

## **California VFW Legislative Report–8-27-2010**

***William Manes, State Legislative/PAC Chairman***

This is an update report for veterans' issues pending in the State Legislature as of this date.

### State Budget Update.

The Speaker of the Assembly and the President Pro Tem of the Senate have indicated that each House plans to bring the budget up for a floor vote on Tuesday, August 31, the final day of session. This does not mean that there has been any agreement reached on a budget deal; to the contrary, the Democratic leaders plan to bring up their version of the budget for a floor vote, as well as the Governor's version of the budget. It is not expected that either version of the budget will receive the 2/3 vote needed for passage in either House.

Assuming that the Legislature adjourns the Regular session on Tuesday, the Governor will then be required to call a special session of the Legislature in order to continue work on the budget. It is unclear how quickly anything could be accomplished in the special session as the Governor is scheduled to begin a week-long trade mission to China on September 9th. A spokesman from the Governor's Office indicated that the Governor would be going on the trade mission whether there was a budget or not.

Another wrinkle that may add to the difficulty of passing a budget is that the Senate Republicans are scheduled to have a change in their leadership on September 1st. Earlier in the year, Republican Senate Leader Dennis Hollingsworth had indicated that he planned to step aside and let Senator Bob Dutton assume the top Republican spot in the Senate. While Dutton has been a member of the budget conference committee, it is unclear how he would lead his caucus or what additional changes he may ask for in the budget. Republican Leader Hollingsworth indicated that he would delay the leadership transition date if a budget deal was imminent; however, if he feels that a deal is not forthcoming then the transition will occur as scheduled.

The goal of both Houses is to dispense with most remaining bills on Monday so that Tuesday can be spent on the budget. At least for bills related to veterans issues, there are very few that still need the formality of floor votes.

### Status of Veterans issues:

The following bills have been passed by the Legislature and signed by the Governor:

AB 1644 Veterans remains. (Jim Nielsen, Biggs. Principal Coauthor: Juan Arambula, Fresno. Coauthors, Assembly: Sam Blakeslee, San Luis Obispo; Marty Block, San Diego; Robert Blumenfield, Van Nuys; Steven Bradford, Inglewood; Connie Conway, Visalia; Chuck DeVore, Irvine; Nathan Fletcher, San Diego; Danny Gilmore, Hanford; Diane Harkey, Laguna Niguel; Curt Hagman, Diamond Bar; Fiona Ma, San Francisco; Roger Niello, Sacramento; and Chris Norby, Brea. Coauthors, Senate: Sam Aanestad, Grass Valley; Dave Cox, Fair Oaks; Jeff Denham, Merced; Abel Maldonado, Santa Maria; and George Runner, Antelope Valley.)

Would allow specified entities in possession of the cremated remains of a veteran to release the remains to a veterans' service organization for proper burial.

AB 2314 Property tax exemption: disabled veterans: procedure. (Marty Block, San Diego and Stephen Knight, Lancaster. Coauthors, Assembly: Connie Conway, Visalia; Danny Gilmore, Hanford; V. Manuel Perez, Cathedral City; and Mary Salas, Chula Vista. Coauthor, Senate: George Runner, Antelope Valley)

Would ease some of the requirements for a disabled veteran to apply for the state property tax exemption.

AB 2386 Armed Forces: medical personnel. (Danny Gilmore, Hanford, and Paul Cook, Yucaipa.)  
Would authorize a hospital to enter into an agreement with the Armed Forces of the United States to authorize a physician and surgeon or registered nurse to provide medical care in the hospital if the health care professional holds a valid license in good standing in another state or territory, the medical care is provided as part of a training or educational program designed to further the employment of the health care professional, and the agreement complies with federal law. The bill would exempt those health care professionals from licensure or relicensure by the State of California.

SB 1387 Department of Veterans Affairs: administration: California Veterans Board. (Senate Committee on Veterans Affairs: Jeff Denham, Merced, Chair; Lou Correa, Vice Chair, Santa Ana; Gil Cedillo, Los Angeles; Abel Maldonado, Santa Maria; Gloria Negrete McLeod, Chino; Patricia Wiggins, Santa Rosa; and Mark Wyland, Escondido.)

Adds a requirement that one of the members of the CAL-VET Board shall have a degree in health care administration or shall have experience in the financial management of health care facilities.

One bill was passed by the Legislature but vetoed by the Governor:

AB 2156 Military and veterans: Veterans' Home Allied Council. (Noreen Evans, Santa Rosa)

Each of the state veterans homes has an Allied Council, elected by the residents of the homes, which serves as an advisory body to the Administrator of the home. This bill would permit the Council to represent the veterans who reside in the home in matters before the State Legislature.

The Governor's veto message stated that he considered the bill to be unnecessary because there are numerous advocacy organizations that represent the interests of California veterans, and any resident of the Veterans Homes is free to voice their concerns to members of the Legislature.

The following bills have been passed by the Legislature and sent to the Governor. He has until October 1 to sign or veto these bills.

AB 498 Vehicles: special interest license plates and decals. (Mary Hayashi, Hayward. Coauthor Ted Lieu, Torrance.)

Allows any former American POW who is otherwise eligible for a special interest license plate to instead apply for a veterans' organization license plate and decal and be afforded the same fee exemptions as are granted for POW plates.

The bill was sponsored by the VFW Department of California.

AB 674 Criminal procedure: veterans. (Mary Salas, Chula Vista)

Allows a court to order a defendant who suffers from sexual trauma, traumatic brain injury, post-traumatic stress disorder (PTSD), substance abuse, or mental health problems as a result of military service into a treatment program or veteran's court for a period not to exceed that which the defendant would have served in state prison or jail.

AB 1757 Veterans cemetery. (William Monning, Santa Cruz)

Current law establishes an Endowment Fund to receive donations for the start up of a state veterans cemetery at the site of the former Fort Ord Army Base in Monterey County.

This bill would now direct the California Department of Veterans Affairs to design, develop and construct the California Central Coast State Veterans Cemetery at this site.

Supported by VFW Department of California.

AB 1829 Military decorations: fraud. (Paul Cook, Yucaipa. Coauthors, Assembly: Joel Anderson, La Mesa; Tom Berryhill, Modesto; Wesley Chesbro, Eureka; Chuck DeVore, Irvine; Bill Emmerson, Redlands; Nathan Fletcher, San Diego; Danny Gilmore, Hanford; Kevin Jeffries, Riverside; Ted Lieu, Torrance; Brian Nestande, Palm Desert; Roger Niello, Sacramento; Anthony Portantino, Pasadena; Jim

Silva, Huntington Beach; Cameron Smyth, Santa Clarita; and Audra Strickland, Camarillo. Coauthors, Senate: Lou Correa, Santa Ana; and Mark DeSaulnier, Antioch.)

Provides that any person who, orally, in writing, or by wearing any military decoration, falsely represents himself or herself to have been awarded any military decoration, as specified, with the intent to defraud, is guilty of a misdemeanor.

Previous legislation made the offense merely an infraction. This bill is an attempt to make the offense a more serious affair.

Note: Senator Christine Kehoe voted against the bill in the Appropriations Committee and on the Senate Floor.

AB 1925 Veterans Courts. (Mary Salas, Chula Vista)

Would authorize superior courts to develop and implement veterans courts with the objective of creating of a locally developed collaborative court-supervised veterans mental health program or system that leads to the placement of as many mentally ill offenders who are veterans, including those with post-traumatic stress disorder, traumatic brain injury, military sexual trauma, substance abuse, or any mental health problem stemming from military service, in community treatment as is feasible and consistent with public safety. (This bill also supports AB 674, above.)

Supported by VFW Department of California.

Note: There will be a follow up report shortly on additional pending legislation.

Complete information on all state legislation involving veterans issues is available at the website:

<http://www.califveterans.com>