

AMENDMENTS TO SENATE BILL NO. 43
AS AMENDED IN SENATE APRIL 29, 2021

Amendment 1

In the title, in line 1, strike out “Section 1410” and insert:

Sections 1410 and 1412

Amendment 2

In the title, in line 2, strike out “veterans.” and insert:

veterans, and making an appropriation therefor.

Amendment 3

On page 2, in line 19, strike out “ordinances.” and insert:

ordinances, or in the City of Anaheim, in accordance with the city’s enacted laws and ordinances, as determined by the department.

Amendment 4

On page 3, below line 6, insert:

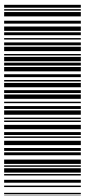
SEC. 2. Section 1412 of the Military and Veterans Code is amended to read:

1412. (a) For the purposes of Section 1410, all local government entities in the County of Orange may join together for the purpose of cooperating with the department in the design, development, construction, and equipment of the cemetery.

(b) (1) All moneys received for the acquisition, study, design, development, construction, and equipment of the cemetery shall be deposited in the Southern California Veterans Cemetery Master Development Fund, which is hereby created in the State Treasury. Expenditure of those moneys shall be subject to appropriation by the Legislature in the annual Budget Act. Moneys appropriated by the Legislature for these purposes shall also be deposited in the fund.

(2) There is hereby created in the State Treasury the Southern California Veterans Cemetery Study Donation Fund. Notwithstanding paragraph (1), any local governmental entity or private organization in the County of Orange may donate moneys to the fund for the purpose of funding a study as described in paragraph (3). Moneys in the fund are continuously appropriated to the department for studies consistent with paragraph (3).

(3) Upon receipt of sufficient moneys to complete a study, the department shall study the feasibility of a site requested by a donor for the purpose of establishing a Southern California Veterans Cemetery, as described in subdivision (a) of Section 1410. Upon completion of the study, any excess funds shall be returned to the donor. Any study conducted pursuant to this paragraph shall include, but not be limited to,



an analysis of cost, legal, logistical, environmental, and fire hazard factors in the evaluation of the site, and an analysis of whether the proposed site meets the basic federal requirements for a federally recognized veterans cemetery.

(c) (1) Except as otherwise provided in Section 1416, all moneys received for the operation and maintenance of the cemetery, including moneys received pursuant to subdivision (b) of Section 1410, shall be deposited in the Southern California Veterans Cemetery Perpetual Maintenance Fund, which is hereby created in the State Treasury. Expenditure of those moneys shall be subject to appropriation by the Legislature in the annual Budget Act.

(2) It is the intent of the Legislature to appropriate funds in the annual Budget Act to fund annual cemetery operations and maintenance and to enact any additional legislation that may be necessary to set dollar limits on funding for those operations and that maintenance.

PROPOSED AMENDMENTS TO SENATE BILL NO. 43

AMENDED IN SENATE APRIL 29, 2021

AMENDED IN SENATE APRIL 19, 2021

AMENDED IN SENATE MARCH 10, 2021

AMENDED IN SENATE FEBRUARY 2, 2021

SENATE BILL

No. 43



Introduced by Senator Umberg
(Principal coauthor: Assembly Member Daly)

December 7, 2020

An act to amend ~~Section 1410~~ *Sections 1410 and 1412* of the Military and Veterans Code, relating to ~~veterans~~ *veterans, and making an appropriation therefor.*

**Amendment 1
Amendment 2**

LEGISLATIVE COUNSEL'S DIGEST

SB 43, as amended, Umberg. Veterans cemetery: County of Orange.

Existing law requires the Department of Veterans Affairs to acquire, study, design, develop, construct, and equip a state-owned and state-operated Southern California Veterans Cemetery in the County of Orange at one of 2 possible sites, as specified. Existing law requires the department to, after completing acquisition studies on both sites, consult with the Department of General Services to determine which site to pursue based on the economic feasibility, benefits to veterans and City of Irvine residents, and availability of each location. Existing law makes honorably discharged veterans, their spouses, and dependent children eligible for interment in the cemetery, as specified.

This bill would delete those site selection requirements and would instead require the department to acquire, study, design, develop,

construct, and equip a state-owned and state-operated Southern California Veterans Cemetery in the City of Irvine, *or in the City of Anaheim*, as specified.

The bill would additionally create the Southern California Veterans Cemetery Study Donation Fund, and would authorize any local governmental entity or private organization in the County of Orange to donate to the fund. The bill would require the department, upon receipt of sufficient donations, to conduct a study of the feasibility of a site requested by a donor for the purpose of establishing a Southern California Veterans Cemetery, as specified. The bill would continuously appropriate moneys in the fund to the department for these purposes.

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

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

Page 2

1 SECTION 1. Section 1410 of the Military and Veterans Code
2 is amended to read:

3 1410. (a) (1) Pursuant to Section 1412, the department, in
4 voluntary cooperation with local government entities in the County
5 of Orange, shall acquire, study, design, develop, construct, and
6 equip a state-owned and state-operated Southern California
7 Veterans Cemetery, which shall be located in the City of Irvine,
19 in accordance with the city’s enacted laws and ~~ordinances~~.
+ *ordinances, or in the City of Anaheim, in accordance with the*
+ *city’s enacted laws and ordinances, as determined by the*
+ *department.*

20 (2) The department shall oversee and coordinate the acquisition,
21 study, design, development, and construction of the cemetery.

22 (3) For purposes of this chapter, “department” shall mean the
23 Department of Veterans Affairs.

24 (b) (1) Subject to the eligibility requirements described in
25 Section 2402 of Title 38 of the United States Code, as it may be
26 amended, honorably discharged veterans and their spouses and
27 eligible dependent children are eligible for interment in the
28 cemetery. The department shall establish a fee to be charged for
29 interment of veteran spouses and eligible dependent children. The
30 amount of the fee shall not exceed the reasonable costs to the
31 department for interment in the cemetery.

Amendment 3

Page 3

1 (2) Subject to Section 1418, for the purposes of this subdivision,
2 the department shall adopt regulations to specify the eligibility
3 requirements for interment in the cemetery.

4 (3) All fees received pursuant to paragraph (1) shall be deposited
5 in the Southern California Veterans Cemetery Perpetual
6 Maintenance Fund created pursuant to Section 1412.

+ SEC. 2. Section 1412 of the Military and Veterans Code is
+ amended to read:

+ 1412. (a) For the purposes of Section 1410, all local
+ government entities in the County of Orange may join together
+ for the purpose of cooperating with the department in the design,
+ development, construction, and equipment of the cemetery.

+ (b) (1) All moneys received for the acquisition, study, design,
+ development, construction, and equipment of the cemetery shall
+ be deposited in the Southern California Veterans Cemetery Master
+ Development Fund, which is hereby created in the State Treasury.
+ Expenditure of those moneys shall be subject to appropriation by
+ the Legislature in the annual Budget Act. Moneys appropriated by
+ the Legislature for these purposes shall also be deposited in the
+ fund.

+ (2) There is hereby created in the State Treasury the Southern
+ California Veterans Cemetery Study Donation Fund.
+ Notwithstanding paragraph (1), any local governmental entity or
+ private organization in the County of Orange may donate moneys
+ to the fund for the purpose of funding a study as described in
+ paragraph (3). Moneys in the fund are continuously appropriated
+ to the department for studies consistent with paragraph (3).

+ (3) Upon receipt of sufficient moneys to complete a study, the
+ department shall study the feasibility of a site requested by a donor
+ for the purpose of establishing a Southern California Veterans
+ Cemetery, as described in subdivision (a) of Section 1410. Upon
+ completion of the study, any excess funds shall be returned to the
+ donor. Any study conducted pursuant to this paragraph shall
+ include, but not be limited to, an analysis of cost, legal, logistical,
+ environmental, and fire hazard factors in the evaluation of the
+ site, and an analysis of whether the proposed site meets the basic
+ federal requirements for a federally recognized veterans cemetery.

+ (c) (1) Except as otherwise provided in Section 1416, all
+ moneys received for the operation and maintenance of the
+ cemetery, including moneys received pursuant to subdivision (b)

Amendment 4

PROPOSED AMENDMENTS

SB 43

— 4 —

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SUBSTANTIVE**

+ of Section 1410, shall be deposited in the Southern California
+ Veterans Cemetery Perpetual Maintenance Fund, which is hereby
+ created in the State Treasury. Expenditure of those moneys shall
+ be subject to appropriation by the Legislature in the annual Budget
+ Act.

+ (2) It is the intent of the Legislature to appropriate funds in the
+ annual Budget Act to fund annual cemetery operations and
+ maintenance and to enact any additional legislation that may be
+ necessary to set dollar limits on funding for those operations and
+ that maintenance.

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