
By: Delegate C. Davis

Introduced and read first time: February 10, 1997
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Veterans' Homes Commission**

3 FOR the purpose of changing the name of the Maryland Veterans' Home Commission to
4 be the "Maryland Veterans' Homes Commission"; and generally relating to the
5 Maryland Veterans' Homes Commission.

6 BY repealing and reenacting, with amendments,
7 Article - State Government
8 Section 9-917, 9-918, and 9-920 through 9-930
9 Annotated Code of Maryland
10 (1995 Replacement Volume and 1996 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - State Government**

14 9-917.

15 In this Part III of this subtitle, ["Home"] "HOMES" means the [home] HOMES for
16 veterans that the Maryland Veterans' [Home] HOMES Commission supervises.

17 9-918.

18 (a) The purposes of the Maryland Veterans' [Home] HOMES Commission are to
19 operate and to manage in the State a home for veterans.

20 (b) The General Assembly declares the purposes of the Maryland Veterans'
21 [Home] HOMES Commission to be of general benefit to the veterans of the State.

22 9-920.

23 There is a Maryland Veterans' [Home] HOMES Commission.

24 9-921.

25 (a) The Veterans' [Home] HOMES Commission consists of the following 15
26 members:

27 (1) 11 individuals appointed by the Governor with the advice and consent of
28 the Senate; and

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1 (2) as ex officio members:

2 (i) the Governor;

3 (ii) the President of the Senate;

4 (iii) the Speaker of the House of Delegates; and

5 (iv) the Chairman of the Maryland [Veterans] VETERANS' HOMES
6 Commission.

7 (b) (1) The term of an appointed member is 4 years.

8 (2) The terms of the appointed members are staggered as required by the
9 terms provided for members of the Veterans' [Home] HOMES Commission on October
10 1, 1984.

11 (3) At the end of a term, a member continues to serve until a successor is
12 appointed and qualifies.

13 (4) A member who is appointed after a term has begun serves only for the
14 rest of the term and until a successor is appointed and qualifies.

15 (c) As far as is practicable and is consistent with the purposes and goals of the
16 Veterans' [Home] HOMES Commission, the Governor shall choose appointed members
17 so as to have a broad distribution from among:

18 (1) veterans and veterans' groups; and

19 (2) the geographical areas of the State.

20 9-922.

21 (a) From among its members, the Veterans' [Home] HOMES Commission shall
22 elect a chairman, a secretary, and any other officers that the Commission considers
23 appropriate.

24 (b) The manner of election of officers and their terms of office shall be as the
25 Veterans' [Home] HOMES Commission determines.

26 9-923.

27 (a) Seven members of the Veterans' [Home] HOMES Commission are a quorum
28 to do business.

29 (b) (1) The Veterans' [Home] HOMES Commission shall meet:

30 (i) at least twice a year, at the times and places that it determines; and

31 (ii) at the call of the Chairman, on the Chairman's initiative or on the
32 request of at least 4 members.

33 (2) Unless all of the members of the Veterans' [Home] HOMES
34 Commission agree otherwise, the secretary of the Commission shall give each member at
35 least 7 days' written notice of a meeting.

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1 (3) If the President is unable to attend a meeting, the President may
2 designate a Senator or an employee of the General Assembly to represent the President
3 at the meeting.

4 (4) If the Speaker is unable to attend a meeting, the Speaker may designate
5 a delegate or an employee of the General Assembly to represent the Speaker at the
6 meeting.

7 (5) If the Governor is unable to attend a meeting, the Governor may
8 designate another individual to represent the Governor at the meeting.

9 (c) A member of the Veterans' [Home] HOMES Commission:

10 (1) may not receive compensation, but

11 (2) is entitled to reimbursement for expenses under the Standard State
12 Travel Regulations, as provided in the State budget.

13 9-924.

14 The Attorney General is the legal adviser to the Veterans' [Home] HOMES
15 Commission.

16 9-925.

17 (a) (1) The Veterans' [Home] HOMES Commission shall submit an annual
18 report:

19 (i) to the Governor; and

20 (ii) subject to § 2-1312 of this article, to the General Assembly.

21 (2) The annual report shall:

22 (i) describe the activities of the Commission; and

23 (ii) include any recommendations for furthering the purposes of the
24 Commission.

25 (b) As far as practicable, the Veterans' [Home] HOMES Commission shall
26 cooperate with persons and public agencies to carry out the purposes and goals of the
27 Commission.

28 9-926.

29 (a) The Veterans' [Home] HOMES Commission may adopt regulations to:

30 (1) govern itself; and

31 (2) carry out the purposes and goals of the Commission.

32 (b) (1) The Veterans' [Home] HOMES Commission may take any necessary
33 and proper action to carry out a specific power under this Part III of this subtitle.

34 (2) Subject to the legislative purposes of this Part III of this subtitle, the
35 Veterans' [Home] HOMES Commission may make contracts and other legal agreements.

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1 (c) (1) The Veterans' [Home] HOMES Commission may delegate any of its
2 powers to a committee of 1 or more of its members or to the Commandant of the
3 [Home] HOMES.

4 (2) If the Veterans' [Home] HOMES Commission delegates any power to a
5 committee of its members, the committee:

6 (i) may not incur any expenses without the consent of the
7 Commission; and

8 (ii) at each regular meeting of the Commission or more often as it
9 directs, shall submit to the Commission a report on any action that the committee has
10 taken since its last report.

11 9-927.

12 (a) The Veterans' [Home] HOMES Commission shall:

13 (1) maintain and supervise generally the [Home] HOMES in accordance
14 with this Part III of this subtitle; and

15 (2) adopt any regulation that is needed for management of the [Home]
16 HOMES, including regulations for admission, maintenance, and discharge of [its] THE
17 residents.

18 (b) (1) The Veterans' [Home] HOMES Commission may appoint a
19 Commandant for the [Home] HOMES and employ any other staff that is needed to
20 manage the [Home] HOMES properly.

21 (2) In appointing or employing staff, the Veterans' [Home] HOMES
22 Commission shall give preference to a veteran who has an honorable discharge from the
23 armed forces.

24 (3) The Veterans' [Home] HOMES Commission shall set the salary for each
25 official of the [Home] HOMES in an amount that does not exceed the salary paid by
26 similar institutions for the service.

27 (4) The Commandant shall:

28 (i) serve at the pleasure of the Veterans' [Home] HOMES
29 Commission; and

30 (ii) perform any duty that the Veterans' [Home] HOMES Commission
31 requires.

32 (5) If the Veterans' [Home] HOMES Commission delegates to the
33 Commandant responsibility for employing staff, the Commission shall hold the
34 Commandant strictly accountable for the actions of each individual whom the
35 Commandant employs.

36 9-928.

37 (a) In accordance with the regulations of the Veterans' [Home] HOMES
38 Commission and applicable law, the [Home] HOMES shall be open to a veteran who:

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1 (1) has an honorable discharge from the armed forces; and

2 (2) is a resident of the State.

3 (b) (1) The Veterans' [Home] HOMES Commission may charge an individual a
4 reasonable fee for residence in the [Home] HOMES.

5 (2) The Veterans' [Home] HOMES Commission shall set the fee in
6 accordance with the ability of an individual to pay. However, the fee may not exceed the
7 cost of maintaining the resident in the [Home] HOMES and shall allow the resident
8 enough money for necessary and incidental expenses.

9 (c) A resident may be discharged in accordance with the regulations of the
10 Veterans' [Home] HOMES Commission and applicable law.

11 9-929.

12 (a) To carry out the purposes and goals of the Veterans' [Home] HOMES
13 Commission, the Commission may acquire, hold, use, improve, and convey property.

14 (b) In addition to any other power under this section, to carry out the purposes or
15 goals of the Veterans' [Home] HOMES Commission, the Commission:

16 (1) may accept a gift or grant; and

17 (2) unless the terms of a gift or grant require otherwise, on an affirmative
18 vote of at least 7 members of the Commission, may:

19 (i) spend the principal and income of the gift or grant; or

20 (ii) invest all or part of the principal and income in:

21 1. general obligations of the State; or

22 2. any other security.

23 (c) (1) In addition to any other power under this section, the Veterans'
24 [Home] HOMES Commission may lease any part of its property for use as a concession or
25 other commercial purpose that is consistent with the purposes of the Commission.
26 However, the Commission may not lease its property merely for investment purposes.

27 (2) Notwithstanding any other law, unless the lease expressly provides for
28 redemption by the tenant, the lease is not subject to redemption.

29 9-930.

30 The State is not obligated to provide capital or operating funds for the Veterans'
31 [Home] HOMES Commission but may appropriate money for the purposes and goals of
32 the Commission.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 1997.