

AMENDED IN SENATE APRIL 20, 2004
AMENDED IN ASSEMBLY JANUARY 15, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1520

Introduced by Assembly Member Kehoe
(Coauthors: Assembly Members Diaz and Longville)
(Coauthors: Senators Kuehl and Romero)

February 21, 2003

An act to add Chapter 8.7 (commencing with Section 1370) to Division 6 of the Military and Veterans Code, relating to veterans' memorials.

LEGISLATIVE COUNSEL'S DIGEST

AB 1520, as amended, Kehoe. Veterans' Memorials Commission.

Existing law establishes the California Mexican American Veterans' Memorial Beautification and Enhancement Commission and provides for its composition and duties. Existing law authorizes the beautification and enhancement of an existing memorial on state grounds, as defined, and authorizes the commission to establish a schedule for its design, construction, and dedication; to solicit designs and devise a process for selection of the final design; and to monitor construction.

This bill would create the California Veterans' Memorials Commission and would provide for its composition and duties. It would authorize the design, construction, and dedication of memorials approved by the commission at unspecified sites, as prescribed, and would authorize the commission to review, *consider*, and respond to



requests for a memorial; hold public hearings in this regard; and approve the appropriateness of a site for a memorial for any specified group of veterans. The bill also would authorize the commission, once the commission has determined the need for any specific memorial, to establish a schedule for its design, construction, and dedication; to solicit designs and devise a process for selection of the final design; and to monitor construction.

This bill would require that the funding for the memorial be from private contributions.

This bill would create the California Veterans’ Memorials Fund in the State Treasury, into which all moneys received pursuant to the bill would be deposited.

This bill would require the commission to notify the Governor and the Legislature whenever the design, construction, and dedication of a memorial is complete.

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. The Legislature hereby finds and declares all of
2 the following:

3 (a) Veterans have served with great distinction and honor in
4 defending the United States and the constitutional rights of all
5 Americans. All veterans deserve to be honored for that service.
6 Veterans who have lost their lives should be honored for making
7 the ultimate sacrifice.

8 (b) At the federal, state, and local level there are memorials to
9 veterans based on service in a specific conflict or war. There are
10 also privately funded memorials to veterans. These memorials
11 recognize veterans who have served in virtually every conflict or
12 war in the history of the United States.

13 (c) There are also other memorials for veterans who are of a
14 certain cognizable group and those memorials are based on the
15 unique experience of that group in military service. In recognition
16 of Native Americans’ unheralded history of military service,
17 Congress enacted in 1994 the Native American Veterans’
18 Memorial Establishment Act (Public Law 103-384; 20 U.S.C.
19 Sec. 809 note) that authorized the erection of a Native American
20 veterans’ memorial in Washington D.C. at a site to be determined



1 by the National Museum of the American Indian. Congress in 1992
2 also authorized the Go for Broke National Veterans Association
3 Foundation to establish a memorial in the District of Columbia or
4 its environs to honor Japanese-American patriotism in World War
5 II (Public Law 102-502; 40 U.S.C. Sec. 1003 note). In Los
6 Angeles, there is the Japanese American Veterans Memorial Court
7 at the Japanese American Cultural and Community Center to
8 recognize the service of Japanese-American veterans. There are
9 also monuments and memorials to recognize African-American
10 veterans, women veterans, Jewish veterans, disabled veterans, and
11 others.

12 (d) State law already establishes the Mexican American
13 Veterans' Memorial Beautification and Enhancement
14 Commission. However, there is no process in place for the creation
15 of other California state memorials to other similar groups of
16 veterans. Some veterans' groups believe that the state needs to join
17 federal, local, and private organizations who have recognized
18 various groups of veterans to appropriately recognize the sacrifice
19 of these veterans.

20 (e) To properly recognize all veterans, a process must be
21 created to review the need for and to create memorials, as
22 appropriate. These memorials may be based on service in a
23 specific conflict or war, or service by a specific cognizable group.
24 The purpose of this act is to create such a process.

25 SEC. 2. Chapter 8.7 (commencing with Section 1370) is
26 added to Division 6 of the Military and Veterans Code, to read:

27
28 CHAPTER 8.7. CALIFORNIA VETERANS' MEMORIALS COMMISSION
29

30 1370. (a) There is in state government, the California
31 Veterans' Memorials Commission composed of 11 members as
32 follows:

33 (1) Two members appointed by the Speaker of the Assembly,
34 at least one of whom shall be a Member of the Assembly, and at
35 least one of whom shall be a veteran, as defined in Section 980.

36 (2) Two members appointed by the Senate Committee on
37 Rules, at least one of whom shall be a Member of the Senate, and
38 at least one of whom shall be a veteran, as defined in Section 980.

39 (3) Seven members appointed by the Governor, at least three of
40 whom shall be veterans, as defined in Section 980.



1 (b) The members shall elect one of their members to serve as
2 chairperson.

3 1371. Members of the Legislature shall serve on the
4 commission as ex officio members without vote and shall
5 participate in the activities of the commission to the extent that the
6 participation is not incompatible with their legislative duties.

7 Members of the commission shall receive no compensation.

8 1372. The commission may request staff support and facilities
9 for its activities from the Department of Veterans Affairs, and the
10 department may provide that support and be reimbursed for the
11 cost of this support.

12 1373. The commission shall be responsible for setting policy
13 consistent with the purposes of this chapter. The staff hired by the
14 commission shall carry out that policy. That policy shall be
15 followed to fairly review and determine the need for the state to
16 recognize the service of veterans. That service may be recognized
17 in the form of a memorial as determined by the commission.
18 Recognition may be based on service in a specific war or conflict,
19 or based on service in the military as a member of a specific
20 cognizable group.

21 1374. (a) The commission shall review—~~and consider,~~
22 *consider, and respond to* any request for approval of a memorial
23 to any specific group of veterans.

24 ~~(b) By majority vote, the commission may approve the~~
25 ~~appropriateness of a memorial to any specific group of veterans.~~

26 ~~(c) By majority vote, the commission may approve a specific~~
27 ~~site for a memorial to any specific group of veterans.~~

28 ~~(d) Within 30 days of taking a vote, the commission shall notify~~
29 ~~the Legislature of any approval or disapproval of a request for a~~
30 ~~memorial to any specific group of veterans.~~

31 *(b) A request may come from any veteran, family member of a*
32 *veteran, veterans' organization, elected official, member of the*
33 *commission, or any state resident.*

34 1375. (a) (1) The design, construction, and dedication of
35 memorials approved by the commission are hereby authorized.
36 The memorials shall be dedicated to the sacrifices and
37 contributions that veterans have made on behalf of their country.

38 (2) The actual site for the design, construction, and dedication
39 of a memorial shall be selected by the commission and may include
40 state grounds or other grounds.



1 (3) *If located on state grounds, the commission shall obtain*
2 *final design and site orientation approval from the Department of*
3 *General Services.*

4 (4) The commission may designate an existing memorial if the
5 memorial is designed, constructed, dedicated, and maintained in
6 a manner consistent with this chapter.

7 (b) Funds for the design, construction, and dedication of the
8 memorial shall be provided through private contributions.

9 1376. There is in the State Treasury, the California Veterans'
10 Memorials Fund to receive any private resources obtained by the
11 California Veterans' Memorials Commission for the purpose
12 described in subdivision (b) of Section 1375.

13 1377. ~~(a) The commission may do all of the following:~~

14 ~~(1) Review and respond to any requests for a memorial.~~

15 ~~(2)~~

16 (a) Hold timely public ~~hearing~~ *hearings* to solicit public input
17 on any requests for a memorial and respond to public input.

18 ~~(3)~~

19 (b) By majority vote, approve the appropriateness of a
20 memorial to any specific group of veterans.

21 ~~(4)~~

22 (c) By majority vote, approve a specific site for a memorial to
23 any specific group of veterans.

24 ~~(5)~~

25 (d) Receive private contributions for the purpose of
26 administering duties under this chapter.

27 ~~(b) Requests may come from any veteran, family member of a~~
28 ~~veteran, veterans' organization, elected official, member of the~~
29 ~~commission, or any state resident.~~

30 1378. Once the commission has ~~determined the need for any~~
31 ~~specific memorial, it may do the following: commission may do~~
32 ~~all approved a specific memorial, it shall do all of the following:~~

33 (a) Establish a schedule for the design, construction, and
34 dedication of the memorial.

35 (b) Implement procedures to solicit designs for the design,
36 construction, and dedication of the memorial and devise a
37 selection process for the choice of the design.

38 (c) Select individuals or organizations to provide fundraising
39 services and to design and construct the memorial.



1 (d) Review and monitor the design and construction of the
2 memorial and establish a program for the dedication of the
3 memorial.

4 (e) Consult with the Department of General Services to
5 determine parameters for the final size of the memorial, *if located*
6 *on state grounds*.

7 ~~(f) Consult with and obtain final design and site orientation~~
8 ~~approval from the Department of General Services.~~

9 1379. The design of a memorial shall be as politically neutral
10 as possible.

11 1380. The commission shall notify the Governor and the
12 Legislature whenever design, construction, and dedication of a
13 memorial pursuant to this chapter is complete.

