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AB-368 Southern California Veterans Cemetery. (2019-2020)

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Assembly Bill No. 368

CHAPTER 284

An act to amend Section 1410 of the Military and Veterans Code, relating to veterans cemeteries.

[Approved by Governor September 12, 2019. Filed with Secretary of State September 12, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 368, Quirk-Silva. Southern California Veterans Cemetery.

Existing law authorizes the Department of Veterans Affairs to acquire, study, design, develop, construct, and equip a state-owned and state-operated Southern California Veterans Cemetery at the Bake Parkway site in Orange County. Existing law makes honorably discharged veterans and their spouses and dependent children eligible for interment in the cemetery, as specified.

This bill would instead authorize the department to locate the cemetery at either a specified site in the Orange County Great Park in the City of Irvine, or at a site known as the Golf Course Site, as specified. The bill would require the department, after completing acquisition studies of each site, to consult with the Department of General Services to determine which site to pursue based on specified factors, including, among other things, the availability of each location.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares that there is a lack of opportunity for veterans living in southern California to be afforded burial in a dedicated veterans cemetery, which is a benefit the veterans earned by their service to the nation, and intends this act to further the purposes of prior appropriations to support the development of a Southern California Veterans Cemetery.

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

1410. (a) (1) Pursuant to Section 1412, the department, in voluntary cooperation with local government entities in the County of Orange, shall acquire, study, design, develop, construct, and equip a state-owned and state-operated Southern California Veterans Cemetery, which shall be located at either the site of the former Marine Corps Air Station El Toro, on 125 acres known as the Amended and Restated Development Agreement Site in the Orange County Great Park in the City of Irvine or at the approximately 100 acres known as the Golf Course Site in the Orange County Great Park in the City of Irvine, as described and adopted by the City Council of the City of Irvine at the July 23, 2019, special joint meeting. The department shall, 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.

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

(3) For purposes of this chapter, "department" shall mean the Department of Veterans Affairs.

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

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

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