

Senate Bill No. 1413

CHAPTER 412

An act to repeal and add Section 412.5 of the Military and Veterans Code, relating to the state militia.

[Approved by Governor September 20, 2012. Filed with
Secretary of State September 20, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1413, Negrete McLeod. Adjutant General: support programs.

Existing law authorizes the Adjutant General to establish rules and regulations for the provision of morale, welfare, and recreational activities for members of the National Guard, in accordance with federal military regulations.

This bill would repeal that authorization.

Existing law requires the Adjutant General to perform various duties with regard to the National Guard that are consistent with regulations and customs of the federal military organizations, as may be prescribed by the Governor.

This bill would authorize the Adjutant General to establish specified support programs for the benefit of the Military Department, its components, and its soldiers, airmen, cadets, and their family members and to establish, construct, or acquire facilities or equipment for these programs. This bill would also authorize the Adjutant General to adopt specified rules and regulations. This bill would authorize the Adjutant General and the Military Department to solicit and accept funds or other donations, and would require these funds to be deposited in the California Military Department Support Fund, established by this bill. This bill would require the money in the fund to be available, upon appropriation by the Legislature, for the establishment of the support programs and for the establishment, construction, or acquisition of facilities or equipment for these programs. This bill would require the Adjutant General to conduct an internal audit of this fund and to report the findings of the audit to the Department of Finance, as provided.

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

SECTION 1. Section 412.5 of the Military and Veterans Code is repealed.

SEC. 2. Section 412.5 is added to the Military and Veterans Code, to read:

412.5. (a) Notwithstanding any other law, the Adjutant General may do all of the following:

(1) Establish support programs, including, but not limited to, morale, welfare, recreational, training, and educational programs for the benefit of the Military Department, its components, and its soldiers, airmen, cadets, and their family members.

(2) Establish, construct, or acquire facilities or equipment for the purposes specified in paragraph (1).

(3) Adopt rules and regulations for all of the following:

(A) For the programs established pursuant to paragraph (1).

(B) For the solicitation and acceptance of funds authorized pursuant to subdivision (b).

(C) For the establishment, deposit, and expenditure of military post, welfare, or similar unit funds.

(4) Perform any other acts as may be necessary, desirable, or proper to carry out the purposes of this section.

(b) (1) Notwithstanding any other law, the Adjutant General and the Military Department may solicit and accept funds or other donations which shall be deposited in the California Military Department Support Fund, which is hereby established in the State Treasury. The money in the fund is available, upon appropriation by the Legislature, solely for the purposes prescribed by this section.

(2) Section 11005 of the Government Code shall not apply to the acceptance of funds or other donations pursuant to this subdivision.

(3) It is the intent of the Legislature that funds appropriated to the Military Department as provided by this section be used to supplement, not supplant, funding appropriated to the Military Department pursuant to any other law for the purposes prescribed by this section.

(c) The Adjutant General shall, on or before March 31, 2014, and on or before March 31 each year thereafter, conduct an internal audit of the fund established pursuant to subdivision (b) and report the findings of the audit to the Department of Finance.