

Assembly Bill No. 2750

Passed the Assembly August 29, 2006

Chief Clerk of the Assembly

Passed the Senate August 24, 2006

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add and repeal Section 703 of the Military and Veterans Code, relating to military veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 2750, Nava. Military and veterans: California Veteran and National Guard Benefit Commission.

Existing law provides certain protection and benefits for veterans and members of the National Guard.

This bill would create the California Veteran and National Guard Benefit Commission, as specified, to study the critical issues facing military personnel and their families, as specified, to advise the Governor and the Legislature on actions that may be necessary to support and otherwise attend to the needs of men and women that serve or have served in the National Guard or United States Armed Forces, as specified. This bill would require the commission to report to the Governor and the Legislature on or before January 1, 2008, concerning its initial findings and recommendations.

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

SECTION 1. The Legislature hereby finds and declares the following:

(a) California boasts perhaps the strongest tradition of military service of any state in the Union. More veterans live in California than in any other state, with 2,569,340 of the nation's 26,549,704 veterans living in California.

(b) For more than a century, the California National Guard has had a proud history of serving the State of California as well as the nation. Members of the National Guard have long protected California from domestic threats such as natural disasters, terrorist incidents, and riots, and they have recently been asked to play a frontline role overseas for the first time since the Korean war.

(c) The National Guard, which represents 38 percent of the U.S. military's force structure, has served heavily in Iraq and in

the war against terrorism, deploying seven combat brigades and tens of thousands of troops since the war began. Last fall, the National Guard also committed 50,000 troops to respond to Hurricanes Katrina and Rita.

(d) California's soldiers are experiencing difficulty obtaining the benefits and assistance promised to them by the federal government. Only 11 percent of veterans in California are currently receiving federal benefits, which places our state well below the national average.

(e) The federal government has recently tried to cut health care benefits for our veterans, increasing veterans' copayments for prescription drugs, underfunding combat-related trauma centers, refusing to expand TRICARE health benefits for men and women in the National Guard and Reserves, and rejecting measures to keep military personnel safe when they are fighting overseas.

(f) Presently, there is an accumulation of more than 500,000 USDVA claims across the nation that have been submitted by veterans and are awaiting actions. This backlog of claims has persisted for several years and over 100,000 of these claims are more than one year old without resolution.

(g) The United States Department of Veterans Affairs estimates that there are currently over one million veterans living with dementia or other serious mental disorders nationwide.

(h) The current deployment in Iraq is clearly very stressful for U.S. troops serving there, and the Department of Defense research shows significant rates of post-traumatic stress disorder and other mental health problems among troops. Studies of those who served in the Vietnam war show that as many as 30 percent of combat veterans may experience symptoms that include flashbacks, anxiety, and emotional numbness. We have learned from prior wars that much can be done to ease the transition back to civilian life if it is done immediately.

(i) Homelessness among veterans continues to be a pervasive problem. Recent studies have indicated that nearly one-third of the homeless population are veterans.

(j) Recent news articles indicate that reservists and members of the National Guard have a more difficult time returning from federal duty than full-time military who return to relatively

well-equipped and staffed bases, where their postcombat problems can be more easily observed and treated.

(k) A recent Pentagon survey found that 31 percent of families of reservists and National Guard members see a decrease in income when a spouse is called to duty. They are experiencing long waits for adequate medical care and the state's 20,000 California National Guard troops have only two full-time chaplains, one psychologist, and one social worker.

(l) The current conflicts in Afghanistan and Iraq are producing a new generation of veterans who are likely to compound these problems if solutions are not found soon.

(m) California needs a Veteran and National Guard Benefit Commission to help ensure that our state's military personnel receive the services, health care, and benefits they are entitled to.

SEC. 2. Section 703 is added to the Military and Veterans Code, to read:

703. (a) There is hereby created a California Veteran and National Guard Benefit Commission to study the critical issues facing California's military personnel and their families, and to advise the Governor and the Legislature on actions that may be necessary to support and otherwise attend to the needs of the California men and women that serve or have served in the National Guard, and that serve or have served in the United States Armed Forces.

(b) The commission shall consist of the following members:

(1) The Secretary of the Department of Veterans Affairs or his or her designee.

(2) The Adjutant General of the California National Guard or his or her designee.

(3) The Chair of the California Veterans Board or his or her designee.

(4) An active duty member of the National Guard or the State Military Reserve, appointed by the Senate Committee on Rules.

(5) An active duty member of the National Guard or the State Military Reserve, appointed by the Speaker of the Assembly.

(6) A member of the California Association of County Veterans Service Officers, appointed by the Senate Committee on Rules.

(7) A member of the National Guard Association of California, appointed by the Speaker of the Assembly.

(8) A member of the Veterans of Foreign Wars, appointed by the Governor.

(9) A member of the American Legion, appointed by the Governor.

(10) A member of the Disabled American Veterans, appointed by the Governor.

(11) A member of a community-based nonprofit organization that serves the needs of active and/or retired military personnel and their families, appointed by the Speaker of the Assembly.

(c) The Secretary of the Department of Veterans Affairs shall serve as chairperson of the commission.

(d) The commission shall hold public meetings at times and places as it shall determine.

(e) The Department of Veterans Affairs and the Military Department shall provide staff and other resources to support the commission's work. Notwithstanding this provision, the commission may solicit and accept private donations, through the Department of Veterans Affairs, from any person, association, or entity interested in veterans benefits.

(f) State agencies and departments, including, but not limited to, the following, shall provide staff assistance and services to the commission upon its request:

- (1) Department of Veterans Affairs.
- (2) Military Department.
- (3) California Housing Finance Agency.
- (4) Department of Housing and Community Development.
- (5) California Workforce Investment Board.
- (6) Department of Industrial Relations.
- (7) Employment Development Department
- (8) State Department of Education.
- (9) Department of Fair Employment and Housing.
- (10) Department of General Services.
- (11) Department of Insurance.
- (12) State Department of Alcohol and Drug Programs.
- (13) State Department of Mental Health.
- (14) Department of Rehabilitation.
- (15) State Department of Social Services.
- (16) California Department of Aging.

(g) The commission shall study and make recommendations to the Governor and the Legislature on National Guard and veterans issues, including, but not limited to, the following subjects:

(1) Veteran and National Guard assistance and benefit programs.

(2) Health and mental health programs.

(3) Educational and vocational programs.

(4) Employment and reemployment issues.

(5) Housing and homelessness issues.

(6) National Guard recruitment and retention issues.

(7) National Guard training and equipment issues.

(8) Veterans Home construction and facility conditions.

(h) The commission shall report to the Governor and the Legislature on or before January 1, 2008, concerning its initial findings and recommendations, as specified in subdivision (g).

(i) This section shall remain in effect only until January 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.

Approved _____, 2006

Governor