

AMENDED IN ASSEMBLY APRIL 9, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 287**

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**Introduced by Assembly Member Frazier**

*(Coauthors: Assembly Members Achadjian, Alejo, Ammiano, Bigelow, Blumenfield, Brown, Chávez, Chesbro, Eggman, Maienschein, Perea, Ting, V. Manuel Pérez, and Wilk)*

*(Coauthors: Senators Cannella, Fuller, Nielsen, and Padilla)*

February 11, 2013

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An act to ~~add Section 14633 to the Government Code~~ *repeal Section 1301 of, and to repeal and add Chapter 4 (commencing with Section 1300) of Division 6 of, the Military and Veterans Code, relating to veterans.*

LEGISLATIVE COUNSEL'S DIGEST

AB 287, as amended, Frazier. Vietnam veterans' memorial: update.

Existing law authorized the construction of a memorial to California's Vietnam veterans on the grounds of the State Capitol, as specified, and provided that funds for the construction of the memorial would be provided through private contributions. ~~Existing law prescribes various duties for the Department of General Services in connection with development and maintenance of the park around the State Capitol Building.~~ Existing law requires the Department of Veterans Affairs to establish a statewide Veterans Memorial Registry, and to make it available on that department's Internet Web site.

This bill would, *until January 1, 2020*, require the Department of Veterans Affairs, ~~in coordination with the California State Commanders Veterans Council and the Vietnam Veterans of America,~~ to annually compile a list of names of Vietnam veterans to be added to the memorial-

The bill would require that the Department of General Services annually add the names from the list to the memorial, as specified. *The bill would require the department to form a specified committee to review and consider requests from the public to include names on the memorial, as specified. The bill would authorize the names on the list to be added to the memorial if specified requirements are met, including that adequate private funding is available.*

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

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

1     SECTION 1. Chapter 4 (commencing with Section 1300) of  
 2     Division 6 of the Military and Veterans Code is repealed.

3     SEC. 2. Chapter 4 (commencing with Section 1300) is added  
 4     to Division 6 of the Military and Veterans Code, to read:

5  
 6                     CHAPTER 4. VIETNAM VETERANS MEMORIAL

7  
 8     1300. For the purposes of this chapter, “Vietnam Veterans  
 9     Memorial” means the memorial to California’s Vietnam veterans  
 10     on the grounds of the State Capitol.

11     1301. (a) The Department of Veterans Affairs shall compile  
 12     a list of names of Vietnam veterans to be added to the Vietnam  
 13     Veterans Memorial. The department shall compile the list by  
 14     November 1, 2014, and by November 1 of each year thereafter.

15     (b) The department shall form a committee by July 1, 2014,  
 16     chaired by the secretary or his or her designee and consisting of  
 17     three representatives from the California State Commanders  
 18     Veterans Council and two representatives from the Vietnam  
 19     Veterans of America, California State Council, to review and  
 20     consider requests to include names on the memorial pursuant to  
 21     the requirements of subdivision (c). The committee’s decisions  
 22     shall be final.

23     (c) The list compiled pursuant to subdivision (a) shall contain  
 24     the names of those individuals that are not included on the  
 25     memorial at the time the list is compiled, including the names of  
 26     veterans that were inadvertently left off of the memorial and the  
 27     names of veterans who later died as a result of illness or injuries,  
 28     including physical or mental injuries documented by the

1 *Department of Defense, the Veterans Administration, or licensed*  
2 *medical professionals, that can reasonably be assumed to have*  
3 *resulted from military service in the Vietnam War.*

4 *(d) Any veterans' service organization or individual may submit*  
5 *the name of a veteran to the committee requesting it to be included*  
6 *on the list of names prepared pursuant to subdivision (a).*

7 *(e) The names on the list compiled pursuant to subdivision (a)*  
8 *may be added to the memorial if adequate private funding is*  
9 *available and there is sufficient space on the memorial to*  
10 *accommodate the names.*

11 *(f) This section shall remain in effect only until January 1, 2020,*  
12 *and as of that date is repealed, unless a later enacted statute, that*  
13 *is enacted before January 1, 2020, deletes or extends that date.*

14 ~~SECTION 1. Section 14633 is added to the Government Code,~~  
15 ~~to read:~~

16 ~~14633. (a) On February 1, 2014, and on February 1 of each~~  
17 ~~year thereafter, the Department of Veterans Affairs shall compile~~  
18 ~~a list of names of Vietnam veterans to be added to the memorial~~  
19 ~~to California's Vietnam veterans constructed pursuant to Section~~  
20 ~~1303 of the Military and Veterans Code.~~

21 ~~(b) The names on the list compiled pursuant to subdivision (a)~~  
22 ~~consist of those individuals that are not included on the memorial~~  
23 ~~at the time that the list is compiled, including the names of veterans~~  
24 ~~that were inadvertently left off of the memorial and the names of~~  
25 ~~veterans who later died as a result of illness or injuries, including~~  
26 ~~physical or mental injuries documented by the Department of~~  
27 ~~Defense, the Veterans Administration, or licensed medical~~  
28 ~~professionals, that can reasonably be assumed to have resulted~~  
29 ~~from military service in the Vietnam War.~~

30 ~~(c) The Department of Veterans Affairs shall coordinate with~~  
31 ~~the California State Commanders Veterans Council and the~~  
32 ~~Vietnam Veterans of America in compiling this list.~~

33 ~~(d) Any veterans' service organization or individual may submit~~  
34 ~~names for inclusion on the list prepared pursuant to subdivision~~  
35 ~~(a).~~

36 ~~(e) The Department of General Services shall, on or before~~  
37 ~~March 30 of the calendar year in which the list is compiled, add~~  
38 ~~the names from the list compiled pursuant to subdivision (a) to the~~  
39 ~~memorial.~~

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