

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, 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**

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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 27, 1998

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

13 BY adding to
14 Article 65 - Militia
15 Section 6
16 Annotated Code of Maryland
17 (1995 Replacement Volume and 1997 Supplement)

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

3 **Article 65 - Militia**

4 6.

5 ~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
6 ~~INDICATED.~~

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

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

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

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

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

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

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

23 (III) THE ADJUTANT GENERAL DETERMINES THAT PROVISION OF
24 AN HONOR GUARD WILL NOT HAVE A DETRIMENTAL EFFECT ON THE READINESS OF
25 THE NATIONAL GUARD IN THE EVENT OF A STATE OR FEDERAL EMERGENCY OR THE
26 EMPLOYMENT OF A NATIONAL GUARD MEMBER.

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

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

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

1 ~~(E)~~ (B) THE ADJUTANT GENERAL SHALL ADOPT REGULATIONS TO
2 IMPLEMENT THIS SECTION.

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

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

6 ~~(H)~~ ~~THE NATIONAL GUARD PERSONNEL WHO COORDINATE HONOR~~
7 ~~GUARD PARTICIPATION IN THE BURIAL SERVICES.~~

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

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