

HOUSE BILL 1052

Unofficial Copy
P1

1998 Regular Session
(81r0912)

ENROLLED BILL

-- Commerce and Government Matters/Economic and Environmental Affairs --

Introduced by **Delegates Owings, O'Donnell, M. Burns, Cadden, Hixson, Faulkner, Eckardt, Leopold, Minnick, Kopp, Jacobs, Healey, Vallario, Snodgrass, Pitkin, Conroy, Malone, Love, Edwards, Workman, W. Baker, Greenip, Stocksdale, Harkins, Beck, Brinkley, Rudolph, Rawlings, Rzepkowski, Preis, McKee, Schade, DeCarlo, Ports, Proctor, McClenahan, Stup, Hurson, Mossburg, Donoghue, Goldwater, T. Murphy, Bonsack, Stull, Weir, Slade, Wood, Perry, Conway, Dewberry, Hecht, Palumbo, Cryor, Ciliberti, Poole, Clagett, Taylor, Arnick, McHale, ~~and Guns~~ Guns, Benson, Patterson, Morgan, Mandel, Getty, Moe, Bobo, Kagan, and Dobson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Militia - Honor Guard at Burial Service of Veteran**

3 FOR the purpose of authorizing the Adjutant General to organize an honor guard
4 from the National Guard or the organized militia to attend the burial services of
5 certain veterans under certain circumstances; authorizing the Adjutant General
6 to request an honor guard from a certain veterans' organization to attend the
7 burial service of a certain veteran under certain circumstances; ~~providing for the~~
8 ~~composition of the honor guard~~; requiring the ~~Governor~~ Adjutant General to

1 adopt regulations to implement this Act; ~~providing the Adjutant General with~~
 2 ~~the funds to compensate the honor guards and a certain staff at a certain rate;~~
 3 and generally relating to militia and an honor guard at the burial service of a
 4 certain veteran.

5 BY adding to
 6 Article 65 - Militia
 7 Section 6
 8 Annotated Code of Maryland
 9 (1995 Replacement Volume and 1997 Supplement)

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

12 **Article 65 - Militia**

13 6.

14 ~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
 15 ~~INDICATED.~~

16 ~~(2) "NATIONAL GUARD" MEANS THE ARMY NATIONAL GUARD, THE AIR~~
 17 ~~NATIONAL GUARD, OR THE MARYLAND DEFENSE FORCE.~~

18 ~~(3) "VETERAN" MEANS AN INDIVIDUAL WHO:~~

19 ~~(I) SERVED ON ACTIVE DUTY IN THE ARMED FORCES OF THE~~
 20 ~~UNITED STATES DURING A TIME OF CONFLICT, AS DEFINED BY THE DEPARTMENT OF~~
 21 ~~DEFENSE; OR~~

22 ~~(II) SERVED AS A MEMBER OF THE NATIONAL GUARD AND DIED~~
 23 ~~WHILE A MEMBER OF THE NATIONAL GUARD.~~

24 ~~(B)~~ (A) (1) THE ADJUTANT GENERAL MAY ORGANIZE A UNIFORMED
 25 HONOR GUARD FROM THE NATIONAL GUARD OR THE ORGANIZED MILITIA TO
 26 ATTEND THE BURIAL SERVICE OF A DECEASED VETERAN IF:

27 (I) THE COMMANDER OF AN ACCREDITED VETERANS'
 28 ORGANIZATION OR A FRIEND OR RELATIVE OF THE DECEASED VETERAN REQUESTS
 29 AN HONOR GUARD TO ATTEND THE BURIAL SERVICE;

30 (II) A UNIFORMED HONOR GUARD FROM THE ACTIVE ARMED
 31 FORCES OR VETERANS' ORGANIZATION IS NOT AVAILABLE; AND

32 (III) THE ADJUTANT GENERAL DETERMINES THAT PROVISION OF
 33 AN HONOR GUARD WILL NOT HAVE A DETRIMENTAL EFFECT ON THE READINESS OF
 34 THE NATIONAL GUARD IN THE EVENT OF A STATE OR FEDERAL EMERGENCY OR THE
 35 EMPLOYMENT OF A NATIONAL GUARD MEMBER.

1 (2) IF AN HONOR GUARD FROM THE ACTIVE ARMED FORCES IS NOT
2 AVAILABLE, THE ADJUTANT GENERAL MAY REQUEST AN HONOR GUARD FROM A
3 VETERANS' ORGANIZATION TO ATTEND THE BURIAL SERVICE OF A DECEASED
4 VETERAN.

5 ~~(C) THE HONOR GUARD SHALL PERFORM AS A MILITARY HONOR GUARD AND
6 A SQUAD TO FIRE VOLLEYS AT THE BURIAL SERVICE OF A DECEASED VETERAN.~~

7 ~~(D) THE HONOR GUARD SHALL CONSIST OF NOT MORE THAN FIVE RIFLE
8 BEARERS AND A BUGLER.~~

9 ~~(E)~~ (B) REASONABLE COMPENSATION OF HONOR GUARD MEMBERS SHALL
10 BE SET BY THE ADJUTANT GENERAL, BUT NOT TO EXCEED 75% OF 1 DAY'S BASIC PAY,
11 PLUS OTHER EXPENSES INCURRED TO PARTICIPATE IN THE BURIAL SERVICE OF A
12 DECEASED VETERAN.

13 (C) THE ADJUTANT GENERAL SHALL ADOPT REGULATIONS TO
14 IMPLEMENT THIS SECTION.

15 ~~(F) (1) THE GOVERNOR SHALL PROVIDE, IN THE ANNUAL BUDGET,
16 SUFFICIENT FUNDS FOR THE COMPENSATION OF:~~

17 ~~(1) THE HONOR GUARDS; AND~~

18 ~~(II) THE NATIONAL GUARD PERSONNEL WHO COORDINATE HONOR
19 GUARD PARTICIPATION IN THE BURIAL SERVICES.~~

20 ~~(2) COMPENSATION OF HONOR GUARD MEMBERS SHALL BE AT THE
21 RATE OF 75% OF 1 DAY'S BASIC PAY; HOWEVER, THE COMPENSATION MAY NOT BE
22 LESS THAN \$30 NOR MORE THAN \$60 PER DAY, PLUS OTHER EXPENSES INCURRED TO
23 PARTICIPATE IN THE BURIAL SERVICE OF A DECEASED VETERAN.~~

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 1998.