

AMENDED IN SENATE MARCH 21, 2011

SENATE BILL

No. 537

Introduced by Senator Correa

February 17, 2011

~~An act relating to the military.~~ *An act to amend Sections 500, 500.1, 501, 502, 502.1, 502.2, 502.5, 503, 504, 506, 507, 508, 509, 510, 511, 511.5, 512, 513, 514, 515, 516, 516.1, 517, 518, 519, 520, 520.1, 530, and 531 of, to add Sections 502.3 and 532 to, and to repeal and add Section 505 of, the Military and Veterans Code, relating to the military.*

LEGISLATIVE COUNSEL'S DIGEST

SB 537, as amended, Correa. California Cadet Corps: ~~military academies.~~

Existing law establishes in state government the Military Department, which includes, among others, the Office of the Adjutant General, the California National Guard, and the California Cadet Corps. Existing law establishes various duties for these officers and entities. Existing law generally authorizes the organization of a cadet company at each college, community college, high school, and each senior high school in this state having 100 or more students of 14 years of age or over under such rules and regulations as the governing body of the schools and the Adjutant General may prescribe, and authorizes the Adjutant General to appoint officers in the California Cadet Corps for duty in each community college, high school, junior high school, or elementary school under the jurisdiction of the governing board.

~~This bill would state the intent of the Legislature to enact legislation to amend the Military and Veterans Code to revise, enhance, and modernize provisions of that code relating to youth programs~~

~~administered by the Military Department or the California National Guard, or both.~~

This bill would authorize the organization of a California Cadet Corps at each college, community college, or school where there is not currently a J.R.O.T.C. or R.O.T.C. program, and under such rules and regulations as the governing body of the schools and the Adjutant General may prescribe. This bill would also authorize the Adjutant General to appoint officers, warrant officers, and noncommissioned officers for duty in each college, community college, or school under the jurisdiction of the governing board, and require that their pay, allowances, and expenses be disbursed from the college, community college, or school in which they serve. This bill would authorize the Adjutant General to order those officers to temporary state active duty to perform functions in support of the California Cadet Corp. Additionally, this bill authorizes the Governor, upon recommendation of the Adjutant General, to appoint Special Project Officers, warrant officers, and noncommissioned officers for service in the California Cadet Corps, and authorizes the Adjutant General to adopt rules and regulations for the promotion of officers, warrant officers, and noncommissioned officers of the California Cadet Corps.

Existing law authorizes members of the California Cadet Corps to use California National Guard rifle ranges.

This bill would authorize members of the California Cadet Corps to use California National Guard facilities for training purposes.

Existing law authorizes any executive officer, assistant executive officer, supervisor of cadet instruction, or officer hurt in the line of duty to receive workers' compensation, as provided. Existing law creates a presumption that the average yearly earning of such individual is not less than \$2,500.

This bill would authorize any executive officer, assistant executive officer, advisor, officer, warrant officer, or noncommissioned officer hurt in the line of duty to receive workers' compensation, as provided. This bill would create a presumption that the yearly earning of such individual is not less than \$10,000.

Existing law authorizes the instructors of a military academy meeting specified requirements, including having 80 or more male students, to be commissioned in the California Cadet Corps, and authorizes the Adjutant General to enter into a cooperative agreement with the City of Oakland and a school district to establish an Oakland Military Institute.

This bill would authorize the instructors of a military academy meeting specified requirements, including having more than 80 students, to be commissioned in the California Cadet Corps, and authorize the Adjutant General to enter into a cooperative agreement with the Superintendent of Public Instruction, or any county, city, or school governing board to establish a military academy, as specified.

This bill would also make other conforming changes.

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

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

1 SECTION 1. Section 500 of the Military and Veterans Code is
2 amended to read:

3 500. The students of any college, community college, or ~~high~~
4 school in this state, ~~having 100 or more such students, 14 years of~~
5 ~~age or over~~, may be organized into a ~~cadet~~ California Cadet Corps
6 company or companies under such rules and regulations as the
7 governing body of the schools or colleges and the Adjutant General
8 of the State of California may prescribe. ~~Said A California Cadet~~
9 ~~Corps~~ company or companies shall be of such strength as may be
10 prescribed by the Adjutant General.

11 SEC. 2. Section 500.1 of the Military and Veterans Code is
12 amended to read:

13 500.1. Except as hereinafter provided, each college, community
14 college, ~~high school and each senior high~~, ~~high school and each~~
15 ~~senior high or school in this state having 100 or more students of~~
16 ~~14 years of age or over and in which there is not maintained an a~~
17 ~~J.R.O.T.C. or R.O.T.C. unit shall may~~ establish a ~~cadet~~ California
18 Cadet Corps company or companies under such rules and
19 regulations as the governing body of the schools and the Adjutant
20 General may prescribe, ~~and any college, community college, high~~
21 ~~school or senior high school in the state having less than 100 of~~
22 ~~each students may~~ establish a cadet company or companies. Said.
23 A California Cadet Corps company or companies shall be of such
24 strength as shall be prescribed by the Adjutant General. A ~~cadet~~
25 California Cadet Corps company or companies is not required to
26 be established in a ~~high~~ school, college, or community college
27 unless a number of qualified students sufficient to constitute a

1 company or companies of the strength prescribed by the Adjutant
2 General voluntarily enroll therein.

3 *SEC. 3. Section 501 of the Military and Veterans Code is*
4 *amended to read:*

5 501. ~~Cadet~~ California Cadet Corps companies shall at all times
6 be under the guidance and control of the principal, president,
7 director or chief administrative officer of the college, community
8 college, or ~~high~~ school, whose duty it shall be to make regulations
9 with the approval of the Adjutant General regarding the moral,
10 educational, and physical welfare of the cadets.

11 *SEC. 4. Section 502 of the Military and Veterans Code is*
12 *amended to read:*

13 502. Upon recommendation of the governing board having
14 jurisdiction over the *college*, community college, or school, the
15 Adjutant General may appoint officers, *warrant officers*, and
16 *noncommissioned officers* in the California Cadet Corps for duty
17 *as commandants of cadets or assistant commandants of cadets* in
18 each *college*, community college, ~~high school, junior high school,~~
19 ~~or elementary or~~ or school under the jurisdiction of the governing
20 board. Except when ordered to *state active duty* by the Governor,
21 the officers, *warrant officers*, and *noncommissioned officers* shall
22 be under the immediate control and jurisdiction of the governing
23 board of the *college*, community college, ~~high school, junior high~~
24 ~~school, or elementary~~ or school at which they are on duty, and
25 *pay, allowances, and expenses shall be disbursed from funds*
26 *appropriated for the maintenance and operations of the college,*
27 *community college, or school where they serve.* Each officer,
28 *warrant officer, and noncommissioned officer* shall hold his or her
29 appointment at the pleasure of the governing board, or until a
30 successor has been appointed and qualified, or his or her ~~connection~~
31 *affiliation with the cadets California Cadet Corps is severed.*

32 *SEC. 5. Section 502.1 of the Military and Veterans Code is*
33 *amended to read:*

34 502.1. The Adjutant General shall determine by the adoption
35 of rules and regulations the grade and rank to be held by ~~officers~~
36 *individuals* appointed in the California Cadet Corps by reason of
37 their military experience ~~and~~ or professional knowledge, or *both*.
38 ~~Said officers~~ *These individuals* shall be ~~commissioned in the~~
39 ~~manner that shall be determined by rules appointed pursuant to~~
40 *the rules and regulations adopted by the Adjutant General.*

1 A person who has previously been ~~a commissioned~~ *an officer,*
 2 *warrant officer, or noncommissioned* officer of, and discharged
 3 under honorable conditions from, the United States Army, ~~the~~
 4 ~~Army of the United States,~~ the United States Navy, the United
 5 States Air Force, the United States Marine Corps, the United States
 6 Coast Guard, or any reserve component of such federal forces, the
 7 *California National Guard, the State Military Reserve, or the active*
 8 *militia* may be appointed in the California Cadet Corps ~~and~~
 9 ~~commissioned~~ in the same rank last held in such federal or state
 10 military forces. Each officer ~~commissioned,~~ *warrant officer, or*
 11 *noncommissioned officer* shall hold office ~~as provided by~~ *pursuant*
 12 *to the* rules and regulations adopted by the Adjutant General. Upon
 13 recommendation of the Adjutant General, the Governor may
 14 commission one executive officer of the California Cadet Corps
 15 as colonel, one assistant executive officer of the California Cadet
 16 Corps as lieutenant colonel, and the necessary number of regional
 17 ~~supervisors of cadet instruction~~ *advisors* in the same grade and
 18 ~~rank as said officers~~ last held in ~~said~~ federal or state military forces,
 19 not to exceed lieutenant colonel, ~~as may be determined by~~ *pursuant*
 20 *to* rules and regulations adopted by the Adjutant General. *Upon*
 21 *the recommendation of the Adjutant General, the Governor may*
 22 *appoint Special Project Officers, warrant officers, and*
 23 *noncommissioned officers to the same grade and rank last held in*
 24 *federal or state military forces for service in the California Cadet*
 25 *Corps by virtue of their professional knowledge and experience.*
 26 Pay and expenses shall be taken from the ~~moneys funds~~
 27 appropriated for the maintenance *and support* of the California
 28 Cadet Corps.

29 *SEC. 6. Section 502.2 of the Military and Veterans Code is*
 30 *amended to read:*

31 502.2. The executive officer ~~commissioned~~ as a colonel in the
 32 *California National Guard, State Military Reserve, or California*
 33 *Cadet Corps;* the assistant executive officer ~~commissioned~~ as a
 34 lieutenant colonel in the *California National Guard, State Military*
 35 *Reserve, or California Cadet Corps;* the regional ~~supervisors of~~
 36 ~~cadet instruction~~ ~~commissioned as provided in~~ ~~appointed pursuant~~
 37 ~~to~~ *advisors appointed pursuant to Section 502.1 of this code;* and
 38 the ~~officers~~ *individuals* appointed in the California Cadet Corps
 39 ~~commissioned~~ according to rules and regulations adopted by the
 40 Adjutant General shall wear ~~such uniform as may be~~ *uniforms*

1 prescribed by the Adjutant General, including cap and collar
 2 ornaments and other distinctive marks of identification of the
 3 California Cadet Corps ~~as may~~. *Uniforms shall* not be inconsistent
 4 with rules and regulations of the United States Army.

5 *SEC. 7. Section 502.3 is added to the Military and Veterans*
 6 *Code, to read:*

7 *502.3. The Adjutant General may adopt rules and regulations*
 8 *providing for the promotion of officers, warrant officers, and*
 9 *noncommissioned officers of the California Cadet Corps.*

10 *SEC. 8. Section 502.5 of the Military and Veterans Code is*
 11 *amended to read:*

12 *502.5. The Adjutant General may order officers, warrant*
 13 *officers, and noncommissioned officers in the California Cadet*
 14 *Corps to duty at encampments, exercises, or other activities*
 15 *conducted by the corps. While on duty, ~~the~~ officers, warrant*
 16 *officers, and noncommissioned officers shall receive the same base*
 17 *pay, without longevity, as ~~officers~~ members of similar grade in the*
 18 *United States Army together with their expenses. Pay and expenses*
 19 *for these purposes shall be paid from funds appropriated for the*
 20 *maintenance and support of the ~~corps~~ California Cadet Corps.*

21 *SEC. 9. Section 503 of the Military and Veterans Code is*
 22 *amended to read:*

23 *503. Cadet companies shall be organized and each shall ~~have~~*
 24 *~~such~~ consist of commissioned cadet officers, cadet warrant officers,*
 25 *and noncommissioned cadet officers as shall be prescribed ~~from~~*
 26 *~~time to time~~ by the Adjutant General, and as shall conform*
 27 *generally to the number of commissioned, warrant, and*
 28 *noncommissioned officers of companies of the California National*
 29 *Guard. ~~Said commissioned~~ Commissioned cadet officers shall be*
 30 *commissioned in accordance with rules and regulations adopted*
 31 *by the Adjutant General and upon recommendation of the*
 32 *commandant of cadets and with the approval of the president,*
 33 *director ~~or~~, chief administrative officer, or principal of the college,*
 34 *community college, or school. The warrant and noncommissioned*
 35 *cadet officers shall be appointed ~~and warranted~~ by the commandant*
 36 *of cadets with the approval of the president, director ~~or~~, chief*
 37 *administrative officer, or principal of the college, community*
 38 *college, or school.*

39 *SEC. 10. Section 504 of the Military and Veterans Code is*
 40 *amended to read:*

1 504. The Adjutant General shall ~~provide by the adoption of~~
2 *adopt* rules and regulations for the formation of cadet *brigades,*
3 *regiments, and* battalions and shall adopt tables of organization
4 and provide for the appointment of cadet *brigade, regimental, and*
5 battalion officers and staffs. All cadet battalion officers, *regimental,*
6 and noncommissioned officers shall be appointed, commissioned
7 or warranted in accordance with rules and regulations adopted by
8 the Adjutant General and upon the recommendation of the
9 commandant of cadets with the approval of the president, director
10 ~~or other~~, chief administrative officer, or principal of the college,
11 community college, or high school.

12 *SEC. 11. Section 505 of the Military and Veterans Code is*
13 *repealed.*

14 ~~505. The Adjutant General may in his discretion organize~~
15 ~~companies of the California Cadet Corps into battalions and~~
16 ~~regiments and each such battalion and regiment so organized shall~~
17 ~~have a staff to consist of such cadet commissioned officers and~~
18 ~~cadet noncommissioned officers as may be prescribed by the~~
19 ~~Adjutant General. The Adjutant General may adopt tables of~~
20 ~~organizations for the battalions or regiments created hereunder~~
21 ~~and all cadet officers or cadet noncommissioned officers appointed,~~
22 ~~commissioned or warranted as staff or line cadet officers or cadet~~
23 ~~noncommissioned officers shall be selected upon the~~
24 ~~recommendation of the cadet commandant with the approval of~~
25 ~~the president, director or other chief administrative officer or~~
26 ~~principal of the college, community college or high school.~~

27 *SEC. 12. Section 505 is added to the Military and Veterans*
28 *Code, to read:*

29 *505. The Adjutant General may order officers, warrant officers,*
30 *and noncommissioned officers of the California Cadet Corps to*
31 *temporary state active duty to perform functions in support of the*
32 *California Cadet Corps. Pay for such duties shall be disbursed*
33 *from funds appropriated for the support and maintenance of the*
34 *California Cadet Corps.*

35 *SEC. 13. Section 506 of the Military and Veterans Code is*
36 *amended to read:*

37 506. All cadet officers, *cadet warrant officers,* and *cadet*
38 noncommissioned officers shall be promoted according to rules
39 and regulations adopted by the Adjutant General upon the
40 recommendation of the commandant of cadets and with the

1 approval of the president, *director*, chief administrative officer,
 2 ~~director~~ or principal of the college, community college, or ~~high~~
 3 school.

4 *SEC. 14. Section 507 of the Military and Veterans Code is*
 5 *amended to read:*

6 507. ~~Any cadet commissioned officer or cadet~~
 7 ~~noncommissioned officer may have his commission or warrant~~
 8 ~~canceled and be reduced to the ranks, or dismissed from the~~
 9 ~~California Cadet Corps and any cadet may be dismissed from the~~
 10 ~~corps, upon the recommendation of the president, director or chief~~
 11 ~~administrative officer of the college or community college or the~~
 12 ~~principal of the high school, for Any cadet commissioned officer~~
 13 ~~or cadet noncommissioned officer may have his commission or~~
 14 ~~warrant canceled and be reduced to the ranks, or dismissed from~~
 15 ~~the California Cadet Corps and any cadet may be dismissed from~~
 16 ~~the corps, upon the recommendation of the president, director or~~
 17 ~~chief administrative officer of the college or community college~~
 18 ~~or the principal of the high school, for Upon the recommendation~~
 19 ~~of the president, director, chief administrative officer, or principal~~
 20 ~~of the college, community college, or school in which the California~~
 21 ~~Cadet Corps participates, the commission or warrant of any cadet~~
 22 ~~commissioned officer, cadet warrant officer, or cadet~~
 23 ~~noncommissioned officer may be cancelled, and the cadet reduced~~
 24 ~~in rank or dismissed from the California Cadet Corps, for~~
 25 ~~deficiency in his academic studies or for; misbehavior either in~~
 26 ~~the college, community college or high, school or in the cadet is~~
 27 ~~attending; misbehavior in the California Cadet Corps; or for any~~
 28 ~~other reason deemed good cause in the judgment of the by the~~
 29 ~~president, director or, chief administrative officer, or principal of~~
 30 ~~the college or, community college or the principal of the high~~
 31 ~~school, or school.~~

32 *SEC. 15. Section 508 of the Military and Veterans Code is*
 33 *amended to read:*

34 508. The California Cadet Corps shall train in accordance with
 35 the appropriate manuals prescribed by the United States Army and
 36 ~~as may be prescribed by the~~ rules and regulations adopted by the
 37 Adjutant General. ~~No~~ A uniformed corps of cadets shall *not* be
 38 organized in any college, community college, or ~~high~~ school except
 39 ~~pursuant to and~~ as authorized by this chapter, provided that

1 *J.R.O.T.C.*, *R.O.T.C.*, and other federally approved military units
2 shall not be subject to or limited by this code.

3 *SEC. 16. Section 509 of the Military and Veterans Code is*
4 *amended to read:*

5 509. The Adjutant General shall provide ~~and may prepare~~
6 suitable training regulations, books and courses of instruction, and
7 the necessary forms for reports or other necessary purposes to be
8 used by the California Cadet Corps. The Adjutant General may
9 take such action as is necessary to promote the general welfare,
10 strength, and morale of the California Cadet Corps and to provide
11 for the recreation of cadets.

12 *SEC. 17. Section 510 of the Military and Veterans Code is*
13 *amended to read:*

14 510. ~~Members—~~*The Adjutant General shall prescribe the*
15 *uniforms the members of the California Cadet Corps shall wear*
16 ~~such uniforms as the Adjutant General prescribes.~~ The Adjutant
17 General may issue to the California Cadet Corps necessary cap
18 and collar ornaments and chevrons, training aids, insignia of rank
19 and of the California Cadet Corps, awards and decoration, flags,
20 colors, guidons, standards, slings and carrying devices, canteens
21 and covers, belts, first aid packets, mess kits, shelter halves,
22 haversacks, and such other military property or equipment in the
23 control of the Adjutant General as may not be required for the
24 *California National Guard*, ~~or~~ other state military forces, or other
25 military purposes. A regulation uniform for cadets shall be kept
26 in the Adjutant General's office to be used as *a* sample from which
27 the uniforms for the California Cadet Corps shall be made. Such
28 issues may be made by the Adjutant General without charge to the
29 members of the California Cadet Corps or to the school or college
30 or community college. The Adjutant General, after receiving
31 written acknowledgment from the ~~high school principal or~~
32 president, director ~~or~~, chief administrative officer, *or principal* of
33 the college ~~or~~, community college, *or school* of the receipt of such
34 property, shall account the same as a transfer of equipment.

35 *SEC. 18. Section 511 of the Military and Veterans Code is*
36 *amended to read:*

37 511. A sufficient number of rifles suitable for drill *or*
38 *marksmanship* purposes, *or both* may be purchased by the board
39 of ~~high~~ school trustees, board of education, board of directors or
40 trustees of a college or community college, county superintendent

1 of schools, the State Superintendent of Public Instruction, or the
 2 Adjutant General out of any funds available and not otherwise
 3 appropriated.

4 *SEC. 19. Section 511.5 of the Military and Veterans Code is*
 5 *amended to read:*

6 511.5. ~~The Adjutant General, under such rules and regulations~~
 7 ~~as he may adopt, Under rules and regulations adopted by the~~
 8 *Adjutant General, the Adjutant General may purchase and furnish*
 9 *uniforms for the members of the California Cadet Corps, uniforms*
 10 *including caps, helmets, liners, shirts, trousers, belts, jackets, skirts,*
 11 *blouses, ties and leggings.*

12 The Adjutant General, with the approval of the Department of
 13 Finance, may annually determine the uniform ~~value~~ *cost* per cadet.

14 *SEC. 20. Section 512 of the Military and Veterans Code is*
 15 *amended to read:*

16 512. ~~Target-Marksmanship~~ practice shall constitute a part of
 17 the instruction to be given to cadets. Members of the California
 18 Cadet Corps may engage in rifle matches and competitions
 19 conducted or held in this state or at any place in the United States.
 20 The Adjutant General may purchase and supply to each of the
 21 colleges, ~~community~~ *community* colleges, and ~~high~~ schools a
 22 sufficient number of ~~Springfield or other~~ efficient rifles for field
 23 target work and gallery practice and the ~~ammunition~~ *ammunition*
 24 and equipment ~~therefor, as in his judgment is necessary for efficient~~
 25 *rifle practice. A sufficient number of rifles suitable for field target*
 26 *work or gallery target firing and the ammunition and equipment*
 27 *therefor may be purchased by a board of high school trustees,*
 28 *board of education, board of directors or trustees of a college or*
 29 *community college, county superintendent of schools, or the State*
 30 *Superintendent of Public Instruction, out of any funds available*
 31 *therefor, and the governing body or governing officials of any high*
 32 *school, community college, or college may purchase the necessary*
 33 *parts for and may repair any rifles acquired or furnished for the*
 34 *use of members of to the California Cadet Corps. All target practice*
 35 *shall be under the supervision of the president, chief administrative*
 36 *officer, director, or principal of the college, community college,*
 37 *or high school, or such officer or officers as he or they may appoint*
 38 *under the supervision of an appointed officer or officers.*
 39 Competent members of the *California* National Guard, State
 40 Military Reserve, or Naval Militia may be detailed by the Adjutant

1 General, with their consent, and upon request of the president,
 2 *director*, chief administrative officer, ~~director~~ or principal of the
 3 college, community college, or ~~high school~~ as instructors of target
 4 practice in the California Cadet Corps. ~~Such instructors while~~
 5 *Instructors from the California National Guard, State Military*
 6 *Reserve, or Naval Militia* on duty at ~~said~~ a college, community
 7 college, or ~~high school~~ *during target for marksmanship* practice
 8 shall be under the immediate control and jurisdiction of the
 9 governing body of ~~said~~ *the* college, community college, or ~~high~~
 10 school. The expenditures ~~therefor~~ may be paid out of ~~the moneys~~
 11 *funds* appropriated for the maintenance *and support* of the
 12 California Cadet Corps.

13 *SEC. 21. Section 513 of the Military and Veterans Code is*
 14 *amended to read:*

15 513. The Adjutant General may detail from the organizations
 16 of the *California National Guard, State Military Reserve, or Naval*
 17 *Militia*, competent members ~~thereof~~ who shall perform duties on
 18 behalf of the California Cadet Corps ~~as may be assigned to them~~
 19 ~~or~~ *and* who ~~shall~~ *may* act as training and ~~rifle marksmanship~~
 20 practice instructors for the California Cadet Corps. The Adjutant
 21 General may provide ~~for compensating the persons~~ *compensation*
 22 *for any person* detailed for duty and service with the California
 23 Cadet Corps ~~and the persons detailed to instruct the cadets in drill~~
 24 ~~and target practice~~. The expenditures ~~therefor~~ may be paid out of
 25 ~~the moneys~~ *funds* appropriated for the maintenance *and support*
 26 of the California Cadet Corps. The Adjutant General may conduct
 27 ~~schools and conferences and other events and activities for the~~
 28 ~~officers members~~ of the California Cadet Corps ~~and pay the~~
 29 ~~expenditures thereof out of moneys~~ *may utilize funds* appropriated
 30 for the maintenance *and support* of the California Cadet Corps *for*
 31 *these purposes*. ~~The Adjutant General may adopt rules and~~
 32 ~~regulations providing for the promotion of officers of the California~~
 33 ~~Cadet Corps.~~

34 *SEC. 22. Section 514 of the Military and Veterans Code is*
 35 *amended to read:*

36 514. (a) Whenever ~~practicable~~ *practical*, members of the
 37 California Cadet Corps shall, under the supervision of the
 38 ~~commandant of cadets~~ *Commandant of Cadets*, be permitted to
 39 ~~shoot at target practice upon~~ *utilize California National Guard rifle*

1 ~~ranges when not needed for marksmanship practice when the~~
 2 ~~ranges are not being used by the California National Guard.~~

3 (b) *Whenever practical, members of the California Cadet Corps*
 4 *shall be permitted to utilize California National Guard facilities*
 5 *for training activities.*

6 *SEC. 23. Section 515 of the Military and Veterans Code is*
 7 *amended to read:*

8 ~~515. Units~~ *Within budgetary limitations, units of the California*
 9 *Cadet Corps shall be inspected at least once each year by the*
 10 *executive officer, the assistant executive officer, the regional*
 11 ~~*supervisors of cadet instruction, or any of them, advisors*~~ *or by*
 12 *officers of the California National Guard, State Military Reserve,*
 13 *or Naval Militia detailed by the Adjutant General for that purpose.*
 14 ~~*Such inspectors*~~ *Inspectors shall report to the Adjutant General*
 15 ~~*the result of inspections relating to*~~ *regarding the training, target*
 16 ~~*practice, marksmanship,*~~ *attendance, discipline, military knowledge*
 17 *and instruction, leadership and condition of property of the*
 18 *California Cadet Corps.* ~~*Such report*~~ *These reports shall contain*
 19 *consist of an inventory of the state property on hand in the cadet*
 20 *units at the time of inspections.* ~~*Such reports,*~~ *and shall be made*
 21 *and forwarded in duplicate, one copy to the State Superintendent*
 22 *of Public Instruction and one copy to the Adjutant General's office,*
 23 *and shall bear the endorsement of the president, director, chief*
 24 ~~*administrative officer, or other chief administrative officer of the*~~
 25 ~~*college or community college or of the college, community college,*~~
 26 ~~*or principal of the high college, community college, or school,*~~
 27 *containing remarks the said officials may deem pertinent.*

28 *SEC. 24. Section 516 of the Military and Veterans Code is*
 29 *amended to read:*

30 ~~516. The president, director or, chief administrative officer, or~~
 31 ~~*principal of a college or, community college and the principal of*~~
 32 ~~*the high, or school shall be responsible for all public property*~~
 33 ~~*supplied to units of the California Cadet Corps under their control*~~
 34 ~~*or supervision and shall supervise the proper care thereof ensure*~~
 35 ~~*the property and equipment is properly secured and cared for.*~~

36 *SEC. 25. Section 516.1 of the Military and Veterans Code is*
 37 *amended to read:*

38 *516.1. An encampment or encampments may be held by the*
 39 *California Cadet Corps to be of such duration and attended by such*
 40 *proportion of the strength of the corps as may be prescribed by the*

1 Adjutant General. The expenses of ~~said~~ encampments may be paid
2 out of ~~moneys funds~~ appropriated for the maintenance *and support*
3 of the California Cadet Corps.

4 *SEC. 26. Section 517 of the Military and Veterans Code is*
5 *amended to read:*

6 517. Each board of ~~high~~ school trustees, president, director
7 and chief administrative officer of a college or community college,
8 board of trustees of a college or community college, board of
9 education, principal *or director* of a high school, county
10 superintendent of schools, and the ~~State~~ Superintendent of Public
11 Instruction shall facilitate the purposes of the California Cadet
12 Corps and its instruction and the provisions of this chapter by
13 cooperating with the Adjutant General.

14 *SEC. 27. Section 518 of the Military and Veterans Code is*
15 *amended to read:*

16 518. The provisions of this chapter shall apply to all community
17 colleges in this state, and the principals and governing boards of
18 community colleges shall have the same authority as similar
19 officials of ~~high~~ schools.

20 *SEC. 28. Section 519 of the Military and Veterans Code is*
21 *amended to read:*

22 519. Where a community college is located in close proximity
23 to ~~any high~~ a school having a ~~high school cadet~~ California Cadet
24 Corps company or companies, the governing boards of the
25 community college and ~~high~~ schools may ~~by enter into an~~
26 agreement to provide for the joint organization of cadet companies.

27 *SEC. 29. Section 520 of the Military and Veterans Code is*
28 *amended to read:*

29 520. ~~In all cases in which any~~ Any executive officer, assistant
30 executive officer, regional ~~or other supervisor of cadet instruction,~~
31 ~~and~~ officers *advisor, or officer, warrant officer, or*
32 *noncommissioned offer* appointed or detailed; pursuant to Sections
33 502, 502.1, 512, 513, 515, or 516.1, ~~when in the performance of~~
34 ~~duty ordered by the Adjutant General, is who is~~ wounded, injured,
35 disabled, or killed in the performance of ordered duty ~~and in line~~
36 ~~of duty, such executive officer, assistant executive officer, regional,~~
37 ~~or other supervisor of cadet instruction, or officers appointed or~~
38 ~~detailed, pursuant to Sections 502, 502.1, 512, 513, 515, or 516.1,~~
39 shall be entitled to receive compensation from the ~~State~~ *state* in
40 accordance with the provisions of Division 4 (*commencing with*

1 *Section 3200*) of the Labor Code. In all such cases, ~~such officers~~
 2 ~~and those so appointed or detailed shall be held and these~~
 3 ~~individuals shall be~~ deemed to be employees of the ~~State~~ *state*.
 4 The compensation ~~to be awarded to~~ *for* any such ~~individual officer~~
 5 ~~and those so appointed or detailed~~ shall be ascertained, determined
 6 and fixed upon the basis of his *or her* average income from all
 7 sources during the year immediately preceding the date of such
 8 injury or death, or the commencement of such disability, but such
 9 compensation shall in no case exceed the maximum prescribed in
 10 ~~Divison~~ *Division 4 (commencing with Section 3200)* of the Labor
 11 Code.

12 ~~In the determination of benefits to be awarded any such officer~~
 13 ~~and those so appointed or detailed, determining the benefits~~
 14 ~~awarded to an individual~~ under the provisions of this section, it
 15 shall be conclusively presumed that the average yearly earning of
 16 such injured or deceased ~~officer~~ *individual* is not less than ~~two ten~~
 17 ~~thousand five hundred~~ dollars ~~(\$2,500)~~ *(\$10,000)*. Any injury,
 18 death, or disability shall be deemed to have been suffered in line
 19 of duty unless the ~~same~~ *injury, death, or disability* resulted from
 20 misconduct or disobedience of lawful orders by the injured or
 21 deceased ~~officer~~ *individual*.

22 *SEC. 30. Section 520.1 of the Military and Veterans Code is*
 23 *amended to read:*

24 520.1. The principal and governing board of any private
 25 educational institution or military academy in which ~~there is not~~
 26 ~~maintained an a J.R.O.T.C. or R.O.T.C. unit of high school or~~
 27 ~~community college or college grade otherwise meeting the~~
 28 ~~qualifications prescribed by this chapter and such rules and~~
 29 ~~regulations not inconsistent therewith that may be adopted by the~~
 30 ~~Adjutant General~~ *is not maintained, but which otherwise meets*
 31 *the qualifications prescribed by this chapter and any rules and*
 32 *regulations that may be adopted by the Adjutant General, may*
 33 *apply to the Adjutant General for permission to establish a cadet*
 34 *company or cadet companies, battalions or regiments of the*
 35 *California Cadet Corps pursuant to this chapter. If the Adjutant*
 36 *General approves the petition, the principal and governing board*
 37 *of the private school shall have the same authority as similar*
 38 *officials of public-high schools, community colleges, or colleges*
 39 *to create units of and to become a member of the California Cadet*
 40 *Corps, and the. Any cadet company, or companies, or other cadet*

1 ~~units~~ *unit formed under this section* shall in all respects be governed
2 by the provisions of this chapter to the same extent as though it
3 were a public high school, community college, or college.

4 *SEC. 31. Section 530 of the Military and Veterans Code is*
5 *amended to read:*

6 530. In any military academy, having not less than 80 ~~male~~
7 students, uniformed, drilled, and instructed in strict accordance
8 with the tactics of the regular United States Army, and in which
9 the instruction is conducted in accordance with military principles,
10 the military instructor or instructors or professors of military
11 science and tactics of such academy regularly elected or appointed
12 by the board of trustees or other lawful authority of the academy,
13 may be commissioned in the California Cadet Corps with the rank
14 of major or lower rank. Such officers shall exercise no authority
15 or command except as military instructor or instructors or
16 professors of military science and tactics of such academy. Such
17 commissions shall be granted and may be revoked by the Adjutant
18 General, under such rules and regulations as he *or she* may
19 prescribe.

20 *SEC. 32. Section 531 of the Military and Veterans Code is*
21 *amended to read:*

22 531. The Adjutant General may enter into a cooperative
23 agreement with the City of Oakland and a school district for the
24 purposes of establishing an Oakland Military Institute. The program
25 ~~will be a nonresidential military institute that would provide a~~
26 structured, disciplined environment that would be conducive to
27 learning in a college preparatory environment. In addition to
28 academic skills, students would develop leadership, self-esteem,
29 and a strong sense of community.

30 *SEC. 33. Section 532 is added to the Military and Veterans*
31 *Code, to read:*

32 532. *The Adjutant General may enter into a cooperative*
33 *agreement with the Superintendent of Public Instruction, any*
34 *county, city, or school governing board for the purpose of*
35 *establishing a military academy. The program would provide a*
36 *structured, disciplined environment that would be conducive to*
37 *learning in a college preparatory environment. In additional to*
38 *academic skills, students would develop leadership, self-esteem,*
39 *and a strong sense of community.*

1 ~~SECTION 1. It is the intent of the Legislature to enact~~
2 ~~legislation that would amend the Military and Veterans Code to~~
3 ~~revise, enhance, and modernize provisions of the code, specifically~~
4 ~~Chapter 1 (commencing with Section 500) and Chapter 2~~
5 ~~(commencing with Section 530) of Part 2 of Division 2 of the~~
6 ~~Military and Veterans Code, relating to youth programs~~
7 ~~administered by the Military Department or the California National~~
8 ~~Guard, or both.~~

O