

2014

2013-2014 Summary of Legislation

Assembly Committee on Veterans Affairs

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Assembly Committee on Veterans Affairs



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2013-2014 Summary of Legislation



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Assembly Committee on Veterans Affairs

2013 Legislative Summary

BILLS SENT TO GOVERNOR AND ENACTED RESOLUTIONS:

ASSEMBLY BILLS:

AB 13 (Conway)

Chapter 639, Statutes of 2014

Nonresident tuition exemption: veterans

This bill requires the California Community Colleges (CCC) and the California State University (CSU), and request the University of California (UC), to update and adopt policies no later than July 1, 2015, regarding tuition rates for eligible veterans and their eligible dependents to ensure conformity to, and compliance with, a specified federal statute and the requirements of existing law.

AB 150 (Olsen)

Chapter 688, Statutes of 2013

State parks: armed services: fee waiver.

Authorizes the Department of Parks and Recreation (DPR) to offer veterans and active duty or reserve military personnel of the United States (U.S) Armed Forces or the National Guard, free day use access, or reduced fee access, to California state parks on Memorial Day and Veterans Day.

AB 244 (Bonilla)

Chapter 690, Statutes of 2013

Vehicles: license plates: veterans.

Requires the California Department of Veterans Affairs (CalVet) to sponsor a veterans' special interest license plate and requires the California Department of Motor Vehicles (DMV) to issue the veterans' plate if CalVet meets the current statutory requirements.

AB 258 (Chávez)

Chapter 227, Statutes of 2013

State agencies: veterans.

Requires, on or after July 1, 2014, every state agency that requests on any written form or written publication, or through its Internet Web site, whether a person is a veteran, to request that information in a specified manner.

AB 287 (Frazier)

Chapter 289, Statutes of 2013

Vietnam veterans' memorial: update.

Requires, until January 1, 2020, the Department of Veterans Affairs (CalVet) to annually compile a list of names of Vietnam veterans to be added to the Memorial, as specified and requires CalVet to form a committee to review and consider requests from the public to include names on the Memorial. Also authorizes the names on the list to be added to the Memorial if specified requirements are met, including that adequate private funding is available.

AB 296 (Wagner)**Chapter 867, Statutes of 2014***Trusts.*

Provides that an allocation to principal of money received in total or partial liquidation of an entity or money received that is a capital gain dividend distribution, as specified, does not include a net short-term capital gain distribution from a regulated investment company or a real estate investment trust. This bill also clarifies an ambiguity in the Uniform Principal and Income Act.

AB 372 (Eggman)**Chapter 75, Statutes of 2013***Civil service: veterans' preference in hiring.*

Deletes current provisions granting veterans' preference points in specified state civil service examinations and instead requires that whenever any veteran, widow or widower of a veteran, or spouse of a 100% disabled veteran achieves a passing score on an entrance examination, he/she will be ranked in the top rank of the resulting eligibility list.

AB 409 (Quirk-Silva)**Chapter 643, Statutes of 2013***Political Reform Act of 1974: statements of economic interests: online filing.*

Permits the Fair Political Practices Commission to develop and operate its own online system for filing Statements of Economic Interests which must enable a filer to comply with all relevant requirements, as specified.

AB 526 (Melendez)**Chapter 236, Statutes of 2013***Military service: benefits.*

Extends to a larger class of military reservists the enhanced financial protections currently offered only to service members ordered to active duty as part of the Iraq and Afghanistan conflicts. It also adds utility bills to the list of financial obligations subject to statutory deferment.

AB 557 (Yamada)**Chapter 134, Statutes of 2013***Veterans' homes: accounting of charges.*

Requires a veterans' home resident's quarterly statement or accounting to specify that the home may use the deceased veteran's money or personal property that is outside the home for payment of unreimbursed costs of care. Also requires the quarterly statement or accounting and any notice relating to quarterly statements posted in any veterans' home to be in 14-point font or larger.

AB 585 (Fox)**Chapter 641, Statutes of 2014***Department of Veterans Affairs: use of real property.*

Requires the Department of Veterans Affairs (CalVet) by July 1, 2016, to create a prioritized list of unused or underutilized nonresidential real property owned by CalVet, and to propose one or more potential uses that will benefit California veterans. Requires CalVet to consider its inventory of properties as an integrated system, and to address how prospective uses of the properties could complement each other.

AB 614 (Chávez)**Chapter 642, Statutes of 2014**

Veterans' homes of California: reimbursement rates.

Provides that a veteran member of a Veterans Home of California and who is in intermediate care or skilled nursing care is not subject to charges and fees if he/she meets specified criteria for disability status and payments by the federal Department of Veterans Affairs under specified federal regulations.

AB 639 (John A. Pérez)**Chapter 727, Statutes of 2013**

Veterans Housing and Homeless Prevention Bond Act of 2014: Veterans Housing and Homeless Prevention Act of 2014.

Authorizes the issuance of \$600 million in general obligation (GO) bonds for the acquisition, construction, rehabilitation, and preservation of affordable multifamily supportive housing, affordable multifamily transitional housing, or related facilities for veterans and their families - if approved by the voters at the June, 2014, General Election.

AB 704 (Blumenfield)**Vetoed**

Emergency medical services: military experience.

Requires the Emergency Medical Services Authority (EMSA) to develop and adopt regulations to accept the education, training and practical experience that an applicant received as a member of the armed forces toward the qualifications and requirements for certification as an EMT-I or EMT-II, or licensure as an EMT-P.

AB 717 (Chávez)**Chapter 692, Statutes of 2013**

Veterans.

Requires the California Veterans Board (Board) to serve as an advisory body to the Secretary of the Department of Veterans of Affairs and the department, and eliminates certain qualifications to be a member of the Board, and requires every Board member to be a member in good standing with a congressionally chartered veteran service organization. Requires CalVet to respond to the Board regarding the Board's proposed policy changes, prior to the Board's next scheduled meeting. This bill also deletes specified reporting requirements of the Board and requires the CalVet Secretary and the Board to seek to confer with the California State Commanders Veterans Council at least twice per calendar year on issues affecting California veterans.

AB 1124 (Muratsuchi)**Chapter 8, Statutes of 2014**

Medi-Cal: reimbursement rates.

Extends the duration of the exemption for laboratory providers from compliance with the Medi-Cal "comparable price" regulation until July 1, 2015. Delays the requirement that the Department of Health Care Services adopt regulations regarding Medi-Cal laboratory service rates, until June 30, 2016.

AB 1397 (Committee on Veterans Affairs)**Chapter 645, Statutes of 2014**

California National Guard and United States Military Reserve: employment protections.

Changes the frequency of reporting by the Adjutant General. Specifically, this bill requires the report of the Adjutant General to the Governor on the spending and activities of the Military Department to be made annually beginning July 1, 2014.

AB 1410 (Committee on Veterans Affairs)**Chapter 322, Statutes of 2013***Courts-Martial Appellate Panel.*

Establishes the Courts-Martial Appellate Panel. The panel would consist of 3 justices to be appointed by the Governor. The bill would require a justice to sit on the panel for a 4-year term or until his or her resignation. The bill would authorize the panel to be convened by the President of the United States, the Governor, or the Adjutant General. Under the bill, the panel would have power over the issuance of extraordinary writs relative to specified matters and adjudicating appeals of sentences of a court-martial. The bill would require precedential decisions of the Courts-Martial Appellate Panel to be posted in a conspicuous place. Because the establishment of a military court imposes new responsibilities on a local agency jail, the bill would impose a state-mandated local program.

AB 1453 (Quirk-Silva)**Chapter 646, Statutes of 2014***Southern California Veterans Cemetery.*

Requires the California Department of Veterans Affairs (department), 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 a specified site in the City of Irvine. Requires the department to apply to the United States Department of Veterans Affairs Veterans Cemetery Grants Program for a grant of up to 100% of the estimated cost for designing, developing, constructing, and equipping the cemetery.

AB 1509 (Fox)**Chapter 647, Statutes of 2014***Veterans: transition assistance.*

Requires the Department of Veterans Affairs to develop a California transition assistance program by July 1, 2015 for veterans who have been discharged from the Armed Forces of the United States or the National Guard of any state as specified.

AB 1518 (Eggman)**Chapter 648, Statutes of 2014***Military: National Guard: youth challenge program.*

Codifies the authority in federal law for the existing California National Guard Youth Challenge Program and specifies certain geographic areas to be served, subject to the availability of funding.

AB 1565 (V. Manuel Pérez)**Vetoed***California Department of Aging: grants: LGBT veteran services.*

Authorizes the Director of the Department of Aging to provide grants, to the extent appropriations are made for this purpose, to nonprofit organizations with experience providing services and training that are culturally competent and sensitive to issues relating to the lesbian, gay, bisexual, and transgender (LGBT) community. This bill also requires nonprofit organizations receiving those grant funds to, among other things, provide training, outreach, and education to agencies, individuals, and other appropriate entities that provide services to veterans who are elder and LGBT.

AB 1821 (Gordon)**Chapter 650, Statutes of 2014***Medical foster homes.*

Establishes the Medical Foster Home Pilot Program and commencing June 1, 2015, and until January 1, 2018, authorizes a United States Department of Veterans Affairs (VA) facility to establish a Medical Foster Home that is not subject to licensure or regulation as a residential care facility for the elderly, a community care facility, or a residential care facility for persons with chronic, life-threatening illnesses provided that specified federal requirements are satisfied, the VA facility establishing the home agrees to be subject to the jurisdiction of the State Auditor, and the VA obtains criminal background information for caregivers and specified individuals residing in the home.

AB 2263 (Bradford)**Chapter 652, Statutes of 2014***Veterans service advocate: correctional facilities.*

Authorizes a veterans service organization to volunteer to serve as a veterans service advocate at each facility under the jurisdiction of the Department of Corrections and Rehabilitation to assist veteran inmates with securing specified benefits upon their release.

AB 2664 (Quirk-Silva)**Chapter 653, Statutes of 2014***California National Guard.*

Establishes the California National Guard Military Family Relief Fund as an account within the California Military Department Support Fund for the purpose of providing financial aid grants to eligible members of the California National Guard who are California residents and who have been called to active duty. This bill also transfers any and all monies remaining in the California Military Family Relief Fund to the California Military Department Support Fund and requires those moneys to continue to be disbursed in accordance with the original intent of the contributions made by taxpayers to the California Military Department Support Fund as established under former law.

ACR 36 (Atkins)**Res. Chapter 39, Statutes of 2013***Veterans: treatment courts and treatment review calendars.*

Encourages all superior courts to consider establishing veterans treatment courts or veterans treatment review calendars to assist troubled veterans who have service-related mental health issues.

AJR 19 (Pan)**Res. Chapter 154, Statutes of 2013***Veterans' benefits.*

Urges Congress and the President to provide benefits, including applicable spousal benefits, to those veterans discriminated against solely on the basis of their sexual orientation.

AJR 33 (Holden)**Res. Chapter 52, Statutes of 2013***Military and veterans.*

Urges the United States Department of Defense to include the names of the 74 fallen sailors of the Destroyer U.S.S. Frank E. Evans (DD 754) on the Vietnam Veterans Memorial.

AJR 44 (Bloom)**Res. Chapter 164, Statutes of 2013***Veterans' benefits.*

Urges the Department of Defense, Congress, and the President to create a more efficient process of upgrading the status of those who were “dishonorably” or other than honorably discharged from the Armed Forces of the United States, and to provide benefits, including applicable spousal benefits, to those veterans discharged solely on the basis of their sexual orientation.

AJR 46 (Frazier)**Res. Chapter 165, Statutes of 2013***Birth anomalies: children of veterans.*

Urges the United States Congress to pass and the President to sign into law, Senate Bill 2738 and encourages the members of the California Congressional Delegation to join as coauthors on the bill.

SENATE BILLS

SB 106 (Monning)

Chapter 41, Statutes of 2013

California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund.

Provides the Department of Veterans Affairs (CalVet) statutory authorization to enter into a financial agreement to receive cash advances into the Endowment Fund, contingent upon that agreement not requiring the state to repay or make payments on cash advances. This bill requires CalVet to develop and submit a State Veterans Cemetery Grant Program application to the United States Department of Veterans Affairs (USDVA) for the establishment of a veterans cemetery upon the determination of the State Controller, after consultation with the Secretary of CalVet (Secretary). This bill specifies that if the Secretary or CalVet fails to submit a grant application to the Program, if USDVA denies the grant application, or if the grant funding is not received for any other reason, requires any amounts donated, received, or deposited to the Fund by specified entities to be refunded.

SB 290 (Knight, Walters)

Chapter 696, Statutes of 2013

Nonresident tuition exemption: veterans.

Exempts a California Community Colleges (CCC) student, or a California State University (CSU) undergraduate student, from paying nonresident tuition if that student was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged if he/she files an affidavit with the institution at which he/she is enrolled or intends to enroll, stating that he/she intends to establish residency in California as soon as possible, and uses this exemption within two years of being discharged. This bill requests the University of California to also adopt the same policy as the CCC and CSU.

SB 720 (Correa)

Chapter 220, Statutes of 2013

Military service: benefits.

Extends the enhanced protections currently offered only to service members ordered to active duty as part of the conflicts in Iraq and Afghanistan, including protection from having to pay interest on the accumulated principal or interest of a deferred financial obligation, to all federal military reservists and California National Guard service members ordered to active duty. This bill also incorporates specific safeguards afforded to financial institutions under other deferment statutes to financial obligations deferred by service members under these enhanced protections.

SB 722 (Correa)

Chapter 22, Statutes of 2014

California Mexican American Veterans' Memorial Beautification and Enhancement Fund: extension of operation.

Extends the date for the reversion of funds in the California Mexican American Veterans' Memorial Beautification and Enhancement (CMAVMBE) Account to the General Fund until July 1, 2016.

SB 723 (Correa)

Vetoed

Veterans.

Requires the Employment Development Department (EDD), and the Department of Consumer Affairs (DCA), on or before January 1, 2015, to jointly present a report to the Legislature containing best practices by state governments around the nation in facilitating the credentialing of veterans by using their documented military education and experience.

SB 725 (Anderson)**Chapter 697, Statutes of 2013**

Veterans buildings and memorials: county and city property: veterans service organizations: nonprofit veteran service agencies: retrofit and remodel.

Expands the types of local governments that cannot revoke the dedication of a specified veterans' facility to include a city, or city and county. This bill would also provide that a property is not considered abandoned if the veterans association, veterans service organization, or nonprofit veteran service agency is required to move from the property in order for the property to undergo seismic retrofitting or remodeling.

SB 815 (Committee on Veterans Affairs)**Chapter 186, Statutes of 2013**

Veterans.

Corrects technical errors and outdated California Military and Veterans Code (MVC) references.

SB 948 (Committee on Veterans Affairs)**Chapter 218, Statutes of 2014**

Active militia.

Recasts and revises specified qualifications for state active duty (SAD) service members, to include retired or separated members of the federal reserve component of any branch of the United States Armed Forces or the federally recognized National Guard of any state or U.S. territory, with current membership in the State Military Reserve (SMR). This bill requires a service member already serving on SAD who retires federally from the California National Guard to assess into the SMR in order to maintain eligibility for continued SAD.

SB 1422 (Padilla)**Chapter 228, Statutes of 2014**

Military courts: sexual assault: courts-martial.

Requires the California Military Department, on or before July 1, of each year, to report prescribed information to the Governor, the Legislature, the Senate Committee on Veterans Affairs, and the Assembly Committee on Veterans Affairs, the Attorney General, and the United States Attorneys in California, regarding the federal government's activities relating to sexual assault prevention and response.

SB 1440 (Wolk)**Chapter 659, Statutes of 2014**

Veterans' homes: fees and charges.

Requires nonveteran spouses to pay the same fees and charges as paid by veteran members of a veterans' home, as determined by the Department of Veterans Affairs, and subjects them to the same prohibitions.

BILLS IN LEGISLATURE:

The following bills, if enacted would do the following:

ASSEMBLY BILLS:

AB 171 (Chávez)

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.

From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

AB 213 (Logue)

Healing arts: licensure and certification requirements: military experience.

Requires, by January 1, 2015, the Department of Public Health (DPH) and healing arts boards within the Department of Consumer Affairs (DCA boards) to undertake activities intended to facilitate the transition of military veterans to civilian careers as health care professionals.

From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

AB 269 (Grove and Patterson)

Vote by mail ballots: military or overseas voters.

Allows the vote by mail (VBM) ballot of a military or overseas voter to arrive up to three days after the election and still be counted, provided that the ballot is postmarked by the United States Postal Service or the Military Postal Service Agency on or before election day.

Referred to Senate Committee on Elections & Constitutional Amendments. In committee:

Hearing postponed by committee.

AB 315 (Assembly Committee on Veterans Affairs)

State parks: veteran of war: Purple Heart recipient.

Adds Purple Heart recipients to those who are eligible for a Distinguished Veteran Pass. This pass allows the bearer to use all basic facilities (including day use and camping) in California State Park operated units at no charge. It is not valid at units operated by local government, private agencies or concessionaires. It is not valid for group use or sites, special events, commercial use, or for supplemental fees and cannot be used in conjunction with any other pass and/or discount.

From Senate Committee on Natural Resources and Water: Do pass and re-refer to Com. on

APPR. with recommendation: to consent calendar. Re-referred to Com. on APPR. In committee:

Held under submission. In committee: Placed on APPR. suspense file.

AB 590 (Fox)

Veterans: transition assistance.

Requires the Department of Veterans Affairs to develop a transition assistance program for veterans who have discharged from the Armed Forces of the United States or the National Guard of any state within the previous 18 months, as specified.

From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

AB 705 (Blumenfield)

Combat to Care Act.

Requires the Board of Registered Nursing (BRN), in conjunction with the California Military Department, to promulgate regulations that identify the military education, training, and experience equivalent or transferable to coursework required for licensure as a registered nurse. Upon receipt of an applicant's record of education, training, and experience completed in the Armed Forces, the BRN shall provide the applicant with a list of coursework, if any, that the applicant must complete for license eligibility.

From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

AB 1093 (Grove)

Veterans: student financial aid.

Reinstates the provisions to make copies of the enrollment fee waiver application of the Board of Governors of the California Community Colleges and the Free Application for Federal Student Aid available to each member of the California National Guard, the State Military Reserve, and the Naval Militia not having a baccalaureate degree. Requests that the Adjutant General also make available additional information, as specified, regarding federal Montgomery GI Bill benefits and contact information for veterans' educational assistance.

From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

AB 1268 (John A. Pérez)

Unemployment insurance: veterans' unemployment: Veterans Workforce Development and Employment Office.

Establishes the Veterans Workforce Development and Employment Office within the Labor and Workforce Development Agency for the purpose of coordinating veterans' workforce services.

Ordered to inactive file at the request of Senator Roth.

AB 1580 (Yamada)

Veterans' homes: Morale, Welfare, and Recreation Fund.

Consolidates the separate Veterans' Morale, Welfare and Recreation Funds at each veterans' home into a newly created fund in the State Treasury.

Ordered to inactive file at the request of Senator Correa.

AB 1637 (Frazier, Bloom)

Driver's licenses: veteran designation.

Requires the DMV, commencing November 11, 2015, to print, upon request, the word "VETERAN" on the face of a driver's license or identification card of an armed forces veteran.

In committee on Appropriations: Set, second hearing. Held under submission.

AB 1737 (Chávez)

County veteran service centers: interagency agreements.

Existing law also authorizes the Department of Veterans Affairs and the Employment Development Department to enter into interagency agreements with individual counties that elect to participate, to provide resources and staff, or both, as necessary to locate within a single facility owned by the participating county, under the coordination of the county veteran service director, a more complete and convenient local service program for veterans that is nonduplicative and does not conflict with any federal one-stop service program. This bill removes references to the Employment Development Department from the above-described

provisions, thereby vesting sole authority for the interagency agreements with the Department of Veterans Affairs.

In committee on Veterans Affairs. No further action taken.

AB 2261 (Gorell)

California Veterans Services and Workforce Development Division.

Establishes the California Veterans Services and Workforce Development Division within the Department of Veterans Affairs to coordinate and administer veterans assistance programs in the state with duties as specified.

In committee on Appropriations: Set, second hearing. Held under submission.

AB 2703 (Quirk-Silva)

County veterans service officers.

Authorizes the Department of Veterans Affairs to develop an allocation formula to reward outstanding service by county veterans service officers no later than July 1, 2015.

In committee on Appropriations. Held under submission.

AJR 52 (Linder, Nestande)

Military base realignment and closure: County of Riverside.

Declares that the Legislature joins the County of Riverside in opposing base realignment and closure (BRAC) affecting the Naval Surface Warfare Center, Corona Division, and March Air Reserve Base.

In Senate Rules Committee. No further action taken.

SENATE BILLS:

SB 237 (Calderon)

High school diplomas: retroactive high school diplomas: veterans.

Expands the pool of veterans who may receive a retroactive high school diploma to include people who served in the military after the Vietnam War.

In Senate Committee on Veterans Affairs. Hearing canceled at the request of author.

SB 354 (Roth, Correa)

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

Requires the Department of Veterans Affairs to develop outcome and related indicators for veterans, for the purpose of assessing the status of veterans in California, for monitoring the quality of programs intended to serve those veterans, and to guide decision making on how to improve those services.

In Assembly Committee on Veterans Affairs. Hearing canceled at the request of author.

SB 719 (Correa)

Department of Veterans Affairs: California Disabled Veteran Business Enterprise Program reports.

Requires an awarding department under the program that uses the Financial Information System for California (FISCAL) to, commencing with the first reporting period after the implementation of the FISCAL system at the awarding department, report its statewide participation goals for disabled veteran business enterprises in the overall dollar amount expended each year by the awarding department to the Department of General Services.

In Assembly Appropriations Committee. Held under submission.

SB 733 (Block)

State contracts: disabled veteran business enterprise statewide participation goals: business utilization plan value.

Deletes provisions of law allowing an awarding department to accept submission of a disabled veteran business enterprise (DVBE) utilization plan to meet the 3% statewide participation goal for DVBE awarded contracts.

In Assembly. Read first time. Held at Desk. Referred to Coms. on J., E.D., & E. and V.A. Set, first hearing. Hearing canceled at the request of author.