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By: **Chairman, Commerce and Government Matters Committee**  
**(Departmental - Military)**

Introduced and read first time: January 30, 2002  
Assigned to: Commerce and Government Matters

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 5, 2002

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Militia - Honor Guard - Compensation**

3 FOR the purpose of altering the compensation for the members of the Maryland  
4 National Guard's Honor Guard to attend the burial service of a deceased  
5 veteran; requiring that certain compensation set by the Adjutant General be  
6 based on the availability of certain funds; and generally relating to the  
7 compensation of the Maryland National Guard's Honor Guard.

8 BY repealing and reenacting, with amendments,  
9 Article 65 - Militia  
10 Section 6  
11 Annotated Code of Maryland  
12 (1998 Replacement Volume and 2001 Supplement)

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

15 **Article 65 - Militia**

16 6.

17 (a) (1) The Adjutant General may organize a uniformed honor guard from  
18 the National Guard or the organized militia to attend the burial service of a deceased  
19 veteran if:

1 (i) The commander of an accredited veterans' organization or a  
2 friend or relative of the deceased veteran requests an honor guard to attend the burial  
3 service;

4 (ii) A uniformed honor guard from the active armed forces or  
5 veterans' organization is not available; and

6 (iii) The Adjutant General determines that provision of an honor  
7 guard will not have a detrimental effect on the readiness of the National Guard in the  
8 event of a State or federal emergency or the employment of a National Guard  
9 member.

10 (2) If an honor guard from the active armed forces is not available, the  
11 Adjutant General may request an honor guard from a veterans' organization to attend  
12 the burial service of a deceased veteran.

13 (b) Reasonable compensation of honor guard members shall be set by the  
14 Adjutant General[, but] **BASED ON THE AVAILABILITY OF FUNDS IN THE BUDGET.**  
15 **COMPENSATION MAY not[to] exceed the greater of:**

16 (1) [75% of 1 day's basic pay] **100% OF 1 DAY'S PAY AS DETERMINED BY**  
17 **THE CURRENT DEPARTMENT OF DEFENSE PAY SCALE**, plus other expenses incurred  
18 to participate in the burial service of a deceased veteran; or

19 (2) The minimum wage required under § 3-413 of the Labor and  
20 Employment Article, plus other expenses incurred to participate in the burial service  
21 of a deceased veteran.

22 (c) The Adjutant General shall adopt regulations to implement this section.

23 **SECTION 2. AND BE IT FURTHER ENACTED**, That this Act shall take  
24 effect July 1, 2002.