge.

Southern California Veterans Cemetery:

Assembly Bill 1453 (Quirk-Silva, 2014, Chaptered) mandated the construction and operation in the City of Irvine of a veterans cemetery to serve the region, called the Southern California Veterans Cemetery. That bill identified as its prospective build site a 125-acre parcel on the former Marine Corps Air Station El Toro. That plan ran into difficulty when the full cost of environmental clean-up and demolition of existing buildings at that site was estimated at \$91 million. State law was later amended to specify a different site, known as Bake Parkway/Strawberry Fields, which Irvine voters later rejected.

In 2019, Assembly Bill 368 (Quirk-Silva, Chaptered) designated two sites on Marine Corps Air Station El Toro – known as the Golf Course Site and the ARDA Site – as eligible for the cemetery project, and mandated that CalVet conduct a site acquisition study of each. Those studies were published in June 2021 and estimated total project cost to build at the ARDA Site at \$110 million and at the Golf Course Site at \$75 million.

In June 2021 the Irvine City Council effectively punted on building the cemetery in Irvine, electing not to transfer either of the MCAS El Toro sites to the state. In short order, an alternate site in the City of Anaheim was proposed, known as Gypsum Canyon. On July 27, 2021, the Orange County Board of Supervisors unanimously approved allocating \$20 million exclusively for site development of a veterans cemetery in the City of Anaheim and adopted a resolution to move forward with planning and developing the site to honor and respect the men and women who served our great county. The Board previously allocated over 200 acres of county-owned

land at Gypsum Canyon in Anaheim Hills to the Orange County Cemetery District (OCCD) for the purpose of building a civilian cemetery with the condition that a veterans cemetery will be constructed at a later date.

This bill does not privilege the Gypsum Canyon location, but would make it eligible, along with any other location in Orange County, including the previously identified MCAS El Toro sites.

Arguments in support.

Supporters say that local disagreement about site selection has been exacerbated by the need to return to the legislature and amend statute every time an alternate site has been proposed. AB 1595, supporters write, would streamline the process and, in particular, CalVet and the state's role in it, allowing site selection to proceed as quickly and as efficiently as local consensus may allow.

Arguments in opposition.

Opponents make several arguments in opposition, many around the contention that the ARDA site on the former MCAS El Toro is superior because of its location, its having been studied and approved, its historical significance and its zoning status. Additionally, opponents say a new Irvine City Council may yet decide to transfer the ARDA parcel to the state.

Committee comment.

This bill would *not* rule out construction of a Southern California Veterans Cemetery at either of the proposed sites on the former MCAS El Toro. It is also not necessary to specify a parcel in statute. The Northern California Veterans Cemetery was built near Redding with statute requiring only that it be built in Northern California. To that end, Shasta County was permitted in statute to coordinate with no fewer than 14 northern California counties in the project's design, development and construction. That cemetery was established in statute and funded in 1999 and it opened in 2005, six years later – two years fewer than have now been spent attempting to build a Southern California Veterans Cemetery.

Prior legislation:

AB 1453 (Quirk-Silva, 2014, Chaptered.) Required the California Department of Veterans Affairs, in voluntary cooperation with local government entities in Orange County, to design, develop, construct, and equip a state-owned and state-operated Southern California Veterans Cemetery to be located at the former Marine Corps Air Station El Toro, on 125 acres known as the Amended and Restated Development Agreement Site in the Great Park in the City of Irvine, among other provisions.

SB 96 (Senate Committee on Budget and Fiscal Review, 2017, Chaptered.) A budget trailer bill, it included an amendment to Military and Veterans Code Section 1410 that changed the site specified from the former Marine Corps Air Station El Toro to the 125-acre “Bake Parkway site.”

AB 368 (Quirk-Silva, 2019, Chaptered) changed the specific Orange County location authorized in statute for a prospective Southern California Veterans Cemetery to either the Marine Corps Air Station El Toro or the Golf Course Site in the Orange County Great Park in the

City of Irvine. This bill also required CalVet to complete acquisition studies on both sites and consult with the Department of General Services to determine which site to pursue.

REGISTERED SUPPORT / OPPOSITION:

Support

American Gold STAR Mothers, INC.
American Legion Newport Harbor Post 291
American Legion, Department of California
AMVETs, Department of California
AMVETs, Hal Camp Post 18
Anaheim Chamber of Commerce
Association of The United States Army, Greater Los Angeles Chapter
Bill Barber, American Legion Post 838
Black Chamber of Orange County
Buffalo Soldiers, Greater Los Angeles Chapter
California State Commanders Veterans Council
City of Anaheim
City of Brea
City of Buena Park
City of Costa Mesa
City of Cypress
City of Dana Point
City of Fountain Valley
City of Fullerton
City of Garden Grove
City of Huntington Beach
City of Irvine
City of La Habra
City of La Palma
City of Laguna Hills
City of Laguna Niguel
City of Laguna Woods
City of Lake Forest
City of Los Alamitos
City of Mission Viejo
City of Newport Beach
City of Orange
City of Placentia
City of Rancho Santa Margarita
City of San Juan Capistrano
City of Santa Ana
City of Seal Beach
City of Stanton
City of Tustin
City of Villa Park
City of Westminster
City of Yorba Linda

County of Orange
Marine Corps League- South Coast Detachment 022
Military and Veterans Appreciation Trust Foundation
Military Officers Association of America, California Council of Chapters
Office of Congressman Lou Correa
Office of US Rep. Young Kim (CA-39)
Orange County Employees Association
Orange County Veterans Memorial Park Foundation
Saddleback Valley American Legion Post 862
State Building and Construction Trades Council of Ca
Vietnam Veterans of America, California State Council
Veterans Alliance of Orange County
Veterans Legal Institute
VFW Post 3173
Vietnam Veterans of America, California State Council

Opposition

Build the Great Park Veterans Cemetery

Analysis Prepared by: Christian Burkin / M. & V.A. / (916) 319-3550

Date of Hearing: April 26, 2022

ASSEMBLY COMMITTEE ON MILITARY AND VETERANS AFFAIRS

James Ramos, Chair

AB 1606 (Ramos) – As Amended March 16, 2022

SUBJECT: Public postsecondary education: veterans: waiver of mandatory systemwide tuition and fees

SUMMARY: Amends the income level required for certain persons to obtain specific benefits from poverty level to area median income. Specifically, **this bill**:

- 1) Requires that the annual income of the child of any veteran of the United States military who has a service-connected disability, has been killed in service, or has died of a service-connected disability not exceed the area median income, as defined, if that child's tuition and fees are not being charged, as specified.
- 2) Defines "area median income" as the median family income in the geographic area of the state where the dependent resides.
- 3) Defines "dependent of a veteran" to mean the natural or adopted child of a veteran, or stepchild of a veteran as defined by the United States Department of Veterans Affairs for compensation purposes, the unmarried surviving spouse of a veteran, or the spouse of a veteran with a disability rating of 70 percent or greater.
- 4) Repeals existing law prohibiting a dependent of a veteran from receiving specified state benefits while the dependent is entitled to receive specified federal educational benefits or duplicate assistance from any other government source.
- 5) Makes various technical and nonsubstantive changes, as specified.

EXISTING LAW:

Federal law. Establishes educational benefits for the spouse and children of both currently serving members of the Armed Forces of the United States and veterans, in such instances where the servicemember or veteran is permanently and totally disabled due to a service-connected disability, or died while on active duty or as a result of a service-connected disability. (38 U.S. Code Section 3500, et seq.)

State law.

- 1) Establishes the UC as a public trust to be administered by the Regents of the University of California (UC); and, grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods and services (Article IX, Section (9)(a) of the California Constitution).

- 2) Establishes the Donahoe Higher Education Act, setting forth the mission of the UC, California State University (CSU), and California Community Colleges (CCC) (Education Code (EDC) Section 66010, et seq.).
- 3) Confers upon the CSU Trustees the powers, duties, and functions with respect to the management, administration, control of the CSU system and provides that the Trustees are responsible for the rule of government of their appointees and employees (EDC Sections 66606 and 89500, et seq.).
- 4) Establishes the CCC under the administration of the Board of Governors of the CCC, as one of the segments of public postsecondary education in this state. The CCC shall be comprised of community college districts (EDC Section 70900).
- 5) The Donahoe Higher Education Act prohibits campuses of those segments from charging mandatory systemwide tuition or fees to specified students who apply for a waiver, including a child of any veteran of the United States military who has a service-connected disability, has been killed in service, or has died of a service-connected disability, where the annual income of the child, including the value of any support received from a parent, does not exceed the national poverty level. (EDC Section 66025.3, et seq.)
- 6) Establishes various educational benefits for dependents of veterans who were killed during military service or are totally disabled, as specified; defines “dependent of a veteran” to include the spouse of a totally disabled veteran; and prohibits a dependent of a veteran from receiving these educational benefits during the time the dependent is entitled to receive specified federal educational benefits or duplicative duplicate assistance from any other government source. (Military and Veterans Code (MVC) Section 890, et seq.)

FISCAL EFFECT: This bill has not been analyzed in a fiscal committee.

COMMENTS: According to the author,

“Military service imposes unique and long-term burdens that make it difficult to impossible for active duty service members and their dependents to improve their education and professional standing. Both the federal and state governments have long acknowledged the unalloyed public benefit provided by aiding veterans and their dependents in transition to civilian life. In addition to the education benefits provided to veterans and their dependents, California offers the College Fee Waiver for Veteran Dependents benefit to veteran dependents attending a California public college or university. It is a generous benefit, but it is complicatedly structured, and provides benefits to children and spouses in some cases, but not to spouses in others. In other cases it imposes an income ceiling on eligibility, in others it does not. In still others, concurrent receipt of equivalent federal benefits renders a dependent child ineligible, while in others it does not. This complexity and inconsistency does not appear to have a policy justification.”

Federal benefits. The U.S. Department of Veterans Affairs administers education benefits for dependents and survivors. There are two main programs offering educational assistance to survivors and dependents of Veterans. The Marine Gunnery Sergeant John David Fry Scholarship (Fry Scholarship) is for children and spouses of active duty servicemembers who

died in the line of duty on or after September 11, 2001, or members of the Selected Reserve who died from a service-connected disability on or after September 11, 2001.

The Fry Scholarship can provide up to 36 months of benefits, including: money for tuition (full in-state tuition costs at public schools and up to \$26,381.37 per year for training at private or out-of-state schools), funding for housing, and funding for books and supplies.

The Survivors' and Dependents' Educational Assistance (DEA, also called Chapter 35) program offers education and training to qualified dependents of veterans who are permanently and totally disabled because of a service-related condition, or died while on active duty or as a result of a service-related condition. DEA recipients receive a monthly payment to help cover the cost of college or graduate degree programs, career training certificate courses, educational and career counseling, apprenticeships, and on-the-job training. The current rate of funding for DEA recipients is \$1,298 per month for 36 months.

College Fee Waiver for Veteran Dependents. The California Department of Veterans Affairs (CalVet) administers the College Fee Waiver for Veteran Dependents, which waives mandatory system-wide tuition and fees at any State of California Community College, California State University, or University of California campus. This program does not cover the expense of books, parking or room and board. There are four plans under which dependents of Veterans may be eligible, Plans A, B C, and D.

Plan A is restricted to:

- 1) The unmarried child of a veteran who is totally service-connected disabled or whose death was officially rated as service-connected is eligible. The child must be over 14 years old and under 27 years old to be eligible. If the child is a veteran, then the age limit is extended to age 30.
- 2) The spouse of a wartime veteran who is totally service-connected disabled is eligible. There are no age limit restrictions.
- 3) The unmarried surviving spouse of a wartime veteran whose death has been rated as service-connected is eligible. There are no age limit restrictions.
- 4) Any dependent of any Veteran who has been declared missing in action, captured in the line of duty by hostile forces, or forcibly detained or interned in the line of duty by a foreign government or power is eligible.

The veteran must have served at least one day of active duty during a period of war as declared by the U.S. Congress, or during any time in which the veteran was awarded a campaign or expeditionary medal. Concurrent receipt of benefits under Plan A and VA Chapter 35 benefits is prohibited.

Plan B covers the child of a veteran who has a service-connected disability, or had a service-connected disability at the time of death, or died of service-related causes is eligible. The child's annual income, which includes the child's adjusted gross income, plus the value of support provided by a parent, may not exceed the annual income limit. The current academic year entitlement is based upon the previous calendar year's annual income.

Under Plan B, wartime service is not required and there are no specific age requirements. Children are the only dependents eligible under this plan. There is no prohibition against receiving concurrent VA Chapter 35 benefits.

Plan C covers any dependent of any member of the California National Guard, who in the line of duty while on active service to the state, was killed, died of a disability resulting from an event that occurred while in active service to the state, or is permanently disabled as a result of an event that occurred while in the service to the state is eligible. Surviving spouses who have not remarried are also eligible. "Active service to the state," for the purpose of this benefit, means a member of the California National Guard activated pursuant to Section 146 of the MVC.

Plan D covers Medal of Honor recipients and children of Medal of Honor recipients under the age of 27 may qualify. Benefits under Plan D are limited to undergraduate studies only, and applicants are subject to both income and age restrictions. There is no prohibition against receiving concurrent VA Chapter 35 benefits.

Area median income. This proposal replaces the national poverty level income cap metric for CalVet College Fee Wavier for Veteran Dependents, instead electing to use “area median income.” This is defined in AB 1606 as the median family income in the geographic area of the state where the dependent resides.

Disability rating. The Department of Veterans Affairs assigns disability ratings based on the severity of a service-connected condition. The disability rating is used to determine how much disability compensation a veteran receives each month, as well as their eligibility for other VA benefits. Cumulative disability ratings may be awarded for multiple service-connected conditions, they are not simply added together to determine the combined rating. For example, a veteran with two service-connected disabilities that are each rated at 50 percent is awarded a combined rating of 80 percent.

Arguments in support. The Academic Senate of the CCC (ASCCC) wrote in support of AB 1606, noting that CCCs “...have great respect for the service of veterans. Many former and present service members are students in the community college system. Veteran Resource Centers are common on community college campuses, and several colleges have direct associations and instructional agreements with military bases in the state. The ASCCC has demonstrated its support for veterans through resolutions passed at the organization’s bi-annual plenary sessions such as Resolution 7.05 in Spring 2017: ‘Chancellor’s Office Support for Veterans Resource Centers,’ Resolution 20.01 in Spring 2009: ‘Post-9/11 G.I. Bill, Veterans and Financial Aid,’ and Resolution 18.04 in Spring 2011: ‘Academic Credit for Veterans and Military Service Members.’ Support for the veteran community is something in which we believe strongly.”

REGISTERED SUPPORT / OPPOSITION:

Support

Academic Senate of the California Community Colleges

Opposition

None on file.

Analysis Prepared by: Christian Burkin / M. & V.A. / (916) 319-3550

Date of Hearing: April 26, 2022

ASSEMBLY COMMITTEE ON MILITARY AND VETERANS AFFAIRS

James Ramos, Chair

AB 1633 (Seyarto) – As Amended April 5, 2022

SUBJECT: Public postsecondary education: veterans' educational benefits: information sharing

SUMMARY: Requires the California State University (CSU), and requests the University of California (UC), to electronically transmit specified personal information regarding students whose tuition or fees are paid, or intended to be paid, using GI Bill educational benefits to the Department of Veterans Affairs (CalVet). Specifically, **this bill**:

- 1) Specifies that, notwithstanding any other law, commencing with the 2023–24 academic year, and annually thereafter for each academic year, the CSU will, and the UC is requested to, electronically transmit to CalVet, all of the following personal information regarding each student whose tuition or fees, or both, are paid, or intended to be paid, using GI Bill educational benefits, if the student has provided a written consent to the disclosure, as specified.
 - a) True, full name;
 - b) Email address;
 - c) Mailing address; and,
 - d) Mobile telephone number.
- 2) Specifies that, for purposes of 1) above, both of the following apply:
 - a) The first data transfer shall include all students using or intending to use GI Bill educational benefits for the 2023–24 academic year; and,
 - b) Each annual data transfer after the first data transfer shall include only new students not identified in the prior data transfer who are using or intending to use GI Bill educational benefits for the academic year.
- 3) Requires that the CSU, and the requests that the UC, on or before June 1, 2023, develop and post on the internet websites for each a template for a written consent to be used by a campus financial aid office that permits a student, when applying for financial aid, to opt in to having the student's personal information shared with the CalVet, as specified.
 - a) Requires the written consent to be developed and administered in compliance with federal and state laws relating to individual privacy, including the requirements of the federal Family Education Rights and Privacy Act of 1974 (Public Law 93-280, as amended) and applicable regulations, as these provisions may from time to time be amended.

- 4) Requires that the information obtained by CalVet, as specified, will only be used for purposes in furtherance of providing benefits and support services for veterans and will not be used or disclosed for any other purpose.
- 5) Defines “GI Bill educational benefits” to mean any educational benefit administered by the United States Department of Veterans Affairs pursuant to Title 38 of the United States Code that is designed to help eligible veterans of the Armed Forces of the United States or other eligible persons with a relationship to a veteran of the Armed Forces of the United States to cover the costs associated with enrollment as a student.

EXISTING LAW:

- 1) Provides federal educational benefit awards for certain members and veterans of the Armed Forces of the United States. (38 U.S. Code Section 3001 et al.)
- 2) Establishes that CalVet within state government has specified powers and duties relating to veterans, including those relating to education benefits. (Military and Veteran Code (MVC) Section 699.5 et al.)
- 3) Authorizes the CCC and CSU, and encourages the UC, to report to CalVet, on an annual basis, specified information, including the total education benefits obtained by all qualified students assisted by a specified office. (Education Code (EDC) Section 69786)
- 4) Establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial aid programs available to students attending all segments of postsecondary education. (EDC Section 69510 et al.)

FISCAL EFFECT: This bill has not been analyzed in a fiscal committee.

COMMENTS: Purpose. According to the author, “One of the primary reasons veterans struggle when coming back to our communities, is simply the lack of connection to many of the resources we offer both as a state and federally. Unfortunately, CalVet does not have accurate up-to-date information sources and is primarily reliant on veterans themselves showing up and asking for help. This bill will connect veterans with CalVet through their use of education benefits, and every connection made is a connection to help a veteran and their family.”

“While the Federal Government provides many benefits for veterans, California has also stepped up and offered more benefits to resident veterans. Benefits that include property tax breaks and education tuition reductions for [families], are just two benefits that California uniquely offers veterans who qualify. Some of the benefits are connected to disability ratings with Veteran Affairs (VA) and others are connected to time in service. The real connection comes in the form of CalVet who is charged by the state to connect the veterans living in California with their benefits”.

“Unfortunately the current process for CalVet to connect with a veteran is limited to two methods, one where the veteran comes into either a CalVet office or a local County Veteran Service Office (CVSO) and the other where the Department of Defense shares the ‘Home of Record’ for the service members who exited the military that year. Both of these options do not reach the main body of veterans in the community and neither provides a viable way of keeping the veteran up-to-date with benefits and their qualifications.”

Background. According to CalVet, California is home to some 1.6 million veterans, and nearly 60,000 of whom are attending California colleges and universities. CalVet has been working to increase awareness of federal, state, and local benefits, utilizing initiatives like the California Transitional Assistance Program (CalTAP) to ensure that veterans are contacted at pivotal moments throughout their post-military experience to educate them about the services and benefits they have earned.

Even with CalTAP outreach efforts, there is a concern that servicemembers and veterans are not accessing all of the benefits and resources available to them.

Educational benefits. Servicemembers and veterans of the armed forces have access to many different kinds of benefits, including various federal educational aid programs if they meet the applicable eligibility criteria. These include:

- 1) The Post-9/11 G.I. Bill is available for military members, veterans, and National Guard members who have served on active duty for at least 90 days after September 11, 2001. This benefit covers full tuition and fees at public schools or covers \$26,043 at a private institution, with a monthly housing allowance and a stipend for books for up to 3 years.
- 2) The Montgomery G.I. Bill is available for military members, veterans, and National Guard members who served on active duty for at least two years after June 30, 1985. This benefit provides up to \$25,800 per year for tuition and fees for up to 3 years. A benefit by the same name is available for Military and National Guard members who serve on reserve with a six-year enlistment; they can be eligible for \$4,884 per year for up to 3 years.
- 3) The Survivors' and Dependents' Educational Assistance (DEA) program provides tuition assistance and job training to the spouse and children of a veteran or service member who has died, is captured or missing, or has service-connected disabilities. Beneficiaries using this program can be provided up to \$15,576 in tuition and fees.
- 4) The Military Tuition Assistance Program eligibility varies by military branch, but provides up to \$4,500 per year in tuition and fees with a lifetime limit of a certain number of credits for undergraduate and graduate work; the beneficiary must remain in service during their coursework to qualify.
- 5) The Yellow Ribbon Program is a provision of the law that created the Post-9/11 GI Bill. The Yellow Ribbon Program is available for Institutions of Higher Learning (degree granting institutions) in the U.S. or at a branch of such institution located outside the U.S. The program allows approved institutions of higher learning and the VA to partially or fully fund tuition and fee expenses that exceed the established thresholds under the Post-9/11 GI Bill (VA matches the amount contributed by the school). Schools have the flexibility to designate the number of students and contributions based on student status (undergraduate, graduate, doctoral) and college or professional school.
- 6) VA Vocational Rehabilitation and Employment (VR&E) is available for veterans with a service-connected disability that limits their ability to work or prevents them from working. Services in this program include (among others): post-secondary training at a college, vocational, technical, or business school; on the job training (OJT), apprenticeships, and non-paid work experiences; and supportive rehabilitation services including case management,

counseling, and medical referrals. In some cases, veterans participating in the VR&E program may receive a subsistence allowance while they pursue an educational or training program in preparation for a future career. The subsistence allowance is paid each month, and is based on the rate of attendance in a training program (full time, three quarter time, or half time), the number of dependents, and the type of training. If a veteran qualifies for the Post-9/11 GI Bill they may be eligible to receive the Basic Allowance for Housing (BAH) rate for subsistence. A full time student with no dependents is eligible for a subsistence allowance of \$670.77 per month.

- 7) Troops to Teachers (TTT) is a U.S. Department of Education and Department of Defense program that helps eligible military personnel begin a new career as teachers in public schools. Pending availability of funds, financial assistance may be provided to eligible individuals as stipends up to \$5,000 to help pay for teacher certification costs or as bonuses of \$10,000 to teach in schools serving a high percentage of students from low-income families. Participants who accept the Stipend or Bonus must agree to teach for three years in schools that serve.
- 8) The California Military Department (CMD) G.I. Bill issues educational awards to qualifying members of the California Army or Air National Guard, California State Guard, and the California Naval Militia. This State Grant can pay for up to 100% of the tuition and fees at a UC, CSU, or a California Community College (CCC). It can also be used for eligible California proprietary and private institutions.

Successful past efforts. The author has indicated that this legislation builds on successful data sharing efforts in existing law. Specifically, the 2010-2011 State Budget (Chapter 712, Statutes of 2010) and 2011-2012 State Budget (Chapter 6, Statutes of 2011) contained provisions requiring the Department of Motor Vehicles (DMV) and CalVet requiring the application for a driver license or identification card to contain a space for an applicant to indicate they had served in the Armed Forces of the United States and to give their consent to be contacted regarding eligibility to receive state or federal veterans benefits.

The provisions detailed in the 2011-2012 State Budget contained similar restrictions around how the collected data can be used as the restrictions in this legislation, yet the collaboration still resulted in over 28,500 veterans requesting information through their DMV application in just 18 months. Further legislative efforts in 2014 required DMV to issue driver licenses and identification cards with a veteran designation to eligible applicants, and utilized County Veteran Service Officers (CVSO) to process and certify servicemembers' discharge papers.

As of December 31, 2018, 106,852 veterans have opted to have the veteran designation on their license. According to the CalVet, 35,261 veterans applied for benefits as a result of their visit with a CVSO to get the paperwork necessary for the veteran designation. Those veterans are now receiving nearly \$74 million in annual benefits. In addition, nearly \$40 million in benefits have been awarded retroactively.

Committee comments. The Higher Education Committee noted the absence from this legislation of the California Community Colleges (CCC), which play a crucial role in educating servicemembers, veterans, and their families. *Moving forward, the author may wish to consider requiring community colleges to also collect and transmit data as provided in this bill.* Additionally, this committee notes that Assembly Bill 305 (Maienschein, 2021), which is on

third reading in the Senate, does much of the same as this bill, but is broader in scope, covering many more state agencies, in addition to the UC, CSU and CCC.

Prior legislation. Assembly Bill 935 (Frazier, Chapter 644, Statutes of 2014) requires the DMV to offer a driver license or identification card printed with the word “veteran” to an eligible applicant.

AB 105 (Blumenfield, Chapter 6, Statutes of 2011) codified the information sharing relationship between DMV and CalVet as mandated by SB 870.

Senate Bill (SB) 870 (Ducheny, Chapter 712, Statutes of 2010) requires the DMV to include on all driver license and identification card applications, both paper and electronic, a field where an applicant can indicate if they are a veteran and if they want DMV to send their name and mailing address to CalVet for the purpose of receiving information regarding veteran benefits. SB 870 also requires DMV to enter an agreement with CalVet that establishes a data-sharing agreement for the information DMV collects from veterans as part of the application process.

SB 1680 (Wyland, Chapter 123, Statutes of 2008) authorized the CCC and the CSU, and would encourage the UC, to report to CalVet, on an annual basis, specified information relating to Military and Veterans Offices.

Other legislation.

AB 305 (Maienschein, 2021) would require specified governmental agencies to include, at their next scheduled update, additional questions on their intake and application forms to determine whether a person is affiliated with the Armed Forces of the United States. It would require those agencies, through the intake or application form, to request permission from that person to transmit their contact information to the CalVet so that the person may be notified of potential eligibility to receive state and federal veterans benefits, and require the agencies to electronically transmit to the CalVet specified information regarding each person who has identified that they, or their spouse, legal partner, parent, or child, served in the Armed Forces of the United States and has consented to be contacted about military, veterans, family member, or survivor benefits.

REGISTERED SUPPORT / OPPOSITION:

Support

AMVETs, Department of California
California Association of County Veterans Service Officers
California State Commanders Veterans Council
Vietnam Veterans of America, California State Council

Opposition

None on file.

Analysis Prepared by: Christian Burkin / M. & V.A. / (916) 319-3550

Date of Hearing: April 26, 2022

ASSEMBLY COMMITTEE ON MILITARY AND VETERANS AFFAIRS

James Ramos, Chair

AB 2032 (Eduardo Garcia) – As Amended March 16, 2022

SUBJECT: Ending Military and Veteran Suicide Task Force

SUMMARY: Requires the California Department of Public Health (CDPH) to establish the End Military Suicide Task Force (Task Force) within the Office of Suicide Prevention (OSP) to systematically reduce, on an annual basis, military and veteran suicides and to provide a plan by June 1, 2024, for the elimination of all military and veteran suicides in the state by January 1, 2028. Specifically, **this bill**:

- 1) Requires CDPH to establish the Task Force within the OSP to systematically reduce, on an annual basis, military and veteran suicides.
- 2) Requires the Task Force to provide a plan by June 1, 2024, for the elimination of all military and veteran suicides in the state by January 1, 2028.
 - a) Requires the Task Force to recommend comprehensive strategies aimed at addressing suicide among military members and veterans in California.
 - b) Requires the Task Force to recommend ways to establish and execute plans and programs to implement those strategies.
- 3) Requires the Task Force to consist of all of the following:
 - a) Stakeholders from the Military Department's mental health, chaplaincy, and other programs tasked with morale and welfare;
 - b) One representative from the Department of Veterans Affairs;
 - c) Representatives from the United States Department of Defense and each of the armed services; and,
 - d) Representatives from other veterans' service organizations, state and local mental health officials, and researchers with relevant subject matter expertise.
- 4) Requires CDPH to support the Task Force and ensure the Task Force is able to carry out its duties. Authorizes CDPH to use its existing resources to absorb the Task Force's costs in implementing this bill. Provides that CDPH may accept and expend funds from nongovernmental sources for its work with the Task Force.
- 5) Requires CDPH to submit a report to the Governor and the Legislature by June 1, 2024, and annually thereafter, that includes all of the following:
 - a) An analysis of the plans, activities, strategies, and programs undertaken based on the Task Force's recommendations and their effects on reducing military suicides in the state to include a specific set of near-, intermediate-, and long-term benchmarks that can be

used to measure the state's progress toward the goal of eliminating military suicides by January 1, 2028;

- b) A survey and analysis of existing programs currently available from federal, state, and local governmental and nongovernmental agencies that deal with suicide, military suicide and veteran suicide;
- c) An analysis of the success achieved by each program that can lead to recommendations from the Task Force on how California can eliminate the military suicide problem; and,
- d) An analysis of the factors of alienation, strained relationships, finances, family disruptions, and career challenges associated with suicidal ideation and how to provide services to address those factors as experienced by military members and California National Guard members who live in geographically diverse areas that are far from military bases and mental health care facilities.

EXISTING LAW:

- 1) Establishes the CDPH to protect and improve the health of communities through education, promotion of healthy lifestyles, and research for disease and injury prevention.
- 2) Permits CDPH to establish the Office of Suicide Prevention whose responsibilities include:
 - a) Providing information and technical assistance to statewide and regional partners regarding best practices on suicide prevention policies and programs;
 - b) Conducting state level assessment of regional and statewide suicide prevention policies and practices, including other states' suicide prevention policies, and including specific metrics and domains as appropriate;
 - c) Monitoring and disseminating data to inform prevention efforts at the state and local levels;
 - d) Convening experts and stakeholders, including, but not limited to, stakeholders representing populations with high rates of suicide, to encourage collaboration and coordination of resources for suicide prevention; and,
 - e) Reporting on progress to reduce rates of suicide.
- 3) Allows the OSP to focus activities on groups with the highest risk, including youth, Native American youth, older adults, veterans, and LGBTQ people.
- 4) Establishes the California Suicide Prevention Act of 2000 and permits the Department of Health Care Services, contingent upon appropriation in the annual Budget Act, to establish and implement a suicide prevention, education, and gatekeeper-training program to reduce the severity, duration, and incidence of suicidal behavior, as specified.
- 5) Requires CDPH to access data within the electronic death registration system implemented to compile a report on veteran suicide in California, to include but not be limited to:

- a) Information on the ages, sexes, races or ethnicities, counties of residence, and methods of suicide of veterans;
 - b) A cross-tabulation of the data specified above; and,
 - c) A comparison of the data to the data from the previous year.
- 6) Requires CDPH to provide the report compiled pursuant to the above to the Legislature and the Department of Veterans Affairs on or before March 15 each year.

FISCAL EFFECT: This bill has not been analyzed in a fiscal committee.

COMMENTS:

Although suicide is non-discriminatory, military personnel and veterans with mental health diagnoses, sleep disorders, traumatic brain injury, or a pain diagnosis, as well as those who are divorced, widowed, or never married are at higher risk. Veteran suicide rates are significantly higher than the national general population suicide rates.

According to the United States Department of Defense (DoD), in 2018, there were 541 military service members across the active and reserve components who died by suicide. In the active component, the suicide rate was 24.8 suicides per 100,000 personnel, in the service reserves the suicide rate was 22.9 per 100,000 personnel, and in the California National Guard the rate was 30 per 100,000 personnel. This was the highest recorded suicide rate since the DoD started collecting data in 2001.

According to the 2020 National Veteran Suicide Prevention Annual Report by the U.S. Department of Veteran Affairs (USDVA), there has been a consistent and troubling trend in which the average annual number of veteran suicides per day increased from 2005 to 2018. Particularly concerning is the recent 0.6% increase in veteran suicide rates between 2017 and 2018, despite the veteran population decreasing by 1.5%. The report showed that the age-adjusted suicide rate among female veterans was 2.1 times higher than that of non-veteran females, and the age-adjusted suicide rate among male veterans was 1.3 times higher than that of non-veteran males.

According to the author: "This Task Force is an essential mechanism to tackle the rising numbers of military suicides. Data from the Department of Veterans Affairs shows that not only is the suicide rate for veterans 1.5 times higher than for non-veterans, but that this number has increased from 1.2 times higher in 2005 to 1.5 times higher. Our brave veterans and currently active and reserve service members have already given, and continue to give so much for this country. We must acknowledge and address the challenges and difficulties they face and do everything necessary to eliminate military suicide."

REGISTERED SUPPORT / OPPOSITION:

Support

California State Commanders Veterans Council (Sponsor)
American Legion, Department of California
AMVETs, Department of California
California Association of County Veterans Service Officers

California State Association of Psychiatrists (CSAP)

Military Officers Association of America, California Council of Chapters

Peace Officers Research Association of California (PORAC)

Vietnam Veterans of America, California State Council

Opposition

None on File

Analysis Prepared by: Jenny Callison / M. & V.A. / (916) 319-3550

Date of Hearing: April 26, 2022

ASSEMBLY COMMITTEE ON MILITARY AND VETERANS AFFAIRS

James Ramos, Chair

AB 2509 (Fong) – As Introduced February 17, 2022

SUBJECT: Vehicles: registration fees: exemptions

SUMMARY: Exempts Purple Heart recipients, and the surviving spouse of a Purple Heart recipient under certain conditions, from vehicle registration fees.

EXISTING LAW:

- 1) Exempts the following persons from vehicle registration fees:
 - a) Disabled veteran;
 - b) Former prisoner of war;
 - c) Congressional Medal of Honor recipient; and
 - d) The surviving spouse of a former American prisoner of war, or a Congressional Medal of Honor recipient, who has elected to retain the special license plates issued under Section 5101.6 of the Vehicle Code.
- 2) Limits the registration fee exemption for the above parties to no more than one vehicle per American prisoner of war, disabled veteran, Congressional Medal of Honor recipient, or a surviving spouse.
- 3) Excludes fees for duplicate plates, certificates, or cards, and excludes transportation for hire compensation, or profit.

FISCAL EFFECT: This bill has not been analyzed in a fiscal committee.

COMMENTS:

The Purple Heart is a distinguished military decoration awarded in the name of the President to those who have been wounded or killed while serving in the U.S. Armed Forces. Eligibility for a Purple Heart applies to service members who suffered a wound:

- 1) As the direct or indirect result of enemy action, and
- 2) The wound required treatment by a medical officer at the time of the injury.

Current law allows Purple Heart recipients to apply for a specialized license plate under Section 5101.8 of the Vehicle Code. However, unlike disabled veterans, former American prisoners of war and Congressional Medal of Honor recipients, Purple Heart recipients are not eligible for vehicle registration fee waivers. Additionally, surviving spouses of Purple Heart recipients are currently not eligible for vehicle registration fee waivers, inconsistent with the exemptions for surviving spouses of former American prisoners of war and Congressional Medal of Honor recipients.

According to the author: "Veterans who have served our country and are injured during their service should be afforded every accommodation possible upon returning home. Vehicle registration and license fees are added burdens on veterans that the state can help ease. Waiving DMV license and registration fees will also create consistency amongst other veterans that already have these costs waived."

Previous Legislation:

AB 459 (Mathis) 2021, died in the Assembly Appropriations Committee. Would have exempted partially disabled veterans from vehicle registration fees.

SB 1259 (Runner) 2016, died in the Assembly at request of author. Would have exempted veterans with specialized license plates to be exempt from toll payments.

SB 386 (Cogdill) Chapter 357, Statutes of 2007, extended vehicle registration exemptions to surviving spouses of former American prisoners of war and Congressional Medal of Honor recipients.

AB 279 (Cohn), Chapter 201, Statutes of 2004, allows the un-remarried, surviving spouse of a person issued Purple Heart special license plates to retain the special plates upon the death of a Purple Heart recipient.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of County Veterans Service Officers
California State Commanders Veterans Council
County of Monterey

Opposition

None on File

Analysis Prepared by: Jenny Callison / M. & V.A. / (916) 319-3550

Date of Hearing: April 26, 2022

ASSEMBLY COMMITTEE ON MILITARY AND VETERANS AFFAIRS

James Ramos, Chair

AB 2949 (Lee) – As Amended April 19, 2022

SUBJECT: Vehicles: toll exemptions

SUMMARY: Exempts vehicles registered to veterans displaying specialized license plates from paying tolls or related fines. Specifically, **this bill**:

- 1) Exempts from toll payment or other charge on a toll road, toll bridge, toll highway, vehicular crossing, or other toll facility, except for a high-occupancy toll lane, any vehicle displaying one of the six California license plate types that are only available to qualifying veterans from the Department of Motor Vehicles (DMV). These veterans include:
 - a) Disabled veterans,
 - b) Pearl Harbor survivors,
 - c) Members of the Legion of Valor, which includes recipients of the Army, Navy, and Air Force Medals of Honor, the Army Distinguished Service Cross, and the Navy and Air Force Crosses,
 - d) Former American prisoners of war,
 - e) Recipients of the Congressional Medal of Honor; and,
 - f) Recipients of the Purple Heart.

EXISTING LAW:

- 1) Requires every vehicle using a toll bridge or toll highway to be liable for any tolls or other charges that may be prescribed and prohibits a person from evading or attempting to evade the payment of those tolls or charges.
- 2) Allows emergency vehicles that are properly marked as such, displaying exempt California license plates, and either engaged in traveling to or returning from urgent or emergency response to be exempt from toll payment.
- 3) Requires toll operators, or processing agency, to issue a notice of toll evasion violation to the registered owner of the vehicle within 21 days of the violation if a vehicle is found, by automated devices (including cameras), by visual observation, or otherwise, to have evaded a toll.

FISCAL EFFECT: This bill has not been analyzed in a fiscal committee.

COMMENTS: According to the author, “The minimum wage for California is \$15 an hour. Meanwhile, the toll road from the Bay Area to Sacramento is \$14 roundtrip, which could be someone’s entire hour’s salary. AB 2949 requires that a vehicle displaying one of the specified veteran’s plates be exempted from tolls or other charges on toll roads or bridges.”

What is covered? This bill applies to tolls and other charges on toll roads, toll bridges, toll highways, vehicular crossings or other toll facilities, except high-occupancy toll lanes.

Who is covered? This bill does not excuse all veterans from paying tolls. Rather, it exempts vehicles displaying special license plates that can only be obtained by veterans who meet specific, additional criteria and can provide official documentation of their status to the DMV. Special plates are available to veterans who have been prisoners of war, veterans who survived the attack on Pearl Harbor, veterans who have been severely disabled in the course of their service, and veterans who have received particular distinctions (e.g., the Purple Heart, the Congressional Medal of Honor). As these examples suggest, the special plate requirement limits the scope of the bill to a small subset of California veterans. According to the DMV, there are 34,365 disabled veterans and 5,580 other individuals with specialized license plates that meet the specifications in this bill.

Enforcement challenges. Toll systems often either rely primarily on, or are backstopped by a camera that photographs each vehicle's license plate as it passes through a toll booth. Therefore, toll operators may be able to program their automated systems to identify vehicles displaying qualifying veteran plates. However, this bill provides no direction to toll facility operators regarding administration of this requirement. Additionally, not all toll facilities in the state utilize license plate cameras. This could complicate enacting this program across the diverse types of tolling facilities in the state and may result in veterans not receiving the benefit intended by this bill. It is also important to consider that some special status plates can be retained on a vehicle by a surviving spouse after the qualifying veteran's death, and as a result the benefits of this bill may extend beyond the intended veteran.

Cost impact on toll facilities. Supporters of this legislation argue that due to the small number of covered veterans, the bill's impact on revenues from toll highways and bridges would be de minimis. Depending on the type of tolling facility, the cost of related programming changes for toll systems is also likely to be relatively minor. It is important to bear in mind, however, that distinguished veterans already receive similar small courtesies, such as discounted fishing licenses and free admission to California state parks. Unlike programs that enhance veterans' access to education, health care, housing, or employment, these small benefits do not substantively improve veterans' opportunities or quality of life. They do, however, deprive public agencies of funds. While any such benefit taken in isolation may seem de minimis, the more that are permitted, the greater the cost to the rest of California's citizens, who must make up the difference.

Veterans who are disabled, survived Pearl Harbor, a Medal of Honor or Purple Heart recipient, or a former Prisoner of War face enough difficulties after their military service. By exempting these veterans from toll charges, we will provide assistance to those who sacrificed for us in service.”

Committee comments:

By hinging toll exemption to the possession of one of several license plates offered to California veterans under different eligibility criteria, the bill excludes those veterans whose service-connected disabilities are rated below 100 percent, and whose injury or condition does not qualify them for the Purple Heart.

The author cites the California minimum wage of \$15 an hour, but a veteran with a 100 percent disability rating and no dependents receives \$3,332.06 per month in disability payments, a tax-

exempt benefit. Congressional Medal of Honor recipients, also eligible under this bill, are paid a monthly stipend, in addition to any other pension and benefits, of about \$1400.

REGISTERED SUPPORT / OPPOSITION:**Support**

American Legion, Department of California
California State Commanders Veterans Council
Military Officers Association of America, California Council of Chapters
Save Our Seniors Network
Vietnam Veterans of America, California State Council
Cristina Arriola - Individual
Ruscal Cayangyang - Individual
Cheryl Sudduth - Individual

Opposition

None on file.

Analysis Prepared by: Christian Burkin / M. & V.A. / (916) 319-3550

Date of Hearing: May 26, 2022

ASSEMBLY COMMITTEE ON MILITARY AND VETERANS AFFAIRS

James Ramos, Chair

AB 2963 (Committee on Military and Veterans Affairs) – As Introduced March 10, 2022

SUBJECT: Veterans: California Central Coast Veterans Cemetery Advisory Committee

SUMMARY: Deletes statutory references to the Fort Ord Reuse Authority and the Ford Ord Veterans Cemetery Citizens Advisory Committee.

EXISTING LAW:

- 1) Establishes the California Central Coast Veterans Cemetery Advisory Committee, consisting of the following persons appointed by the secretary of the California Department of Veterans Affairs:
 - a) One representative from the County of Monterey, nominated by the Board of Supervisors of the County of Monterey.
 - b) One representative from the City of Seaside, nominated by the City Council of the City of Seaside.
 - c) One representative from the Fort Ord Reuse Authority, nominated by the board of directors of the Fort Ord Reuse Authority.
 - d) Two members from the Fort Ord Veterans Cemetery Citizens Advisory Committee, nominated by that committee.
 - e) At least two members from the department.
- 2) Requires the department to seek the advice of the Advisory Committee when considering significant changes in the design of the veterans cemetery.

FISCAL EFFECT: This bill is not keyed fiscal.

COMMENTS: The Legislature passed the Fort Ord Reuse Authority Act, which created the Fort Ord Reuse Authority (FORA) to adopt a Fort Ord Reuse Plan (SB 899 (Mello), Chapter 64, Statutes of 1994). FORA adopted its Final Base Reuse Plan in 1997. The Final Base Reuse Plan for Fort Ord and the 2012 Reassessment detailed the future land uses for the 45-square mile former Army base, including areas for housing, commerce, recreation, public uses, and open space, as well as several options for the development of a cemetery. The Central Coast Veterans Cemetery project broke ground in 2015 and the first phase of its opening began in October 2016. The Fort Ord Reuse Authority was dissolved in 2020.

The Fort Ord Citizens Advisory Committee was to assist in the development of the proposed Central Coast Veterans' Cemetery located on the former Fort Ord. Its purpose fulfilled, the committee was dissolved by resolution of the Monterey County Board of Supervisors on October 13, 2020.

Prior legislation. AB 629 (Monning, Chapter 267, Statutes of 2011) allowed the California Department of Veterans Affairs (CalVet) to give the Ford Ord Reuse Authority (FORA) sole authority for the building of the state veterans' cemetery rather than the Department of General Services (DGS).

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

Analysis Prepared by: Christian Burkin / M. & V.A. / (916) 319-3550