

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 882

Introduced by Assembly Member Cook

February 17, 2011

An act to add and repeal Section 700.5 of, and to add and repeal Chapter 2.5 (commencing with Section 775) of Division 4 of, An act to repeal, add, and repeal Section 974.5 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 882, as amended, Cook. Veterans: benefits and services.

Existing law establishes the Department of Veterans Affairs within state government and sets forth its powers and duties, including, but not limited to, administration of veterans benefits programs. Existing law establishes the California Veterans Board within the department and sets forth its powers and duties, including, but not limited to, its power to determine operational policy for the department.

~~This bill would, until January 1, 2016, establish the California Veterans Services and Workforce Development Division within the Department of Veterans Affairs for the purpose of coordinating and administering veterans assistance programs in the state, and would require the division to perform various functions and duties relating to the coordination and administration of veterans assistance programs, as specified. The bill would require the administrative and support staff responsible for the administration of the specified programs to be transferred from the Employment Development Department (EDD) to~~

~~the division, and would require the costs of the transfer to utilize existing resources of the Department of Veterans Affairs.~~

The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate. Existing law contains various programs for job training and employment investment, including work incentive and employment training outreach programs. Existing law, the California Workforce Investment Act, requires each local workforce investment board to establish at least one full service one-stop career center in the local workforce investment area and to provide specified job placement services. *Existing law authorized the department and the Employment Development Department (EDD) to enter into interagency agreements with counties that elected to participate in a specified program.*

~~This bill would, by January 1, 2013, and until January 1, 2016, establish the One-Stop Center Pilot Program For Veterans' Compensation and Benefits Assistance in the Counties of Los Angeles and San Diego and in the city and county of San Francisco for the purpose of providing collaboration between the EDD and county veteran service officers in order to more effectively achieve increased compensation and pension benefit claims for California veterans through the established one-stop career centers, as specified. As part of the pilot program, the bill would require the department and EDD to enter into agreements with the no more than 4 counties and city and county in which the program is established in order to combine the resources and personnel of the county veteran service officers, the department, and the EDD that elect to participate in the County Veterans Service Center Pilot Program, which this bill would establish. By imposing new duties on local government with respect to the implementation of these local programs, the 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.~~

~~This bill would make legislative findings and declarations as to the necessity of a special statute for the Counties of Los Angeles and San Diego and the City and County of San Francisco.~~

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

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

1 ~~SECTION 1. Section 974.5 of the Military and Veterans Code~~
2 ~~is repealed.~~

3 ~~974.5. (a) The purpose of this section is to provide a~~
4 ~~mechanism to facilitate the delivery of complete, efficient,~~
5 ~~information and other services to veterans in a convenient setting.~~

6 ~~(b) By July 1, 1999, the Department of Veterans Affairs and~~
7 ~~the Department of Employment Development may enter into~~
8 ~~interagency agreements with individual counties that elect to~~
9 ~~participate in the program pursuant to this section, after a~~
10 ~~determination that services to be provided pursuant to this section~~
11 ~~are not otherwise being provided and would, thus, not be~~
12 ~~duplicated. Services provided pursuant to this section shall not be~~
13 ~~contrary to the purposes of, nor shall they be in conflict with, any~~
14 ~~one-stop service program provided under federal guidelines.~~
15 ~~Pursuant to the agreements the departments may agree to provide~~
16 ~~resources and staff, or both, as necessary to locate within a single~~
17 ~~facility owned by the participating county, under the coordination~~
18 ~~of the county veteran service director, a more complete and~~
19 ~~convenient local service program for veterans.~~

20 ~~(c) The veteran service center shall be staffed with persons~~
21 ~~knowledgeable in employment and veterans benefits issues, and~~
22 ~~shall contain all necessary resources, information, forms, and other~~
23 ~~materials necessary for a veteran to receive full employment~~
24 ~~assistance and a complete assessment of veterans benefits to which~~
25 ~~he or she is entitled.~~

26 ~~(d) The Department of Veterans Affairs and the Department of~~
27 ~~Employment Development, after consulting with participating~~
28 ~~counties, shall jointly report to the Legislature by January 1, 2002,~~
29 ~~regarding the progress of the program.~~

30 ~~SEC. 2. Section 974.5 is added to the Military and Veterans~~
31 ~~Code, to read:~~

32 ~~974.5. (a) The purpose of this section is to establish the County~~
33 ~~Veterans Service Center Pilot Program to provide a mechanism~~
34 ~~to facilitate the delivery of complete, efficient, information and~~
35 ~~other services to veterans in a convenient setting.~~

1 (b) By January 1, 2013, the Department of Veterans Affairs and
2 the Department of Employment Development shall enter into
3 interagency agreements with no more than four individual counties
4 that elect to participate in the program pursuant to this section,
5 after a determination that services to be provided pursuant to this
6 section could improve the state's delivery of services and benefits
7 to veterans and aid veterans in obtaining services and benefits to
8 which veterans are entitled. Services provided pursuant to this
9 section shall not be contrary to the purposes of, nor shall they be
10 in conflict with, any one-stop service program provided under
11 federal guidelines. Pursuant to the agreements, the departments
12 may agree to provide resources and staff, or both, as necessary
13 to locate within a single facility owned by the participating county,
14 the state, or both.

15 (c) The veteran service center shall be staffed with persons
16 knowledgeable in employment and veterans benefits issues,
17 including, but not limited to, workforce development, job training,
18 educational benefits, compensation and pension benefits, and
19 low-interest financing offered through CalVet for home loans and
20 farm purchases, and shall contain all necessary resources,
21 information, forms, and other materials necessary for a veteran
22 to receive full employment assistance and a complete assessment
23 of veterans benefits to which he or she is entitled.

24 (d) This section shall remain in effect only until January 1, 2016,
25 and as of that date is repealed.

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

28 ~~(a) California has the largest veteran population in the nation,~~
29 ~~comprised of an estimated 2 million veterans. Each month,~~
30 ~~thousands of military personnel are released from active service~~
31 ~~and face tremendous challenges transitioning back into civilian~~
32 ~~life.~~

33 ~~(b) The challenges military veterans face are compounded by~~
34 ~~a complex system of veteran assistance programs that is difficult~~
35 ~~to navigate.~~

36 ~~(c) The United States Department of Veterans Affairs expended~~
37 ~~approximately \$6 billion in California in the 2005 federal fiscal~~
38 ~~year. Of that amount, \$2.66 billion dollars was in disability~~
39 ~~payments (compensation and benefits) to veterans. The states that~~
40 ~~have the largest veteran populations in the nation are California,~~

1 Florida, and Texas. Texas veterans have collected 44 percent more
2 disability benefits than the amount collected by California veterans.

3 ~~(d) Increasing disability benefit participation in California in
4 an amount that would approach the national average could generate
5 an additional \$330 million in annual payments to California
6 veterans.~~

7 ~~(e) It is the intent of the Legislature in enacting this act to
8 consolidate the veterans assistance programs and their dedicated
9 staff as identified in Section 64.5 of the Military and Veterans
10 Code, as added by this act, within the California Veterans Services
11 and Workforce Development Division of the Department of
12 Veterans Affairs.~~

13 ~~SEC. 2. Section 700.5 is added to the Military and Veterans
14 Code, to read:~~

15 ~~700.5.—(a) The California Veterans Services and Workforce
16 Development Division is hereby established within the department
17 for the purpose of coordinating and administering veterans
18 assistance programs in the state. The Secretary of Veterans Affairs
19 shall have authority over the division.~~

20 ~~(b) The division shall do all of the following:~~

21 ~~(1) Coordinate with other state agencies that provide benefits
22 and assistance to veterans to ensure that information about veterans
23 assistance programs and benefits is made available to all state
24 agencies that serve veterans in the state.~~

25 ~~(2) Administer the Transition Assistance Program (TAP) as
26 prescribed under the federal Jobs for Veterans State Grants
27 program, in cooperation with the Employment Development
28 Department (EDD). The division shall work with staff from the
29 EDD to develop a plan whereby responsibility for the
30 administration of the TAP shall be transferred from the EDD to
31 the division. The development of the plan shall be completed on
32 or before April 1, 2012.~~

33 ~~(c) (1) In complying with this section, all administrative and
34 support staff responsible for the administration of the TAP shall
35 be transferred from the EDD to the division.~~

36 ~~(2) Any costs associated with the implementation of these
37 transfers shall utilize existing resources of the Department of
38 Veterans Affairs, as the operational cost of these programs utilizes
39 funding from the Jobs for Veterans State Grant program, as
40 prescribed within the United States Department of Labor.~~

1 (d) ~~This section shall remain in effect only until January 1, 2016,~~
2 ~~and as of that date is repealed, unless a later enacted statute, that~~
3 ~~is enacted before January 1, 2016, deletes or extends that date.~~

4 SEC. 3. ~~Chapter 2.5 (commencing with Section 775) is added~~
5 ~~to Division 4 of the Military and Veterans Code, to read:~~

6
7 ~~CHAPTER 2.5. ONE-STOP CENTER PILOT PROGRAM FOR~~
8 ~~VETERANS' COMPENSATION AND BENEFITS ASSISTANCE~~

9
10 775. ~~For purposes of this chapter, the following terms have the~~
11 ~~following meanings:~~

12 (a) ~~“Department” means the Department of Veterans Affairs.~~

13 (b) ~~“EDD” means the Employment Development Department.~~

14 (c) ~~“One-stop career center” means a one-stop career center~~
15 ~~established pursuant to Section 14230 of the Unemployment~~
16 ~~Insurance Code and located in the county of Los Angeles or San~~
17 ~~Diego or the city and county of San Francisco.~~

18 (d) ~~“Pilot project” means the One-Stop Center Pilot Program~~
19 ~~for Veterans’ Compensation and Benefits Assistance established~~
20 ~~by this chapter.~~

21 776. ~~The One-Stop Center Pilot Program For Veterans’~~
22 ~~Compensation and Benefits Assistance is hereby established in~~
23 ~~the counties of Los Angeles and San Diego and in the City and~~
24 ~~County of San Francisco for the purpose of collaboration between~~
25 ~~the department, the EDD, and the county veteran service officers~~
26 ~~of those respective counties and city and county in order to more~~
27 ~~effectively achieve increased compensation and pension benefit~~
28 ~~claims for California veterans through the established one-stop~~
29 ~~career centers as a part of the Local Veteran Employment~~
30 ~~Representative program, as prescribed by the United States~~
31 ~~Department of Labor.~~

32 777. ~~For purposes of the pilot project, the department shall~~
33 ~~enter into agreements with the counties and city and county in~~
34 ~~which the program is established in order to combine the resources~~
35 ~~and personnel of the county veteran service officers, the~~
36 ~~department, and the EDD.~~

37 778. ~~The sole purpose of the pilot project is to provide that the~~
38 ~~EDD and one-stop career centers share information with the county~~
39 ~~veterans service officers and collaborate in order to more~~
40 ~~effectively address the needs of our veterans.~~

1 ~~779. This chapter shall remain in effect only until January 1,~~
2 ~~2016, and as of that date is repealed, unless a later enacted statute,~~
3 ~~that is enacted before January 1, 2016, deletes or extends that date.~~

4 ~~SEC. 4. If the Commission on State Mandates determines that~~
5 ~~this act contains costs mandated by the state, reimbursement to~~
6 ~~local agencies and school districts for those costs shall be made~~
7 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
8 ~~4 of Title 2 of the Government Code.~~

9 ~~SEC. 5. The Legislature finds and declares that a special law~~
10 ~~is necessary and that a general law cannot be made applicable~~
11 ~~within the meaning of Section 16 of Article IV of the California~~
12 ~~Constitution because of the unique need to assist the large~~
13 ~~populations of unemployed veterans in the counties of Los Angeles~~
14 ~~and San Diego and the city and county of San Francisco.~~