

AMENDED IN SENATE SEPTEMBER 2, 2009

AMENDED IN ASSEMBLY JUNE 2, 2009

AMENDED IN ASSEMBLY APRIL 16, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1570**

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**Introduced by ~~Committee on Veterans Affairs (Salas (Chair), Lieu, V. Manuel Perez, Saldana, and Yamada)~~ Assembly Member Salas**  
*(Principal coauthor: Senator Kehoe)*  
**(Coauthors: Assembly Members Anderson, Fletcher, Garrick, Harkey, Jeffries, and Saldana)**  
*(Coauthors: Senators Benoit, Ducheny, Hollingsworth, and Wyland)*

March 16, 2009

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An act to add Article 8 (commencing with Section 999.75) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to veterans. An act to add Section 30607.8 to the Public Resources Code, relating to coastal development, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1570, as amended, ~~Committee on Veterans Affairs~~ Salas. ~~Veterans: service providers.~~ Coastal development: desalination facility. The California Coastal Act of 1976 provides for the planning and regulation of development, under a coastal development permit process, within the coastal zone, as defined, and authorizes the California Coastal Commission to issue permits for, and to regulate, various types of developments within the coastal zone, including industrial developments and thermal electric generating plants.

*This bill would extend the expiration date of a coastal development permit for a seawater desalination facility that was approved after January 1, 2007, as specified, by 12 months and would require that such a permit for a seawater desalination facility would not expire less than 3 years from the date on which the commission or the local government approved the project if development has not begun.*

*The bill would also require that the above extension be implemented without additional authorization or action by the commission or the local government and that it be in addition to any extension of the expiration date as provided for in the act, any rules or regulations adopted pursuant to the act, any local coastal program, applicable coastal development permit, or any other provision of state law.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law provides for certain services, protections, and benefits for veterans:~~

~~This bill would require each entity of state government to give preference to a qualified entity, as defined, when awarding a grant for a project that would provide, or when entering into a contract to provide, social services to veterans. This bill would require a qualified entity to submit with the application for the grant or the bid for the contract a certification, as provided, from the Department of Veterans Affairs. This bill would authorize the Department of Veterans Affairs to accept donations for the purposes of implementing these provisions and would require those donations to be deposited into the Veterans Services Fund for specified purposes, as appropriated by the Legislature. This bill would also authorize the Department of Veterans Affairs to conduct audits of qualified entities, as specified.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: no.

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

- 1     SECTION 1. Section 30607.8 is added to the Public Resources
- 2     Code, to read:
- 3     30607.8. (a) *The expiration date of a coastal development*
- 4     *permit for a seawater desalination facility approved pursuant to*
- 5     *this division after January 1, 2007, and before the effective date*
- 6     *of this section, which has not expired as of that date, shall be*
- 7     *extended by 12 months, and in no event shall that coastal*

1 *development permit for a seawater desalination facility expire less*  
2 *than three years from the date on which the commission or local*  
3 *government approved the proposed project if development has not*  
4 *begun.*

5 *(b) The extension provided by subdivision (a) shall be*  
6 *implemented without any additional authorization or action by*  
7 *the commission or local government, notwithstanding any provision*  
8 *to the contrary contained in this division, any rules or regulations*  
9 *adopted pursuant thereto, any local coastal program adopted*  
10 *pursuant to this division, the applicable coastal development*  
11 *permit, or any other provision of state law.*

12 *(c) The extension provided by subdivision (a) shall be in addition*  
13 *to any extension of the expiration date provided for in this division,*  
14 *any rules or regulations adopted pursuant thereto, any local*  
15 *coastal program adopted pursuant to this division, the applicable*  
16 *coastal development permit, or any other provision of state law.*

17 *SEC. 2. This act is an urgency statute necessary for the*  
18 *immediate preservation of the public peace, health, or safety within*  
19 *the meaning of Article IV of the Constitution and shall go into*  
20 *immediate effect. The facts constituting the necessity are:*

21 *To authorize as soon as possible the continuing development of*  
22 *desalination plants that have been approved for the augmentation*  
23 *of the state’s drinking water supply for the protection of the public*  
24 *health, safety, and the environment, it is necessary for this act to*  
25 *take effect immediately.*

26 ~~SECTION 1. Article 8 (commencing with Section 999.75) is~~  
27 ~~added to Chapter 6 of Division 4 of the Military and Veterans~~  
28 ~~Code, to read:~~

29  
30 ~~Article 8. Veterans Preference For State Services Contracts~~

31  
32 ~~999.75. For purposes of this article, both of the following shall~~  
33 ~~apply:~~

34 ~~(a) A “qualified entity” means an entity that provides services,~~  
35 ~~as specified in subdivision (a) of Section 999.76, to veterans and~~  
36 ~~is capable of managing the grant moneys provided or the contract~~  
37 ~~funds allocated in a fiscally prudent manner, that meets all of the~~  
38 ~~following requirements:~~

39 ~~(1) Demonstrates the knowledge, experience, and capacity to~~  
40 ~~provide desired services to veterans.~~

1 ~~(2) Demonstrates through audits and employment history the~~  
2 ~~fiscal and management capacity to capably perform public~~  
3 ~~contracts.~~

4 ~~(3) Is a nonprofit organization that is exempt from federal~~  
5 ~~income taxation as an organization described in Section 501(c)(3)~~  
6 ~~of the Internal Revenue Code with the primary purpose of~~  
7 ~~providing services to veterans and their families.~~

8 ~~(4) Demonstrates that the majority of the entity's resources are~~  
9 ~~dedicated to serving the needs of veterans and their families.~~

10 ~~(5) Demonstrates that all required filings with the Secretary of~~  
11 ~~State, the Attorney General's office, and the Franchise Tax Board,~~  
12 ~~are current.~~

13 ~~(b) A qualified entity shall provide to the department all of the~~  
14 ~~following up-to-date documents:~~

15 ~~(1) Articles of incorporation, and all amendments to the articles~~  
16 ~~of incorporation.~~

17 ~~(2) IRS Letter of Determination.~~

18 ~~(3) Taxpayer identification number.~~

19 ~~(4) Independent audit reports dating back three years.~~

20 ~~999.76. (a) Notwithstanding any other law, each entity of state~~  
21 ~~government that awards grants to, or enters into contracts with,~~  
22 ~~nongovernmental agencies shall give preference to a qualified~~  
23 ~~entity when awarding a grant for a project that would provide to~~  
24 ~~veterans, or when entering into a contract to provide to veterans,~~  
25 ~~social services, including, but not limited to, housing services,~~  
26 ~~mental health services, or employment and job training services.~~

27 ~~(b) The qualified entity shall submit, with the application for~~  
28 ~~the grant or the bid for the contract, a certification from the~~  
29 ~~department.~~

30 ~~(c) (1) In order to obtain a certification as required by~~  
31 ~~subdivision (b), the qualified entity shall apply to the department,~~  
32 ~~in a form and manner as required by the department, for~~  
33 ~~certification of its status as a qualified entity.~~

34 ~~(2) The department shall process and approve or reject all~~  
35 ~~applications on the basis of the requirements set forth in Section~~  
36 ~~999.75.~~

37 ~~(d) The department may conduct an audit of qualified entities~~  
38 ~~that receive grant funds, as provided by this section, to ensure the~~  
39 ~~grant funds are being used to serve veterans. The results of any~~  
40 ~~audit shall be made available to the public. The department may~~

1 comply with the requirements of this subdivision by posting the  
2 results of any audit on its Internet Web site.

3 ~~999.77. (a) A certification approved by the department shall~~  
4 ~~be valid for two years from the date the department accepts~~  
5 ~~credentials for certification.~~

6 ~~(b) The department may accept current certifications and licenses~~  
7 ~~from any other state entity, agency, or department in order to~~  
8 ~~provide a certification to a qualified entity pursuant to subdivision~~  
9 ~~(b) of Section 99.76.~~

10 ~~999.78. The department shall use existing allocated resources~~  
11 ~~to implement this article. The department may accept donations~~  
12 ~~that shall be deposited into the Veterans Services Fund, which is~~  
13 ~~hereby created in the State Treasury, and which, upon appropriation~~  
14 ~~by the Legislature, shall be used for the purposes of implementing~~  
15 ~~this article.~~

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