

HOUSE BILL 1052

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P1

1998 Regular Session
8lr0912
CF 8lr2547

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, Stocksdales, 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**

Introduced and read first time: February 13, 1998
Assigned to: Commerce and Government Matters

A BILL ENTITLED

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

12 BY adding to
13 Article 65 - Militia
14 Section 6
15 Annotated Code of Maryland
16 (1995 Replacement Volume and 1997 Supplement)

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

19 **Article 65 - Militia**

20 6.

21 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

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

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

4 (I) SERVED ON ACTIVE DUTY IN THE ARMED FORCES OF THE
5 UNITED STATES DURING A TIME OF CONFLICT, AS DEFINED BY THE DEPARTMENT OF
6 DEFENSE; OR

7 (II) SERVED AS A MEMBER OF THE NATIONAL GUARD AND DIED
8 WHILE A MEMBER OF THE NATIONAL GUARD.

9 (B) (1) THE ADJUTANT GENERAL MAY ORGANIZE A UNIFORMED HONOR
10 GUARD FROM THE NATIONAL GUARD OR THE ORGANIZED MILITIA TO ATTEND THE
11 BURIAL SERVICE OF A DECEASED VETERAN IF:

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

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

17 (III) THE ADJUTANT GENERAL DETERMINES THAT PROVISION OF
18 AN HONOR GUARD WILL NOT HAVE A DETRIMENTAL EFFECT ON THE READINESS OF
19 THE NATIONAL GUARD IN THE EVENT OF A STATE OR FEDERAL EMERGENCY OR THE
20 EMPLOYMENT OF A NATIONAL GUARD MEMBER.

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

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

27 (D) THE HONOR GUARD SHALL CONSIST OF NOT MORE THAN FIVE RIFLE
28 BEARERS AND A BUGLER.

29 (E) THE ADJUTANT GENERAL SHALL ADOPT REGULATIONS TO IMPLEMENT
30 THIS SECTION.

31 (F) (1) THE GOVERNOR SHALL PROVIDE, IN THE ANNUAL BUDGET,
32 SUFFICIENT FUNDS FOR THE COMPENSATION OF:

33 (I) THE HONOR GUARDS; AND

34 (II) THE NATIONAL GUARD PERSONNEL WHO COORDINATE HONOR
35 GUARD PARTICIPATION IN THE BURIAL SERVICES.

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

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