

Updated Statement of Reasons

Proposed 12CCR 462

12CCR Section 462 (a): It is necessary to add a definition of “monument and memorial” in order for the public and department to know specifically what items these regulations refer to. Without this definition, the donated items/monuments and memorials these regulations are establishing procedures for could be defined to include and exclude practically any item.

12CCR Section 462 (b)(1): The name of the NCA documents incorporated by reference were corrected.

12CCR Section 462 (d)(1) and (d)(3): The CalVet Board may only hear appeals from veterans whose applications for benefits were denied (Military and Veterans Code Section 86); therefore, the proposed regulation stating that if a proposal is denied by CalVet, then the donor could appeal to the CalVet Board was removed. There is no other available body or representative to appeal a denial to at this point, since the CalVet Secretary approves or denies all proposals per the proposed regulations.

12CCR Section 462 (d)(2): It is necessary to change the wording from a certified architect to a “licensed” architect and civil or structural engineer to clarify the qualifications of the persons who will provide the review of the design package. Also, it is necessary to add that the costs for these professional reviews will be at the cost of the donor and not the State of California.

12CCR Section 462 (f): The previous version of the proposed regulations did not include an approval procedure for CalVet to ensure the structure meets all design package requirements. It is necessary to add this step in order for the State to ensure that the donation meets all requirements and the State will not incur any additional costs in having the donation on State property.