

Introduced by Senator MonningJanuary 10, 2013

An act to amend Section 1451 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

SB 106, as introduced, Monning. California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund.

Existing law creates the California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund (Endowment Fund) in the State Treasury, and requires moneys in the Endowment Fund to be allocated, upon appropriation by the Legislature, to the department for the annual administrative and oversight costs of the veterans cemetery, as specified, and to generate funding through interest for the veterans cemetery. Existing law provides that the Endowment Fund may consist of, among other things, donations from public and private entities and fees. Existing law authorizes the department to enter into any financial agreement to receive cash advances in the Endowment Fund, provided that no obligations of repayment are made to the state and the agreement is reviewed and performed in consultation with the Department of Finance.

This bill would instead authorize the department to enter into any financial agreement to receive cash advances in the Endowment Fund, provided that the agreement does not require the state to repay or make payments on cash advances and that the agreement is reviewed and approved by the Department of Finance.

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. Section 1451 of the Military and Veterans Code
2 is amended to read:

3 1451. (a) The California Central Coast State Veterans
4 Cemetery at Fort Ord Endowment Fund is hereby created in the
5 State Treasury. Moneys in the Endowment Fund shall be allocated,
6 upon appropriation by the Legislature, to the department for the
7 annual administrative and oversight costs of the veterans cemetery,
8 pursuant to Sections 1453 and 1454, and to generate funding
9 through interest for the veterans cemetery.

10 (b) (1) Moneys in the fund shall first be invested with the goal
11 of achieving capital appreciation to create a balance sufficient to
12 generate ongoing earnings to cover the estimated annual oversight
13 and maintenance costs associated with the veterans cemetery
14 pursuant to Section 1453.

15 (2) Upon the determination of the Controller that the Endowment
16 Fund balance has attained the goal established in paragraph (1),
17 moneys in the fund shall be invested to generate earnings to fund
18 annual oversight and maintenance costs associated with the
19 veterans cemetery.

20 (c) (1) The Endowment Fund may consist of donations from
21 public and private entities, partnerships between public and private
22 entities, fees, cash advances, and transfers from the state General
23 Fund as may be specified by law.

24 (2) The department may enter into any financial agreement to
25 receive cash advances in the Endowment Fund, provided that ~~no~~
26 ~~obligations of repayment are made to the state~~ *the agreement does*
27 *not require the state to repay or make payments on cash advances*
28 and the agreement is reviewed and ~~performed in consultation with~~
29 *approved by* the Department of Finance.

30 (d) To the extent possible, donations made in-kind to the
31 Endowment Fund shall be monetized so as to offset the ongoing
32 administrative and oversight costs under Sections 1452 and 1453.

33 (e) Earnings generated by the Endowment Fund shall be retained
34 by the fund.

35 (f) Moneys deposited in the Endowment Fund are exempt from
36 the requirements of Sections 11270 through 11277 of the
37 Government Code.

1 (g) Moneys in the Endowment Fund shall be invested by the
2 Treasurer, after consultation with the department, in a manner that
3 best meets the goals of the fund.

4 (h) If, through changes in state or federal law, additional
5 revenues are identified for the administration and oversight of the
6 cemetery, including increases in federal burial allowances, so that
7 the amount of annual revenue exceeds the annual administrative
8 and oversight costs, the excess revenues shall be deposited in the
9 Endowment Fund.

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