

AMENDED IN ASSEMBLY APRIL 25, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 187

Introduced by Assembly Member Nakanishi
(Coauthors: Assembly Members DeVore, Jeffries, and Wolk)
(Coauthors: Senators Harman and Wyland)

January 25, 2007

An act to amend Sections 929, 930, 944, ~~945, 960.5, and 961~~ and 945 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 187, as amended, Nakanishi. Veterans.

Existing law authorizes counties to pay for any necessary expenses for the burial or cremation of any indigent veteran, not to exceed \$75. Existing law further provides that the money necessary to provide this aid may be taken from the general fund of the county.

This bill would increase the amount that counties may pay for the burial or cremation of any indigent veteran to \$350. This bill would require that funds be taken from the general fund of the county to provide this aid. This bill would repeal obsolete provisions pertaining to the source of funds for aid to indigent veterans.

Existing law authorizes a soldier, sailor, or marine, as specified, designated by the board of supervisors of ~~each~~ a county, to pay \$250 toward the burial expenses of a veteran, or a widow of a veteran, as specified. Existing law provides that the expenses to the county of each burial or contribution shall not exceed \$250.

This bill would require a soldier, sailor, or marine, to make a contribution, not to exceed \$350, toward the burial expenses of a veteran, or a widow of a veteran. This bill would provide that the amount that

each county is required to pay or contribute for the burial expenses of a veteran or a widow of a veteran shall ~~be not exceed~~ \$350.

~~Existing law authorizes the board of supervisors of any county, as specified, and the governing body of the city, as specified, to care for the grave of a former soldier, sailor, or marine.~~

~~This bill would require the board of supervisors of any county, and the governing body of the city, to care for the grave of a former soldier, sailor, or marine.~~

~~Existing law authorizes any fraternal or benevolent organization that maintains a plot in a place of burial, as specified, devoted exclusively to the burial of soldiers, sailors, or marines, to apply to the board of supervisors, and upon a showing of need, the board may care for the plot, as provided.~~

~~This bill would require any fraternal or benevolent organization to apply to the board of supervisors, as provided, and upon a showing of need, would require the board to care for the plot.~~

~~By imposing new duties upon counties with respect to the care of veterans' graves, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

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

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

- 1 SECTION 1. Section 929 of the Military and Veterans Code
- 2 is amended to read:
- 3 929. The necessary expenses, not to exceed three hundred fifty
- 4 dollars (\$350), for burial or cremation of any indigent veteran shall
- 5 be paid out of the money available under this article.
- 6 SEC. 2. Section 930 of the Military and Veterans Code is
- 7 amended to read:
- 8 930. The money necessary to carry out this article shall be
- 9 taken from the general fund of the county.

1 SEC. 3. Section 944 of the Military and Veterans Code is
2 amended to read:

3 944. In the event a deceased veteran or a widow of a veteran
4 has been interred other than by the person designated by the board
5 of supervisors, the person so designated shall pay the sum of three
6 hundred fifty dollars (\$350) toward the burial expenses of the
7 person who would have been entitled to interment by the person
8 designated by the supervisors.

9 SEC. 4. Section 945 of the Military and Veterans Code is
10 amended to read:

11 945. The expenses to the county of each burial or contribution
12 shall not exceed the sum of three hundred fifty dollars (\$350).
13 Claims therefor are governed by Part 3 (commencing with Section
14 900) and Part 4 (commencing with Section 940) of Division 3.6
15 of Title 1 of the Government Code.

16 ~~SEC. 5. Section 960.5 of the Military and Veterans Code is~~
17 ~~amended to read:~~

18 ~~960.5. Whenever in any cemetery or place of burial of human~~
19 ~~remains there is any known grave of a former soldier, sailor, or~~
20 ~~marine of the United States who was not dishonorably discharged~~
21 ~~from the service, the board of supervisors of any county as to~~
22 ~~territory, whether incorporated or not, within it, and the governing~~
23 ~~body of the city as to territory within it, with the consent of the~~
24 ~~officers who manage the cemetery or place of burial, if any, shall~~
25 ~~keep the grave properly marked and identified, and free from weeds~~
26 ~~and rubbish, and keep in decent order and repair and free from~~
27 ~~defacement, injury, and unlawful markings any tomb, monument,~~
28 ~~gravestone, wall, or other appurtenance to the grave.~~

29 ~~SEC. 6. Section 961 of the Military and Veterans Code is~~
30 ~~amended to read:~~

31 ~~961. Any fraternal or benevolent organization that maintains~~
32 ~~a plot in a place of burial mentioned in Section 960, that is devoted~~
33 ~~exclusively to the burial of soldiers, sailors, or marines of the~~
34 ~~United States, shall apply under this article to the board of~~
35 ~~supervisors of the county in which the plot is maintained. Upon a~~
36 ~~showing of need, the board shall keep the plot free from weeds~~
37 ~~and rubbish, and keep in decent order and repair and free from~~
38 ~~defacement and injury any tomb, monument, gravestone, wall, or~~
39 ~~other appurtenance to the graves in the plot.~~

1 ~~SEC. 7.—If the Commission on State Mandates determines that~~
2 ~~this act contains costs mandated by the state, reimbursement to~~
3 ~~local agencies and school districts for those costs shall be made~~
4 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
5 ~~4 of Title 2 of the Government Code.~~

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