

Senate Bill No. 599

CHAPTER 558

An act to amend Sections 1330, 1331, 1332, 1333, 1334, 1335, 1338, and 1340 of, and to add Section 1341 to, the Military and Veterans Code, and to repeal Article 11 (commencing with Section 18821) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to veterans memorials.

[Approved by Governor October 12, 2007. Filed with
Secretary of State October 12, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

SB 599, Negrete McLeod. California Mexican American Veterans' Memorial Beautification and Enhancement Committee.

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, among other things, establish a schedule for its design, construction, and dedication; to solicit designs and devise a process for selection of the final design; to monitor construction; and to consult with and obtain final design and site orientation approval from the Department of General Services.

This bill would delete the provisions establishing the California Mexican American Veterans' Memorial Beautification and Enhancement Commission, and would instead require the Secretary of Veterans Affairs to establish a California Mexican American Veterans' Memorial Beautification and Enhancement Committee, as specified. This bill would authorize the committee to, among other things, establish a schedule for the design, construction, and dedication of the memorial; to solicit designs and devise a process for selection of the final design; to monitor construction; and to consult with and obtain final design and site orientation approval from the Department of General Services and the Secretary of Veterans Affairs.

Existing law establishes the California Mexican American Veterans' Memorial Beautification and Enhancement Account, a continuously appropriated account, in the General Fund. Existing law authorizes taxpayers to designate a contribution to the account through a voluntary checkoff on their tax returns. Existing law also authorizes the commission to receive contributions, for the beautification and enhancement of the memorial, which are to be deposited in the account. Funds in the account are to be appropriated to the commission for purposes of beautification and enhancement of the memorial and for reimbursement of the Controller and the Franchise Tax Board for related costs.

This bill would repeal the provisions authorizing taxpayers to designate a contribution to the account through a voluntary checkoff on their tax returns. This bill would instead authorize the Department of Veterans Affairs to receive those contributions for the beautification and enhancement of the memorial, which are, under existing law, required to be deposited in the account, and appropriated to the department, along with existing funds collected through the auspices of the California Mexican American Veterans' Memorial Beautification and Enhancement Commission, for purposes of beautification and enhancement of the memorial.

Existing law prohibits the commission from soliciting any construction funds until the veterans memorial has been constructed on State Capitol grounds under existing law.

This bill would delete the provision prohibiting the committee from soliciting any construction funds until the veterans memorial has been constructed on State Capitol grounds under existing law.

Existing law requires the commission to notify the Governor and the Franchise Tax Board when the beautification and enhancement of the memorial is complete.

This bill would instead require the committee to notify the Governor and the Secretary of Veterans Affairs when the beautification and enhancement of the memorial is complete.

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

SECTION 1. Section 1330 of the Military and Veterans Code is amended to read:

1330. (a) The Secretary of Veterans Affairs shall establish a California Mexican American Veterans' Memorial Beautification and Enhancement Committee composed of seven members as follows:

- (1) Five members appointed by the Governor.
- (2) One member appointed by the President pro Tempore of the Senate.
- (3) One member appointed by the Speaker of the Assembly.

(b) The secretary shall appoint one member from the committee to serve as chairperson.

SEC. 2. Section 1331 of the Military and Veterans Code is amended to read:

1331. Members of the committee shall not receive any compensation.

SEC. 3. Section 1332 of the Military and Veterans Code is amended to read:

1332. The committee may request staff support and facilities for its activities from the Department of Veterans Affairs, and the department may provide that support and be reimbursed for the cost of this support.

SEC. 4. Section 1333 of the Military and Veterans Code is amended to read:

1333. The committee shall be responsible for carrying out the purposes of this chapter.

SEC. 5. Section 1334 of the Military and Veterans Code is amended to read:

1334. (a) The beautification and enhancement of an existing memorial on state grounds is hereby authorized. For the purposes of this act, “state grounds” means that property in the City of Sacramento bounded by “Ninth,” “Tenth,” “L,” and “N” Streets. The actual site for the beautification and enhancement of the memorial shall be the site of the existing memorial and surrounding ground.

(b) Funds for the beautification and enhancement of the memorial shall be provided through private contributions and through existing funds collected under the auspices of the California Mexican American Veterans’ Memorial Beautification and Enhancement Commission. The Department of Veterans Affairs may receive contributions for this purpose.

SEC. 6. Section 1335 of the Military and Veterans Code is amended to read:

1335. With respect to the design and construction of an enhanced memorial, the committee may do all of the following:

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

(b) Implement procedures to solicit designs for beautifying and enhancing the memorial and devise a selection process for the choice of the design.

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

(d) Review and monitor the design and construction of the memorial and establish a program for the rededication of the memorial.

(e) Consult with the Department of General Services to determine parameters for the final size of the memorial.

(f) Consult with and obtain final design and site orientation approval from the Department of General Services and the Secretary of Veterans Affairs.

SEC. 7. Section 1338 of the Military and Veterans Code is amended to read:

1338. The committee shall notify the Governor and the Secretary of Veterans Affairs when beautification and enhancement of the memorial pursuant to this chapter is complete. This chapter shall remain in effect only until, and shall be repealed on, January 1 of the year following that notification, unless a later enacted statute, which is enacted before that date, deletes or extends that date.

SEC. 8. Section 1340 of the Military and Veterans Code is amended to read:

1340. The California Mexican American Veterans’ Memorial Beautification and Enhancement Account is hereby created in the General Fund. All funds received by the Department of Veterans Affairs under Chapter 7 (commencing with Section 1330) shall be deposited in the account for the design and construction of the California Mexican American Veterans’ Memorial as specified in Section 1341.

SEC. 9. Section 1341 is added to the Military and Veterans Code, to read:

1341. (a) Notwithstanding Section 13340 of the Government Code, all funds deposited in the California Mexican American Veterans' Memorial Beautification and Enhancement Account established pursuant to Section 1340 are hereby continuously appropriated, without regard to fiscal year, to the Department of Veterans Affairs for the beautification and enhancement of an existing memorial and surrounding grounds at the State Capitol pursuant to Chapter 7 (commencing with Section 1330).

(b) On July 1, 2014, any moneys remaining in the California Mexican American Veterans' Memorial Beautification and Enhancement Account shall revert to the General Fund.

SEC. 10. Article 11 (commencing with Section 18821) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code is repealed.