

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**

House Bill 668           (Chairman, Health and Government Operations Committee)  
                                  (By Request – Departmental – Veterans Affairs)  
Health and Government Operations

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**Department of Veterans Affairs - Administration and Operations**

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This departmental bill clarifies that the operational and administrative authority of the Maryland Department of Veterans Affairs rests with the department or the Secretary by shifting the statutory functions of the Maryland Veterans Commission and the Maryland Veterans' Home Commission to the department and the Secretary. The membership of the two commissions is altered, as is the length of the members' terms of office.

Additionally, the bill increases the number of veterans' homes that may be operated, amends the qualifications for admission to a veterans' home, changes the scope of the Registry of Graves, alters priorities for selecting land for a new veterans' cemetery, and amends qualifications for a veterans' cemetery plot.

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**Fiscal Summary**

**State Effect:** Minimal decrease in general fund expenditures due to a reduction in travel reimbursement to commission members.

**Local Effect:** None.

**Small Business Effect:** The Department of Veterans Affairs has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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## Analysis

**Bill Summary:** The bill specifies that the responsibilities of the Maryland Veterans Commission are to survey the State to ensure veterans and their families are not neglected and to advise the Secretary in matters concerning veterans' affairs, promote public awareness of the services and sacrifices of veterans who served in the armed forces, and plan or assist in planning events and ceremonies honoring recognizing veterans. The bill reduces the commission's membership from 30 to 11 by eliminating members from specified organizations, and adding the chairmen of the Governor's Commission on Military Monuments and the War Memorial Commission to serve as ex officio members. Eight are appointed members who must be appointed from a list of individuals submitted by congressionally chartered veterans' organizations within each congressional district. The term of a commission member is reduced from seven to three years.

The bill establishes the responsibility of the Maryland Veterans' Home Commission by requiring the commission to assess the long-term and short-term health and sustenance needs of maturing veterans in Maryland and advise the Secretary in matters relating to veterans' homes. The term of a commission member is reduced from four to three years. The bill authorizes the department to operate more than one veterans' home and requires the Secretary to appoint a director for each veterans' home. The bill permits a nonveteran spouse of a resident of a veterans' home to be admitted as a resident to the home provided the home is at less than 80% of capacity and the spouse's residence is maintained at no cost to the department.

The bill requires the department to keep a registry of the graves of veterans and their family members who are buried in State veterans' cemeteries. The bill reduces the number of years that a qualified veteran must be a resident of Maryland to qualify for a burial plot at a State veterans' cemetery from 20 to two years. The bill also authorizes the Secretary to waive any portion of the immediate family eligibility criteria for qualifying for a plot in a State veterans' cemetery. The bill requires the department, in selecting a location for a proposed State veterans' cemetery, to give priority to land owned by the State or donated to the State for veterans' cemetery purposes.

Additionally, the bill makes various corrective and clarifying changes.

**Current Law:** The Secretary of Veterans Affairs is responsible for the operation of the department and must establish guidelines and procedures to promote the orderly and efficient operation of the department.

The Maryland Veterans Commission is responsible for: (1) operating veterans' service centers; (2) helping veterans and their dependents receive prompt and regular benefits to

which they are entitled under federal law; (3) establishing and maintaining cemeteries for the burial of veterans and their immediate families; (4) maintaining a registry of graves of veterans and their family members buried in the State; and (5) administering the memorials and monuments program. The commission has 30 members, including 29 appointed by the Governor from specified organizations and the State's eight congressional districts; a term is seven years.

The Maryland Veterans' Home Commission is responsible for maintaining and supervising the veterans' home for veterans who are residents of the State and received an honorable discharge from the armed forces. The commission has 15 members, including 11 appointed by the Governor with the advice and consent of the Senate; a term is four years.

A spouse of a qualified veteran is not authorized to be a resident of a veterans' home. The Secretary may appoint a director for the veterans' home. A qualified veteran must be a resident of Maryland for at least 20 years to qualify for a burial plot at a State veterans' cemetery. An immediate family member of a veteran is eligible for a burial plot at a State veterans' cemetery if certain criteria is met. The department is required, in selecting a location for a proposed State veterans' cemetery, to give priority to land that is near a national memorial battle site.

**Background:** The Maryland Department of Veterans Affairs was established by Chapters 124 and 125 of 1999 by combining the purposes and authority of the Maryland Veterans Commission (including the Washington Cemetery Board of Trustees), the Maryland Veterans' Home Commission, and the State's obligation and authority to the War Memorial Commission. The Acts ended the two commissions' existence as independent State agencies. The department advises that the legislation enacting the department required the Secretary to be responsible for the operation and organization of the department, but did not negate the authority of the Maryland Veterans Commission and the Maryland Veterans' Home Commission.

The department is charged with providing representation for veterans to the U.S. Department of Veterans Affairs and referrals to other federal, State, and local government agencies which provide veterans' benefits. The department is also responsible for managing and operating veterans' cemeteries; maintaining and caring for the memorials for Maryland Vietnam, Korean, and World War II veterans; managing the Charlotte Hall veterans' home; and providing staff and support to the veterans' commissions.

The only veterans' home in Maryland is located in Charlotte Hall (St. Mary's County).

There are five veterans' cemeteries in Maryland: Cheltenham (Prince George's County), Crownsville (Anne Arundel County), Eastern Shore (Dorchester County), Garrison Forest (Baltimore County), and Rocky Gap (Allegany County).

**State Fiscal Effect:** Reducing the number of members of the Maryland Veterans Commission will minimally decrease general fund expenditures for travel reimbursement. Members receive about \$275 annually for travel reimbursement. The department advises that commission membership would be reduced through attrition as current terms expire; terms will expire over the next six years and that approximately three terms will expire annually. General fund expenditures would decrease by approximately \$275 annually for each commission term that expires.

All other provisions of the bill either codify existing practice or would not materially impact State finances or operations.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Veterans Affairs, Department of Legislative Services

**Fiscal Note History:** First Reader - March 10, 2004  
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