

Senate Bill No. 844

CHAPTER 261

An act to amend Section 11550 of the Government Code, and to amend Sections 62, 74, 79, and 86 of the Military and Veterans Code, relating to veterans.

[Approved by Governor August 1, 1995. Filed with Secretary of State August 1, 1995.]

LEGISLATIVE COUNSEL'S DIGEST

SB 844, Rogers. Veterans affairs.

Existing law provides that the Department of Veterans Affairs is in the charge of the Director of Veterans Affairs.

This bill would, instead, provide that the department is in the charge of the Secretary of Veterans Affairs and would make conforming changes.

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

SECTION 1. Section 11550 of the Government Code is amended to read:

11550. Effective January 1, 1988, an annual salary of ninety-one thousand fifty-four dollars (\$91,054) shall be paid to each of the following:

- (a) Director of Finance.
- (b) Secretary of Business, Transportation and Housing Agency.
- (c) Secretary of Resources Agency.
- (d) Secretary of Health and Welfare Agency.
- (e) Secretary of State and Consumer Services Agency.
- (f) Director of Industrial Relations.
- (g) Commissioner of the California Highway Patrol.
- (h) Secretary of Youth and Adult Correctional Agency.
- (i) Secretary of Food and Agriculture.
- (j) Secretary of Trade and Commerce Agency.
- (k) Secretary of Veterans Affairs.

The annual compensation provided by this section shall be increased in any fiscal year in which a general salary increase is provided for state employees. The amount of the increase provided by this section shall be comparable to, but shall not exceed, the percentage of the general salary increases provided for state employees during that fiscal year.

SEC. 2. Section 62 of the Military and Veterans Code is amended to read:

62. As used in this code, “secretary” means the Secretary of Veterans Affairs.

SEC. 3. Section 74 of the Military and Veterans Code is amended to read:

74. (a) The chief administrative officer of the Department of Veterans Affairs shall be the Secretary of Veterans Affairs who shall be a civil executive officer.

(b) The Secretary of Veterans Affairs shall be a veteran as “veteran” is defined in Section 18540.4 of the Government Code.

(c) Whenever the term “Director of Veterans Affairs” or “director” appears in this code, it shall mean the Secretary of Veterans Affairs.

SEC. 4. Section 79 of the Military and Veterans Code is amended to read:

79. There shall be an Undersecretary of Veterans Affairs, who shall be a civil executive officer. He or she shall be appointed and his or her salary shall be established by the secretary pursuant to law.

SEC. 5. Section 86 of the Military and Veterans Code is amended to read:

86. (a) Any person deeming himself or herself a veteran and who applies for benefits may appeal any decision made by a division of the department to the California Veterans Board. Upon receipt of the appeal, the board shall grant a hearing, if requested, and shall render its decision in writing to the appellant not later than the second meeting of the board following the receipt of the appeal or of the hearing if one is held. An appeal shall be deemed to have been received by the board on the date of the first meeting of the board subsequent to delivery of the appeal to the executive officer of the board. Except for judicial review, the board’s decision is final and the board shall have the power to change or modify with good cause any decision that is adverse to the appellant. Except as described in subdivision (b), all hearings of appeals may be delegated by the board to the undersecretary or a deputy secretary of the department. Hearings shall be held in the department office nearest to the appellant’s home unless the appellant requests otherwise.

(b) Hearings of appeals related to the Veterans’ Farm and Home Purchase Act may be delegated by the board only to the Office of Administrative Hearings to be conducted by administrative law judges of the Office of Administrative Hearings pursuant to Chapter 4 (commencing with Section 11370) and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. The administrative law judges shall submit their proposed decisions to the board for final decision. The administrative law judges shall make all reasonable efforts to hold hearings at neutral locations, however, if no other facilities are available without



incurring excessive costs, the hearings may be held at the department office nearest to the appellant's home.

O

