

BY: Health and Government Operations Committee and the Committee on Ways and Means

AMENDMENTS TO HOUSE BILL NO. 3

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, Cadden, Krebs, McDonough, Sossi, Doory, Lee, Parrott, James, Moe, Hurson, Hammen, Benson, Boteler, Boutin, Bromwell, Costa, Elliott, Frank, Goldwater, Kullen, Morhaim, Murray, Nathan-Pulliam, Oaks, Rudolph, V. Turner, Weldon, Bartlett, Cardin, Cryor, C. Davis, Elmore, Goodwin, Gordon, Hixson, Marriott, McKee, Myers, and Ramirez”; in line 8, after “exceeding” insert “a certain percentage of”; and in line 12, after “Commission;” insert “requiring scholarship recipients to file for certain federal and State financial aid by a certain date; prohibiting certain scholarships from being awarded after a certain date; permitting certain scholarships to be renewed after a certain date; authorizing legislative scholarship funds to be used for certain purposes;”; strike beginning with “renaming” in line 15 down through “offices;” in line 17 and substitute “defining the operational and administrative authority of the Department of Veterans Affairs and of the Secretary of Veterans Affairs; defining the function of certain commissions within the Department; altering the composition and length of terms of Commission members; repealing obsolete provisions; altering certain provisions relating to interment in veterans cemeteries; altering certain provisions for admission to a veterans home; establishing a certain Outreach and Advocacy Program in the Department of Veterans Affairs; requiring the Secretary of Veterans Affairs to appoint a certain director; providing a salary for and the duties of a certain director;”; in lines 17 and 18, strike “Commission and the Department of Veterans Affairs to help” and substitute “Outreach and Advocacy Program to make”; in line 18, strike “receive” and substitute “aware of and access”; strike beginning with “Director” in line 19 down through “entitlements;” in line 22 and substitute “Secretary to appoint a director for a certain program;”; in lines 23 and 24, strike “, with the approval of the Commission,”; in line 24, after “contracts” insert “and work with certain governmental units and”; in line 26, strike “and the Commission”; in line 27, after “outreach;” insert “requiring the Department of Veterans Affairs to develop and maintain a certain database; requiring the Department of Veterans Affairs, in conjunction with certain community-based organizations to develop a certain survey; requiring the Outreach and Advocacy Program to seek out and track certain veterans and provide certain veterans”

(Over)

with certain information;”; and in the same line, strike “Commission” and substitute “Secretary”.

On page 2, strike beginning with “regarding” in line 1 down through “offices” in line 2; in line 5, after “Department” insert “of Legislative Services”; in line 10, strike “a”; in the same line, strike “report” and substitute “reports”; in line 12, strike “certain provisions” and substitute “a certain provision”; in line 21, strike “9-911 and 9-912” and substitute “9-901, 9-904, 9-905, 9-907, 9-908, 9-909, 9-911, 9-912, 9-913, 9-914, 9-915, 9-917, 9-918, 9-919, 9-920, 9-921, 9-922, 9-923, 9-925, and 9-927 through 9-937, inclusive”; after line 23, insert:

“BY repealing and reenacting, without amendments,

Article - State Government

Section 9-902

Annotated Code of Maryland

(2004 Replacement Volume)”;

in line 26, strike “9-912.1” and substitute “9-903; 9-939 through 9-942 to be under the new part “Part V. Outreach and Advocacy Program”; and 9-945 to be under the new part “Part VI. Reporting””; and after line 28, insert:

“BY repealing

Article - State Government

Section 9-910, 9-924, and 9-926

Annotated Code of Maryland

(2004 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, after line 32, insert:

“(A) FOR PURPOSES OF THIS SECTION, AN INDIVIDUAL SERVED IN THE AFGHANISTAN OR IRAQ CONFLICT IF THE INDIVIDUAL WAS A MEMBER OF THE UNIFORM SERVICES OF THE UNITED STATES WHO SERVED IN:

(1) AFGHANISTAN OR CONTIGUOUS AIR SPACE, AS DEFINED IN FEDERAL REGULATIONS, ON OR AFTER OCTOBER 24, 2001, AND BEFORE A TERMINAL DATE TO BE PRESCRIBED BY THE UNITED STATES SECRETARY OF DEFENSE; OR

(2) IRAQ OR CONTIGUOUS WATERS OR AIR SPACE, AS DEFINED IN FEDERAL REGULATIONS, ON OR AFTER MARCH 19, 2003, AND BEFORE A TERMINAL

DATE TO BE PRESCRIBED BY THE UNITED STATES SECRETARY OF DEFENSE.”;

and in lines 33 and 35, strike “(A)” and “(B)”, respectively, and substitute “(B)” and “(C)”, respectively.

AMENDMENT NO. 3

On page 2, after line 37, insert:

“(2) FOR AN INDIVIDUAL SPECIFIED IN PARAGRAPH (4)(I) OF THIS SUBSECTION, WAS A MARYLAND RESIDENT PRIOR TO SERVING IN, OR BEING ACTIVATED AS A RESULT OF, THE AFGHANISTAN OR IRAQ CONFLICT;”.

On page 3, in line 1, strike “(2)” and substitute “(3)”; strike in their entirety lines 7 through 11, inclusive, and substitute:

“(4) (I) 1. IS A VETERAN, AS DEFINED UNDER § 9-901 OF THE STATE GOVERNMENT ARTICLE, WHO SERVED IN THE AFGHANISTAN OR IRAQ CONFLICT;

2. IS AN ACTIVE DUTY MEMBER OF THE ARMED FORCES WHO SERVED IN THE AFGHANISTAN OR IRAQ CONFLICT; OR

3. IS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES OR THE MARYLAND NATIONAL GUARD WHO WAS ACTIVATED AS A RESULT OF THE AFGHANISTAN OR IRAQ CONFLICT DESCRIBED IN SUBSECTION (A) OF THIS SECTION; OR

(II) IS A SON, DAUGHTER, OR SPOUSE OF A:

1. VETERAN OR ACTIVE DUTY MEMBER OF THE ARMED FORCES WHO IS SERVING OR HAS SERVED IN THE AFGHANISTAN OR IRAQ CONFLICT; OR

2. MEMBER OF THE RESERVE OR MARYLAND

(Over)

NATIONAL GUARD WHO WAS ACTIVATED AS A RESULT OF THE AFGHANISTAN OR IRAQ CONFLICT DESCRIBED IN SUBSECTION (A) OF THIS SECTION.”;

in lines 12, 16, 27, and 29, strike “(C)”, “(D)”, “(E)”, and “(F)”, respectively, and substitute “(D)”, “(E)”, “(F)”, and “(G)”, respectively; in lines 20 and 21, strike “AT A PRIVATE INSTITUTION”; in line 21, after “EXCEED” insert “50% OF”; in lines 21 and 22, strike “TUITION AND MANDATORY FEES” and substitute “TUITION, MANDATORY FEES, AND ROOM AND BOARD”; in line 28, strike “3.0” and substitute “2.5”; after line 30, insert:

“(H) A SCHOLARSHIP RECIPIENT SHALL FILE FOR FEDERAL AND STATE FINANCIAL AID BY MARCH 1 OF EACH YEAR.

(I) (1) THE OFFICE MAY NOT AWARD AN INITIAL SCHOLARSHIP TO AN INDIVIDUAL SPECIFIED IN SUBSECTION (C)(4) OF THIS SECTION AFTER JUNE 30, 2012.

(2) THE OFFICE MAY RENEW A SCHOLARSHIP AFTER JUNE 30, 2012 IF THE INDIVIDUAL RECEIVED AN INITIAL SCHOLARSHIP PRIOR TO THAT DATE.

(J) A SENATOR OR DELEGATE MAY AUTHORIZE THE OFFICE TO AWARD ALL OR A PORTION OF THE FUNDS AUTHORIZED UNDER SUBTITLES 4 AND 5 OF THIS TITLE TO ELIGIBLE RECIPIENTS OF SCHOLARSHIPS AWARDED UNDER THIS SECTION.”;

and in line 31, strike “(G)” and substitute “(K)”.

On page 8, strike in their entirety lines 4 through 8, inclusive; in line 9, strike “5.” and substitute “4.”; in line 14, strike “6.” and substitute “5.”; and in line 15, strike “Sections 4 and 5” and substitute “Section 4”.

AMENDMENT NO. 4

On pages 4 through 6, strike in their entirety the lines beginning with line 20 on page 4 through line 10 on page 6, inclusive, and substitute:

“Subtitle 9. Department of Veterans Affairs.

Part I. Established.

9-901.

(a) In this subtitle the following words have the meanings indicated.

(b) “Department” means the Department of Veterans Affairs.

(c) “Secretary” means the Secretary of Veterans Affairs.

(d) Except as otherwise provided in §§ [9-913 and 9-914] 9-906 AND 9-907 of this subtitle, “veteran” means an individual who served on active duty in the armed forces of the United States, other than for training, and was discharged or released under conditions other than dishonorable.

9-902.

(a) There is a Department of Veterans Affairs, established as a principal department of the State government.

(b) The head of the Department is the Secretary of Veterans Affairs who shall be:

(1) a veteran who has an honorable discharge from active service with a uniformed service of the United States; and

(2) appointed by the Governor with the advice and consent of the Senate.

(c) (1) The Secretary serves at the pleasure of the Governor and is responsible directly to the Governor. The Secretary shall advise the Governor on all matters assigned to the Department and is responsible for carrying out the Governor’s policies on these matters.

(2) The Secretary is responsible for the operation of the Department and shall

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establish guidelines and procedures to promote the orderly and efficient operation of the Department.

(3) Subject to the provisions of this subtitle, the Secretary may establish, reorganize, or consolidate areas of responsibility in the Department as necessary to fulfill the duties assigned by the Secretary.

(4) The Secretary shall adopt regulations necessary to carry out the provisions of this subtitle.

(d) The Secretary is entitled to the salary provided in the State budget.

9-903.

THE ATTORNEY GENERAL IS THE LEGAL ADVISER TO THE DEPARTMENT.

[9-911.] 9-904.

(a) [The Commission shall have a service center in Baltimore City, which shall be the principal office of the Commission.]

[(b)] (1) The [Commission] DEPARTMENT may:

(i) [have any additional] ESTABLISH service centers that the [Commission] DEPARTMENT considers necessary or advisable to facilitate and expedite the servicing of claims of veterans and dependents; and

(ii) close any [additional] service center that the [Commission] DEPARTMENT no longer considers necessary.

(2) The [Commission] DEPARTMENT shall try to locate each [additional] service center CENTRALLY IN THE AREA TO BE SERVED SO THAT THE GREATEST NUMBER OF VETERANS:

(i) centrally in the area to be served so that the greatest number of

veterans:]

[1.] (I) have access with the least possible delay, travel, and inconvenience; and

[2.] (II) receive, as far as possible, personal attention[; and

(ii) in space that is provided rent-free].

[(c) The Commission and the Department shall coordinate, as much as possible, with other appropriate units to:

(1) avoid an overlap of effort; and

(2) provide, if possible, at 1 service center or in 1 general local area, complete information about the problems that relate to veterans.]

[(d)] (B) [The Director shall supervise the service centers.] THERE SHALL BE A DIRECTOR OF VETERANS SERVICE CENTERS RESPONSIBLE FOR THE SUPERVISION OF VETERANS SERVICE CENTERS, WHOSE DUTIES SHALL INCLUDE MAINTAINING CONTACT WITH THE APPROPRIATE GOVERNMENTAL UNIT REGARDING THE STATUS OF EACH CLAIM OF A VETERAN OR ELIGIBLE DEPENDENT OF A VETERAN.

[9-912.] 9-905.

[(a) (1)] The [Commission and the] Department shall:

(1) help veterans and their dependents to receive promptly and regularly all of the benefits to which veterans or dependents are entitled under federal law[.]; AND

(2) [Among other things, the Commission and the Department shall] help veterans and their dependents in:

(i) preparing, in proper form, claims for benefits;

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- (ii) presenting the claims to the appropriate governmental unit;
- (iii) trying to prevent and to relieve congestion in the processing of the claims; and
- (iv) obtaining and expediting action on the claims.

[(b) The Director shall keep in contact with the appropriate governmental unit as to the status of each claim of a veteran or dependent of a veteran.]

[9-913.] 9-906.

(a) (1) In this section, “State veterans’ cemetery” means a cemetery that the [Commission] DEPARTMENT establishes under this section.

(2) In this section and in § [9-914] 9-907 of this subtitle, “veteran” means an individual who:

(i) served HONORABLY on active duty in the armed forces of the United States; or

(ii) served HONORABLY as a member of the State militia ordered into active service of the United States by order of the President and was killed in the line of duty.

(b) The [Commission] DEPARTMENT may establish [1] ONE or more cemeteries in the State for the burial of veterans and [their immediate families] ELIGIBLE SPOUSES OR DEPENDENTS AS AUTHORIZED BY THE SECRETARY.

(c) [(1)] The [Commission] DEPARTMENT may accept land, on behalf of the State or a political subdivision of the State, or otherwise acquire land for a State veterans’ cemetery, if the [Commission] DEPARTMENT has the approval of:

[(i)] (1) the governing body of the county where the State veterans’

cemetery is to be located;

[(ii)] (2) the delegation in the General Assembly for the county where the State veterans' cemetery is to be located; and

[(iii)] (3) the Board of Public Works.

[(2) In selecting a location for a proposed State veterans' cemetery, the Commission shall give priority to land that is near a national memorial battle site.]

(d) (1) The [Commission] DEPARTMENT shall maintain and supervise each State veterans' cemetery.

(2) The Washington Cemetery Board of Trustees shall be under the supervision of the [Commission] DEPARTMENT.

(e) [(1) Subject to the limitations in paragraph (2) of this subsection, the] THE [Commission] DEPARTMENT shall provide a plot in a State veterans' cemetery, without charge, to [an applicant] A VETERAN who meets the requirements of this section.

[(2) In the order in which the Commission receives the applications for plots, the Commission shall allot a plot in the State veterans' cemetery that is closest to the residence of the veteran and has an available plot.]

(f) [(1)] To qualify for a plot in a State veterans' cemetery[.]:

(1) the applicant must be a veteran WHO MEETS THE REQUIREMENTS FOR BURIAL AT A NATIONAL VETERANS CEMETERY or [a member of the immediate family] AN ELIGIBLE SPOUSE OR DEPENDENT of a veteran who meets the requirements of this subsection[.]; AND

[(2) The veteran must have an honorable discharge from the armed forces.]

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[(3)] (2) [The] IF A VETERAN, THE veteran must ALSO have been a resident of the State:

(i) when the veteran entered the armed forces;

(ii) when the veteran died; or

(iii) for [20] 2 years, unless, for a reason that the [Commission] DEPARTMENT finds compelling, the [Commission] DEPARTMENT waives the time period.

(g) To obtain a plot in a State veterans' cemetery, an applicant shall submit to the [Commission] DEPARTMENT an application on the form that the [Commission] DEPARTMENT provides.

(h) (1) In a plot that is allotted to a veteran, the [Commission] DEPARTMENT shall bury:

(i) the veteran; and

(ii) any member of the immediate family WHO IS AN ELIGIBLE SPOUSE OR DEPENDENT of the veteran if the family member can be buried in a space above or below the veteran OR IN THE NEXT AVAILABLE PLOT.

(2) (i) With each plot, the [Commission] DEPARTMENT shall provide [1] ONE grave liner [not to exceed \$100 in cost, subject to an annual increase of not more than 5 percent to allow for inflation].

(ii) For an eligible veteran, the [Commission] DEPARTMENT shall pay for the grave liner.

(iii) For an eligible [family member] SPOUSE OR DEPENDENT, the grave liner shall be paid for by the family or estate.

(i) (1) The [Commission] DEPARTMENT shall bury the veteran without charge.

(2) For burial of a member of the immediate family WHO IS AN ELIGIBLE SPOUSE OR DEPENDENT, the [Commission] DEPARTMENT may set a fee that does not exceed the cost of burial.
[9-914.] 9-907.

The [Commission] DEPARTMENT shall keep a registry of the graves of veterans AND FAMILY MEMBERS OF VETERANS who are buried in the State VETERANS CEMETERIES.
[9-915.] 9-908.

(a) In this section, “veterans’ memorials and monuments” means:

(1) the Maryland Vietnam Veterans Memorial and Associated Land as established pursuant to Joint Resolution No. 22 of 1983;

(2) the Maryland Korean War Memorial and Associated Land as established pursuant to Joint Resolution No. 3 of 1985; and

(3) the Maryland World War II Memorial and Associated Land.

(b) There is a Veterans’ Memorials and Monuments Program administered by the [Maryland Veterans Commission] DEPARTMENT OF VETERANS AFFAIRS.

(c) The purpose of the Program is to provide for the operation, maintenance, security, and preservation of veterans’ memorials and monuments.

(d) In furtherance of these purposes, the [Commission] DEPARTMENT may, as provided for in the budget:

(1) lease land on behalf of the State or a political subdivision of the State; or

(2) acquire land that has been improved by construction of a memorial or monument.

(Over)

(e) The Secretary may adopt regulations to carry out the provisions of this section.

(f) (1) The [Commission] DEPARTMENT shall, as provided for in the budget, provide for the management of the veterans' memorials and monuments as provided in this section.

(2) The [Commission] DEPARTMENT may delegate any of its powers and duties under this section to a special commission or board created by the [Commission] DEPARTMENT and approved by the Governor.

(g) The [Commission] DEPARTMENT may acquire, hold, use, and improve property for the purposes specified in subsection (c) of this section.

(h) Subject to Title 7 of the State Finance and Procurement Article, the [Commission] DEPARTMENT may:

(1) accept gifts or grants;

(2) unless otherwise provided, spend the principal and income of a gift or grant;

and

(3) invest all or part of the principal income in general obligations of the State or any other security.

[9-917.] 9-909.

[In this Part III of this subtitle,] IN §§ 9-910 THROUGH 9-912 OF THIS SUBTITLE, "Home" means the home OR HOMES for veterans that the [Maryland Veterans' Home Commission] DEPARTMENT supervises.

[9-927.] 9-910.

(a) The [Veterans' Home Commission] DEPARTMENT shall:

(1) maintain and supervise generally the Home in accordance with [this Part III of] this subtitle; and

(2) adopt any regulation that is needed for management of the Home, including regulations for admission, maintenance, and discharge of its residents.

(b) (1) The [Veterans' Home Commission] DEPARTMENT may appoint a [Commandant] DIRECTOR for the Home and employ any other staff that is needed to manage the Home properly.

(2) In appointing or employing staff, the [Veterans' Home Commission] DEPARTMENT shall give preference to a veteran who has an honorable discharge from the armed forces.

[(3) The Veterans' Home Commission shall set the salary for each official of the Home in an amount that does not exceed the salary paid by similar institutions for the service.]

[(4)] (3) The [Commandant] DIRECTOR shall:

(i) serve at the pleasure of the [Veterans' Home Commission] SECRETARY; and

(ii) perform any duty that the [Veterans' Home Commission] DEPARTMENT requires.

[(5) If the Veterans' Home Commission delegates to the Commandant responsibility for employing staff, the Commission shall hold the Commandant strictly accountable for the actions of each individual whom the Commandant employs.]

[9-928.] 9-911.

(a) In accordance with the regulations of the [Veterans' Home Commission] DEPARTMENT and applicable law, the Home shall be open [to a veteran who]:

(Over)

(1) TO A VETERAN WHO:

[(1)] (I) has an honorable discharge from the armed forces; and

[(2)] (II) is a resident of the State; OR

(2) TO A SPOUSE OF AN ELIGIBLE VETERAN.

(b) (1) The [Veterans' Home Commission] DEPARTMENT may charge an individual a reasonable fee for residence in the Home.

(2) The [Veterans' Home Commission] DEPARTMENT shall set the fee in accordance with the ability of an individual to pay. However, the fee may not exceed the cost of maintaining the resident in the Home and shall allow the resident enough money for necessary and incidental expenses.

(c) A resident may be discharged in accordance with the regulations of the [Veterans' Home Commission] DEPARTMENT and applicable law.

[9-929.] 9-912.

(a) To carry out the [purposes] RESPONSIBILITIES and goals of the [Veterans' Home Commission] DEPARTMENT CONCERNING THE HOME, the [Commission] DEPARTMENT may acquire, hold, use, improve, and convey property.

(b) In addition to any other power under this section AND SUBJECT TO TITLE 7 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, to carry out the purposes or goals of the [Veterans' Home Commission] DEPARTMENT, the [Commission] HOME:

(1) may accept a gift or grant; and

(2) unless the terms of a gift or grant require otherwise, [on an affirmative vote of at least 7 members of the Commission] AND SUBJECT TO THE APPROVAL OF THE SECRETARY, may:

- (i) spend the principal and income of the gift or grant; or
- (ii) invest all or part of the principal and income in:
 - 1. general obligations of the State; or
 - 2. any other security.

(c) (1) In addition to any other power under this section, the [Veterans' Home Commission] DEPARTMENT may lease any part of [its] THE HOME property for use as a concession or other commercial purpose that is consistent with the purposes of the [Commission] DEPARTMENT. However, the [Commission] DEPARTMENT may not lease its property merely for investment purposes.

(2) Notwithstanding any other law, unless the lease expressly provides for redemption by the tenant, the lease is not subject to redemption.

9-913. RESERVED.

Part II. Maryland Veterans Commission.

[9-904.] 9-914.

- (a) In this Part II of this subtitle the following words have the meanings indicated.
- (b) “Commission” means the Maryland Veterans Commission.
- [(c) “Director” means the Director of the Maryland Veterans Commission.]

[9-905.] 9-915.

There is a Maryland Veterans Commission in the Department THAT SHALL ADVISE THE

(Over)

SECRETARY OF ALL MATTERS PERTAINING TO VETERANS ISSUES.

[9-907.] 9-916.

(a) (1) The Commission consists of the following [30] members[:
(i) as an ex officio member, the Chairman of the Maryland Veterans'
Home Commission; and

(ii) 29 members] appointed by the Governor.

(2) Of the [29 appointed] members:

(i) [1] ONE shall be appointed from each of the 8 congressional districts
in the State;

(ii) [1] ONE shall be a veteran [of World War II,] appointed from the State
at large;

(iii) [1] ONE shall be a representative of a women veterans organization in
the State;

(IV) ONE SHALL BE A REPRESENTATIVE OF A RETIRED
ENLISTED ORGANIZATION; AND

[(iv)] (V) [1] ONE shall be appointed from a list of individuals submitted
to the Governor by each of the following organizations:

1. the American Ex-Prisoners of War, Inc.;

2. the American Legion;

3. the Amvets;

4. the Catholic War Veterans;

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5. the Disabled American Veterans;
 6. the Fleet Reserve Association;
 7. the Jewish War Veterans;
 8. the Marine Corps League;
 9. the Maryland [Retired Officers Association] MILITARY OFFICERS ASSOCIATION OF AMERICA;
 10. the Military Order of the Purple Heart;
 11. the Pearl Harbor Survivors Association;
 12. the Polish Legion of American Veterans;
 13. the Veterans of Foreign Wars;
 14. the Vietnam Veterans of America;
 15. the Korean War Veterans Association, Inc.; AND
 16. the Black Veterans of All Wars, Inc.];
 17. the Maryland Coalition of the Retired Enlisted Association; and
 18. the Veterans of the Battle of the Bulge; and
- (v) 1 shall be a veteran of the Persian Gulf War appointed from the State at large.]

- (b) Each member must be a resident of the State and a veteran [whose final separation

(Over)

from active service with a uniformed service of the United States was under honorable conditions].

(c) (1) The term of an appointed member is [7] 5 years.

(2) The terms of the appointed members are staggered as required by the terms provided for members of the Commission on October 1, 1984.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) WHEN AN ORGANIZATION IS NO LONGER A PART OF THE COMMISSION, THE APPOINTMENT SHALL TERMINATE AT THE END OF THE CURRENT MEMBER'S TERM.

(6) A NEW ORGANIZATION MAY NOT BE APPROVED BY THE GENERAL ASSEMBLY UNLESS IT IS CONGRESSIONALLY CHARTERED.

[9-908.] 9-917.

(A) From among the members of the Commission, the Governor shall appoint a chairman.

(B) A VICE CHAIRMAN SHALL BE ELECTED BY A SIMPLE MAJORITY VOTE OF THE COMMISSION.

[9-909.] 9-918.

(a) The Commission shall determine the times and places of its meetings.

(b) A member of the Commission:

(1) may not receive compensation; but

(2) if the Commission approves, is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(c) The Department shall provide staff support to the Commission in accordance with the State budget.
[9-910.

(a) The Secretary, with the Commission's approval, shall appoint a Director for the Commission.

(b) The Director is entitled to the salary provided in the State budget.

(c) In addition to any duties set forth elsewhere, the Director shall:

(1) survey the State to ensure that veterans and their dependents are not neglected;
and

(2) perform any other duty that the Commission directs.]

9-919. RESERVED.

9-920. RESERVED.

Part III. Maryland Veterans' Home Commission.

[9-920.] 9-921.

There is a Maryland Veterans' Home Commission in the Department.

[9-918.] 9-922.

(a) The [purposes] PURPOSE of the Maryland Veterans' Home Commission IS TO

(Over)

ADVISE THE DEPARTMENT OF ISSUES RELATED TO STATE VETERANS HOMES [are to operate and to manage in the State a home for veterans].

(b) The General Assembly declares the [purposes] PURPOSE of the Maryland Veterans' Home Commission to be of general benefit to the veterans of the State.

[9-919.] 9-923.

This Part III of this subtitle does not limit any power or activity of:

- (1) a unit of the State government;
- (2) a political subdivision of the State; or
- (3) any person who is interested in veterans in the State.

[9-921.] 9-924.

(a) The Veterans' Home Commission consists of the following [15] 14 members:

(1) 11 individuals appointed by the Governor with the advice and consent of the Senate; and

(2) as ex officio members:

(i) the Governor;

(ii) the President of the Senate; AND

(iii) the Speaker of the House of Delegates[; and

(iv) the Chairman of the Maryland Veterans Commission].

(b) (1) The term of an appointed member is [4] 5 years.

(2) The terms of the appointed members are staggered as required by the terms provided for members of the Veterans' Home Commission on October 1, 1984.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(c) As far as is practicable and is consistent with the purposes and goals of the Veterans' Home Commission, the Governor shall choose appointed members so as to have a broad distribution from among:

(1) veterans and veterans' [groups] ORGANIZATIONS; and

(2) the geographical areas of the State.

[9-922.] 9-925.

(a) From among its members, the Veterans' Home Commission shall elect a chairman, a secretary, and any other officers that the Commission considers appropriate.

(b) The manner of election of officers and their terms of office shall be as the Veterans' Home Commission determines.

[9-923.] 9-926.

(a) Seven members of the Veterans' Home Commission are a quorum to do business.

(b) (1) The Veterans' Home Commission shall meet:

(i) at least twice a year, at the times and places that it determines; and

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(ii) at the call of the Chairman, on the Chairman's initiative or on the request of at least 4 members.

(2) Unless all of the members of the Veterans' Home Commission agree otherwise, the secretary of the Commission shall give each member at least 7 days' written notice of a meeting.

(3) If the President is unable to attend a meeting, the President may designate a Senator or an employee of the General Assembly to represent the President at the meeting.

(4) If the Speaker is unable to attend a meeting, the Speaker may designate a Delegate or an employee of the General Assembly to represent the Speaker at the meeting.

(5) If the Governor is unable to attend a meeting, the Governor may designate another individual to represent the Governor at the meeting.

(c) A member of the Veterans' Home Commission:

(1) may not receive compensation[.]; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

[9-924.

The Attorney General is the legal adviser to the Veterans' Home Commission.]

[9-925.] 9-927.

(A) WITH THE APPROVAL OF THE SECRETARY, THE VETERANS' HOME COMMISSION MAY ADOPT PROCEDURES TO:

(1) GOVERN ITSELF; AND

(2) CARRY OUT THE RESPONSIBILITIES OF THE VETERANS' HOME COMMISSION.

(B) THE COMMISSION:

(1) MAY NOT INCUR ANY EXPENSES WITHOUT THE CONSENT OF THE DEPARTMENT; AND

(2) AT EACH REGULAR MEETING OF THE COMMISSION OR MORE OFTEN AS IT DIRECTS, SHALL SUBMIT TO THE DEPARTMENT A REPORT ON ANY ACTION THAT THE COMMITTEE HAS TAKEN SINCE ITS LAST REPORT.

[(a)] (C) (1) The Veterans' Home Commission shall through the Department submit an annual report[:

(i) to the Governor; and

(ii) subject to § 2-1246 of this article, to the General Assembly.

(2) The annual report shall:

(i) describe the activities of the Commission; and

(ii) include any recommendations for furthering the purposes of the Commission] IN ACCORDANCE WITH § 9-945 OF THIS SUBTITLE.

[(b)] (D) As far as practicable, the Veterans' Home Commission shall cooperate with persons and public agencies to carry out the purposes and goals of the Commission AND DEPARTMENT.

[9-926.

(a) The Veterans' Home Commission may with the approval of the Secretary adopt

(Over)

regulations to:

(1) govern itself; and

(2) carry out the purposes and goals of the Commission.

(b) (1) The Veterans' Home Commission may take any necessary and proper action to carry out a specific power under this Part III of this subtitle.

(2) Subject to the legislative purposes of this Part III of this subtitle, the Veterans' Home Commission may make contracts and other legal agreements.

(c) (1) The Veterans' Home Commission may delegate any of its powers to a committee of 1 or more of its members or to the Commandant of the Home.

(2) If the Veterans' Home Commission delegates any power to a committee of its members, the committee:

(i) may not incur any expenses without the consent of the Commission;

and

(ii) at each regular meeting of the Commission or more often as it directs, shall submit to the Commission a report on any action that the committee has taken since its last report.]

[9-930.] 9-928.

The State is not obligated to provide capital or operating funds for the Veterans' Home Commission but may appropriate money for the purposes and goals of the Commission.

9-929. RESERVED.

Part IV. War Memorial Commission.

[9-931.] 9-930.

In this Part IV of this subtitle, "Commission" means the War Memorial Commission.

[9-932.] 9-931.

There is a War Memorial Commission in the Department of Veterans Affairs.

[9-933.] 9-932.

- (a) (1) The Commission consists of 10 members.
- (2) Of the 10 Commission members:
 - (i) 5 shall be appointed by the Secretary of Veterans Affairs, with the approval of the Governor; and
 - (ii) 5 shall be appointed by the Mayor of Baltimore City.
- (b) Each member must be a Maryland war veteran.
- (c) (1) The term of a member is 5 years.
- (2) The terms of a member are staggered as required by the terms provided for members of the Commission on October 1, 1984.
- (3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.
- (4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

[9-934.] 9-933.

(Over)

(a) From among its members, the Commission may elect:

(1) a chairman;

(2) a vice chairman; and

(3) a secretary and a treasurer or a secretary-treasurer.

(b) The manner of election of officers and their terms of office shall be as the Commission determines.

[9-935.] 9-934.

(a) A member of the Commission may not receive compensation.

(b) If the Commission approves the reimbursement and records the vote in the minutes, a member is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

[9-936.] 9-935.

The State and Baltimore City jointly shall hold title to the War Memorial Building and the memorial site.

[9-937.] 9-936.

(a) The Commission may provide for management of the War Memorial Building as provided in this section.

(b) (1) The Commission shall adopt regulations that provide for the management of the War Memorial Building in a manner that:

(i) permits the greatest possible use of the building by the people of the State and by patriotic organizations in the State; and

(ii) to the extent possible, permits the use by the patriotic organizations without cost.

(2) The Commission shall enforce the regulations.

(c) The Commission may appoint a custodian and a janitor for the War Memorial Building.

(d) The Commission may use, for the maintenance and administration of the building, any funds that the General Assembly or the Mayor and City Council of Baltimore appropriate for those purposes.

9-937. RESERVED.

9-938. RESERVED.

PART V. OUTREACH AND ADVOCACY PROGRAM.

9-939.

(A) THERE IS AN OUTREACH AND ADVOCACY PROGRAM IN THE DEPARTMENT.

(B) THE PURPOSE OF THE PROGRAM IS TO ENSURE THAT:

(1) VETERANS ARE INFORMED OF THE SERVICES, BENEFITS, AND ASSISTANCE AVAILABLE TO THEM FROM THE STATE AND FEDERAL GOVERNMENT; AND

(2) GENERAL ISSUES RELATED TO VETERANS NEEDS ARE BROUGHT TO THE ATTENTION OF THE GOVERNOR AND THE GENERAL ASSEMBLY IN ORDER FOR THEM TO BE ADDRESSED.

(Over)

9-940.

(A) THE SECRETARY SHALL APPOINT A DIRECTOR FOR THE PROGRAM.

(B) THE DIRECTOR IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET.

(C) THE DIRECTOR SHALL ADMINISTER AND COORDINATE THE OUTREACH AND ADVOCACY PROGRAM.

9-941.

(A) THE OUTREACH AND ADVOCACY PROGRAM SHALL ACTIVELY HELP VETERANS AND THEIR DEPENDENTS TO BECOME AWARE OF AND ACCESS ANY SERVICE OR BENEFIT TO WHICH THEY ARE ENTITLED INCLUDING:

- (1) TAX BENEFITS;
- (2) HEALTH CARE BENEFITS;
- (3) DISABILITY BENEFITS;
- (4) PENSION BENEFITS; AND
- (5) EDUCATION.

(B) THE DIRECTOR OF THE OUTREACH AND ADVOCACY PROGRAM SHALL:

(1) SUPPORT VETERANS AND THEIR DEPENDENTS THROUGH THE SERVICE OR BENEFIT PROCESS; AND

(2) KEEP IN CONTACT WITH THE APPROPRIATE GOVERNMENTAL UNIT AS TO THE STATUS OF EACH CLAIM OF A VETERAN, A VETERAN'S DEPENDENT, OR A VETERAN'S SURVIVOR.

9-942.

(A) (1) FOR THE PURPOSES OF REACHING ANY VETERAN, VETERAN'S DEPENDENT, OR VETERAN'S SURVIVOR IN NEED OF ASSISTANCE IN OBTAINING SERVICES OR BENEFITS GRANTED BY THE LAW, THE DIRECTOR SHALL DEVELOP AND IMPLEMENT AN OUTREACH PROGRAM.

(2) AS APPROPRIATE TO CARRY OUT THE DIRECTOR'S RESPONSIBILITIES UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DIRECTOR MAY:

(I) ENTER INTO CONTRACTS; AND

(II) WORK WITH GOVERNMENTAL UNITS AND COMMUNITY-BASED ORGANIZATIONS INCLUDING THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE DEPARTMENT OF AGING, FAITH-BASED GROUPS, VETERANS GROUPS, SENIOR CENTERS, ADULT DAY CARE CENTERS, INSTITUTIONS OF HIGHER EDUCATION, AND OTHER ENTITIES THE DIRECTOR CONSIDERS APPROPRIATE.

(B) (1) THE DIRECTOR SHALL DEVELOP MECHANISMS FOR OUTREACH TO BE DISSEMINATED BY DIRECT MAIL AND THROUGH COMMUNITY-BASED VETERANS ORGANIZATIONS, THE DEPARTMENT OF VETERANS AFFAIRS, THE DEPARTMENT OF HUMAN RESOURCES, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, AND ANY OTHER APPROPRIATE STATE AGENCY OR UNIT THE DIRECTOR CONSIDERS APPROPRIATE.

(2) THE MECHANISMS FOR OUTREACH SHALL INCLUDE:

(I) THE DEVELOPMENT OF A PAMPHLET DESCRIBING THE SERVICES PROVIDED BY THE OUTREACH AND ADVOCACY PROGRAM;

(II) A REGULAR NEWSLETTER;

(Over)

(III) BROCHURES DESCRIBING VARIOUS BENEFITS OR ANY OTHER ISSUE OR BENEFIT OF INTEREST TO VETERANS OR THEIR DEPENDENTS; AND

(IV) OTHER MECHANISMS THE DIRECTOR CONSIDERS APPROPRIATE.

(C) THE DEPARTMENT SHALL DEVELOP AND MAINTAIN A DATABASE OF VETERANS IN THE STATE.

(D) THE DEPARTMENT, IN CONJUNCTION WITH THE TYPES OF COMMUNITY-BASED ORGANIZATIONS LISTED IN SUBSECTION (A)(2) OF THIS SECTION, SHALL DEVELOP A SURVEY TO ASSIST IN IDENTIFYING VETERANS AND DEPENDENTS WHO MAY BE ELIGIBLE FOR PENSION PROGRAMS.

(E) THE OUTREACH AND ADVOCACY PROGRAM SHALL:

(1) IN CONJUNCTION WITH OTHER GOVERNMENTAL UNITS AND COMMUNITY-BASED GROUPS, SEEK OUT VETERANS AND THEIR DEPENDENTS WHO MAY BE ELIGIBLE FOR PENSION PROGRAM BENEFITS; AND

(2) PROVIDE WOUNDED OR DISABLED VETERANS WITH INFORMATION ON THE SERVICES AND BENEFITS AVAILABLE TO THEM AND SUPPORT THEM THROUGH THE PROCESS OF OBTAINING THESE SERVICES AND BENEFITS.

9-943. RESERVED.

9-944. RESERVED.

PART VI. REPORTING.”.

AMENDMENT NO. 5

On page 6, in line 11, strike “9-912.1.” and substitute “9-945.”; in line 12, strike “COMMISSION” and substitute “SECRETARY”; strike beginning with “VETERANS” in line 18

down through “OFFICES” in line 19 and substitute “OUTREACH AND ADVOCACY PROGRAM”; in line 20, strike “VETERANS ADVOCATE OFFICE” and substitute “OUTREACH AND ADVOCACY PROGRAM”; after line 21, insert:

“(3) THE AVERAGE LENGTH OF TIME IT TAKES TO PROCESS BENEFIT REQUESTS AND FOR A RECIPIENT TO ACCESS HEALTH BENEFITS;

(4) THE AVERAGE AMOUNT OF DISABILITY AND PENSION BENEFITS RECEIVED BY QUALIFIED INDIVIDUALS IN THIS STATE COMPARED TO INDIVIDUALS IN OTHER STATES;”;

in line 22, strike “(3)” and substitute “(5)”; in lines 22 and 23, strike “COMMISSION’S VETERANS ADVOCATE OFFICE”; in line 23, after “PROGRAM” insert “IN THE OUTREACH AND ADVOCACY PROGRAM”; strike in their entirety lines 24 through 26, inclusive; in line 27, strike “(5)” and substitute “(6)”; and strike beginning with “VETERANS” in line 27 down through “OFFICES” in line 28 and substitute “OUTREACH AND ADVOCACY PROGRAM;

(7) A STATUS REPORT INCLUDING THE ACCOMPLISHMENTS FOR, EFFICACY OF, EFFICIENCY OF, AND LEVEL OF RESOURCES AVAILABLE FOR EACH OF THE FOLLOWING PROGRAMS:

(I) CEMETERY;

(II) MEMORIAL;

(III) SERVICE;

(IV) VETERANS HOMES; AND

(V) OUTREACH AND ADVOCACY;

(8) A GENERAL ASSESSMENT OF THE STATUS OF VETERANS IN THE STATE;

(9) THE ESTIMATED IMPACT CURRENT MILITARY OPERATIONS ARE LIKELY TO HAVE ON THE NEEDS OF VETERANS IN THE FUTURE;

(10) THE STATUS OF FEDERAL VETERAN PROGRAMS ON MARYLAND VETERANS; AND

(11) ANY OTHER ISSUE CONCERNING VETERANS THAT THE SECRETARY DETERMINES IS APPROPRIATE”.

AMENDMENT NO. 6

On page 6, in lines 32 and 34, in each instance strike “four members” and substitute “one member”.

On page 7, in line 4, strike “and”; after line 4, insert:

“(5) the Adjutant General of the Military Department, or the Adjutant General’s designee; and”;

in line 5, strike “(5)” and substitute “(6)”; in the same line, strike “five” and substitute “six”; after line 6, insert:

“(i) one member of the Maryland Congressional delegation, or the member’s designee;”;

in lines 7, 8, and 10, strike “(i)”, “(ii)”, and “(iii)”, respectively, and substitute “(ii)”, “(iii)”, and “(v)”, respectively; in line 7, strike “two members” and substitute “one member”; in line 9, strike “and”; after line 9, insert:

“(iv) one individual who is the surviving spouse or parent of a veteran;”;

in line 10, strike “representative of a veteran’s hospital” and substitute “individual with knowledge of providing health care services to veterans; and

(vi) a representative of the Maryland Higher Education Commission”;

after line 14, insert:

“(e) The members of the Task Force shall represent geographic, ethnic, and cultural differences throughout the State.

(f) The Task Force may request assistance and information from any government unit or other expert that the Task Force considers appropriate.”;

in lines 15, 16, and 20, strike “(e)”, “(f)”, and “(g)”, respectively, and substitute “(g)”, “(h)”, and “(i)”, respectively; in line 15, strike “Veterans Affairs” and substitute “Legislative Services”; in line 20, strike “regarding” and substitute “on veteran issues including”; in line 21, strike “Veterans Advocate Office” and substitute “services and benefits for veterans”; in line 22, strike “Veterans Advocate Office helps” and substitute “services and benefits help”; in line 29, after “care” insert “, hospice care.”; in line 30, strike “and”; after line 30, insert:

“(5) the feasibility of establishing homes for veterans in the Crownsville hospital center and other regions of the State;

(6) the feasibility of establishing regional outreach and advocacy centers around the State and using existing service centers as outreach and advocacy centers;

(7) the identification of State and federal benefits and services and how to make them more comprehensive;

(8) how to improve outreach to women who are eligible to receive veteran related benefits; and”;

and in line 31, strike “(5)” and substitute “(9)”.

AMENDMENT NO. 7

On page 8, in line 1, after “shall” insert “submit an interim report to the Governor and the

(Over)

General Assembly, on or before December 1, 2005, and”; in the same line, after “its” insert “final”; and in line 3, strike “2005” and substitute “2006”.