

AMENDED IN ASSEMBLY JULY 16, 2001

AMENDED IN ASSEMBLY JULY 10, 2001

AMENDED IN SENATE JUNE 4, 2001

**SENATE BILL**

**No. 4**

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**Introduced by Senator Johannessen**

December 4, 2000

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An act to amend Section 1011.7 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

SB 4, as amended, Johannessen. Veterans' Home of California.

Existing law establishes homes for veterans in several cities and authorizes the construction of other homes in specified locations if designated conditions are met. *Existing law, in effect until January 1, 2002, establishes the Governor's Commission on Veterans Homes to advise the Governor and the Legislature on the establishment of veterans homes in California, including possible sites for the homes.*

~~This bill would authorize the construction of a home for veterans in Shasta County subsequent to the construction of the homes in the specific locations enumerated in the existing law, and, contingent upon the availability of bond act revenue, would state the intent of the Legislature in that regard extend the operation of the commission until January 1, 2003, and would specifically include Shasta County, the Central Valley, and Los Angeles County within those possible sites.~~

*The bill would incorporate changes made by AB 494 that would become operative if both bills are enacted and this bill is enacted after AB 494.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1011.7 of the Military and Veterans  
2 Code is amended to read:  
3 1011.7. (a) There is hereby created a Governor’s  
4 Commission on Veterans Homes to advise the Governor and the  
5 Legislature on the establishment of veterans homes in California.  
6 (b) The commission shall consist of 12 members as follows:  
7 (1) A member of the Veterans of Foreign Wars, appointed by  
8 the Governor from a list of three names submitted to the Governor  
9 by the Commander of the Veterans of Foreign Wars.  
10 (2) A member of the American Legion, appointed by the  
11 Governor from a list of three names submitted to the Governor by  
12 the Commander of the American Legion.  
13 (3) A member of the Disabled American Veterans, appointed  
14 by the Governor from a list of three names submitted to the  
15 Governor by the Commander of the Disabled American Veterans.  
16 (4) A member of the AmVets, appointed by the Governor from  
17 a list of three names submitted to the Governor by the Commander  
18 of the AmVets.  
19 (5) Three veterans, as defined by Section 980, appointed by the  
20 Governor.  
21 (6) Two members appointed by the Speaker of the Assembly,  
22 one of whom shall be a veteran, as defined by Section 980, and one  
23 of whom shall serve as an ex officio, nonvoting member.  
24 (7) Two members appointed by the Senate Committee on  
25 Rules, one of whom shall be a veteran, as defined by Section 980,  
26 and one of whom shall serve as an ex officio, nonvoting member.  
27 (8) The Secretary of Veterans Affairs or his or her designee.  
28 (c) (1) In making appointments pursuant to paragraphs (1) to  
29 (4), inclusive, of subdivision (b), the Governor shall consult with  
30 the leadership of the veterans organizations specified in those  
31 paragraphs.  
32 (2) Notwithstanding any other provision of law, gubernatorial  
33 appointments made pursuant to subdivision (b) shall not be subject  
34 to the approval of the Senate.



1 (d) The Governor shall select one of the members to serve as  
2 chairperson.

3 (e) The commission shall hold a minimum of four public  
4 meetings at times and places as it shall determine.

5 (f) (1) Each member shall receive, for each day's attendance  
6 at each meeting of the commission, a per diem of fifty dollars (\$50)  
7 and shall receive the same per diem for each day spent on official  
8 duties assigned by the commission.

9 (2) Each member shall be reimbursed for his or her necessary  
10 traveling and other expenses incurred in the performance of his or  
11 her official duties.

12 State agencies, including those identified in subdivision (j), may  
13 pay a portion of the commission's expenses.

14 (g) (1) The commission shall establish findings and make  
15 recommendations to the Governor and the Legislature on the  
16 establishment of veterans homes in California. The findings and  
17 recommendations may include, but need not be limited to, the  
18 following matters:

19 (A) Possible sites for one or more state veterans homes. This  
20 recommendation shall give consideration to the availability of  
21 federal surplus property and any property available for no cost, or  
22 at less than market value, from public or private sources, and to a  
23 competitive site-selection process that would compare the relative  
24 merits of all available sites, including, but not limited to, Shasta  
25 County, the Central Valley, and Los Angeles County.

26 (B) Selection of a site specifically for the treatment of veterans  
27 who suffer from Alzheimer's disease or other diseases causing  
28 dementia. Preference should be given to a site with access to an  
29 existing medical teaching or research facility.

30 (C) The scope and level of health care, residential care, and  
31 recreational facilities, and other services and amenities to be  
32 provided at each home.

33 (D) The number of sites to be established and the resident  
34 population to be served at each site, including a description of the  
35 type, size, and projected population of each of the residential  
36 components of the home, including, but not limited to, skilled  
37 nursing care beds, intermediate care beds, domiciliary care,  
38 independent living facilities, and day care facilities.

39 (E) Estimates of design and planning costs, land acquisition  
40 costs, capital construction costs, and annual operating costs of



1 each home that would be associated with various modes of  
2 construction.

3 (F) Financing options for the development and construction of  
4 a home on one or more sites that shall include, but not be limited  
5 to, financial assistance available through the federal Department  
6 of Veterans Affairs State Home Grants Program.

7 (G) The management of each home by state or private  
8 administration.

9 (2) For the purposes of paragraph (1), the commission shall  
10 hear testimony from interested citizens concerning the needs of  
11 veterans in California.

12 (h) Notwithstanding Section 7550.5 of the Government Code,  
13 the commission shall report to the Governor and the Legislature  
14 on or before October 1, ~~2001, 2002~~, concerning its findings and  
15 recommendations, as specified in subdivision (g), for the  
16 development and construction activities associated with veterans  
17 homes in California.

18 (i) (1) Any new veterans homes sites recommended by the  
19 Governor's Commission on Veterans Homes shall be in addition  
20 to, and any new homes shall be built after, those listed in Section  
21 1011.

22 (2) Priority for new veterans home sites shall be in areas that  
23 have been underserved, specifically in the San Joaquin Valley and  
24 the Los Angeles Basin.

25 (j) State agencies, including, but not limited to, the Governor's  
26 Office of Planning and Research, the Department of Veterans  
27 Affairs, the office of the Treasurer, and the Project Management  
28 Branch within the Real Estate Services Division of the Department  
29 of General Services, may provide staff assistance to the  
30 commission upon its request.

31 (k) The commission may solicit and accept private donations,  
32 through the secretary, from any person, association, or entity  
33 interested in veterans benefits.

34 (l) This section shall remain in effect only until January 1,  
35 ~~2002, 2003~~, and as of that date is repealed, unless a later enacted  
36 statute, that is enacted before January 1, ~~2002, 2003~~, deletes or  
37 extends that date.

38 *SEC. 1.5. Section 1011.7 of the Military and Veterans Code is*  
39 *amended to read:*



1 1011.7. (a) There is hereby created a Governor's  
2 Commission on Veterans Homes to advise the Governor and the  
3 Legislature on the establishment of veterans homes in California.

4 (b) The commission shall consist of 12 members as follows:

5 (1) A member of the Veterans of Foreign Wars, appointed by  
6 the Governor from a list of three names submitted to the Governor  
7 by the Commander of the Veterans of Foreign Wars.

8 (2) A member of the American Legion, appointed by the  
9 Governor from a list of three names submitted to the Governor by  
10 the Commander of the American Legion.

11 (3) A member of the Disabled American Veterans, appointed  
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13 Governor by the Commander of the Disabled American Veterans.

14 (4) A member of the AmVets, appointed by the Governor from  
15 a list of three names submitted to the Governor by the Commander  
16 of the AmVets.

17 (5) Three veterans, as defined by Section 980, appointed by the  
18 Governor.

19 (6) Two members appointed by the Speaker of the Assembly,  
20 one of whom shall be a veteran, as defined by Section 980, and one  
21 of whom shall serve as an ex officio, nonvoting member.

22 (7) Two members appointed by the Senate Committee on  
23 Rules, one of whom shall be a veteran, as defined by Section 980,  
24 and one of whom shall serve as an ex officio, nonvoting member.

25 (8) The Secretary of Veterans Affairs or his or her designee.

26 (c) (1) In making appointments pursuant to paragraphs (1) to  
27 (4), inclusive, of subdivision (b), the Governor shall consult with  
28 the leadership of the veterans organizations specified in those  
29 paragraphs.

30 (2) Notwithstanding any other provision of law, gubernatorial  
31 appointments made pursuant to subdivision (b) shall not be subject  
32 to the approval of the Senate.

33 (d) The Governor shall select one of the members to serve as  
34 chairperson.

35 (e) The commission shall hold a minimum of four public  
36 meetings at times and places as it shall determine.

37 (f) (1) Each member shall receive, for each day's attendance  
38 at each meeting of the commission, a per diem of fifty dollars (\$50)  
39 and shall receive the same per diem for each day spent on official  
40 duties assigned by the commission.



1 (2) Each member shall be reimbursed for his or her necessary  
2 traveling and other expenses incurred in the performance of his or  
3 her official duties.

4 State agencies, including those identified in subdivision (j), may  
5 pay a portion of the commission's expenses.

6 (g) (1) The commission shall establish findings and make  
7 recommendations to the Governor and the Legislature on the  
8 establishment of veterans homes in California. The findings and  
9 recommendations may include, but need not be limited to, the  
10 following matters:

11 (A) Possible sites for one or more state veterans homes. This  
12 recommendation shall give consideration to the availability of  
13 federal surplus property and any property available for no cost, or  
14 at less than market value, from public or private sources, and to a  
15 competitive site-selection process that would compare the relative  
16 merits of all available sites, *including, but not limited to, Shasta*  
17 *County, the Central Valley, and Los Angeles County.*

18 (B) Selection of a site specifically for the treatment of veterans  
19 who suffer from Alzheimer's disease or other diseases causing  
20 dementia. Preference should be given to a site with access to an  
21 existing medical teaching or research facility.

22 (C) The scope and level of health care, residential care, and  
23 recreational facilities, and other services and amenities to be  
24 provided at each home.

25 (D) The number of sites to be established and the resident  
26 population to be served at each site, including a description of the  
27 type, size, and projected population of each of the residential  
28 components of the home, including, but not limited to, skilled  
29 nursing care beds, intermediate care beds, domiciliary care,  
30 independent living facilities, and day care facilities.

31 (E) Estimates of design and planning costs, land acquisition  
32 costs, capital construction costs, and annual operating costs of  
33 each home that would be associated with various modes of  
34 construction.

35 (F) Financing options for the development and construction of  
36 a home on one or more sites that shall include, but not be limited  
37 to, financial assistance available through the federal Department  
38 of Veterans Affairs State Home Grants Program.

39 (G) The management of each home by state or private  
40 administration.



1 (2) For the purposes of paragraph (1), the commission shall  
2 hear testimony from interested citizens concerning the needs of  
3 veterans in California.

4 ~~(h) Notwithstanding Section 7550.5 of the Government Code,~~  
5 ~~the~~ The commission shall report to the Governor and the  
6 Legislature on or before October 1, 2001-2002, concerning its  
7 findings and recommendations, as specified in subdivision (g), for  
8 the development and construction activities associated with  
9 veterans homes in California.

10 (i) (1) Any new veterans homes sites recommended by the  
11 Governor's Commission on Veterans Homes shall be in addition  
12 to, and any new homes shall be built after, those listed in Section  
13 1011.

14 (2) Priority for new veterans home sites shall be in areas that  
15 have been underserved, specifically in the San Joaquin Valley and  
16 the Los Angeles Basin.

17 (j) State agencies, including, but not limited to, the Governor's  
18 Office of Planning and Research, the Department of Veterans  
19 Affairs, the office of the Treasurer, and the Project Management  
20 Branch within the Real Estate Services Division of the Department  
21 of General Services, ~~may~~ shall provide staff assistance to the  
22 commission upon its request.

23 (k) The commission may solicit and accept private donations,  
24 through the secretary, from any person, association, or entity  
25 interested in veterans benefits.

26 (l) This section shall remain in effect only until January 1, 2002  
27 2003, and as of that date is repealed, unless a later enacted statute,  
28 that is enacted before January 1, 2002 2003, deletes or extends that  
29 date.

30 *SEC. 2. Section 1.5 of this bill incorporates amendments to*  
31 *Section 1011.7 of the Military and Veterans Code proposed by this*  
32 *bill and AB 494. It shall only become operative if (1) both bills are*  
33 *enacted and become effective on or before January 1, 2002, (2)*  
34 *each bill amends Section 1011.7 of the Military and Veterans Code,*  
35 *and (3) this bill is enacted after AB 494, in which case Section*  
36 *1011.7 of the Military and Veterans Code, as amended by AB 494,*  
37 *shall remain operative only until the operative date of this bill, at*



- 1 *which time Section 1.5 of this bill shall become operative, and*
- 2 *Section 1 of this bill shall not become operative.*

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