

(PRE-FILED)

By: **Delegates Busch, Barkley, Bobo, Bohanan, Boschert, Bozman, Burns, Cane, G. Clagett, V. Clagett, Conroy, Conway, DeBoy, Donoghue, Feldman, Frush, Gilleland, Glassman, Gutierrez, Haynes, Healey, Heller, Holmes, Howard, Hubbard, Jones, Kach, Kaiser, King, Krysiak, Leopold, Levy, Love, Madaleno, Malone, Mandel, McMillan, Menes, Montgomery, Patterson, Pendergrass, Petzold, Quinter, Rosenberg, Ross, Stern, Vallario, Vaughn, and Zirkin**

Requested: November 15, 2004

Introduced and read first time: January 12, 2005

Assigned to: Health and Government Operations and Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Veterans Advocacy and Education Act of 2005**

3 FOR the purpose of establishing the Veterans of Afghanistan and Iraq Conflicts
 4 Scholarship; establishing application requirements for participation in the
 5 scholarship; requiring a certain scholarship to supplement certain federal
 6 education benefits; providing that each scholarship may be used for certain
 7 educational expenses; prohibiting the annual amount of a scholarship from
 8 exceeding the equivalent tuition and certain fees of certain institutions of higher
 9 education; requiring a scholarship recipient to maintain a certain grade point
 10 average; providing for the duration of the scholarship; requiring funds for the
 11 scholarship to be provided in the annual budget of the Maryland Higher
 12 Education Commission; establishing a Veterans of the Afghanistan and Iraq
 13 Conflicts Scholarship Fund in the Commission; directing the Commission to use
 14 certain gifts and grants for the Fund in a certain manner; requiring the
 15 Commission to prepare a certain annual report regarding the Fund; renaming
 16 the Maryland Veterans Commission service centers to be the veterans advocate
 17 offices; requiring the Commission and the Department of Veterans Affairs to
 18 help veterans and their dependents receive certain benefits to which they are
 19 entitled under federal, State, and local law; authorizing the Director of the
 20 Commission to appoint a certain representative, if necessary, to actively
 21 advocate and promote the interests of certain individuals in obtaining certain
 22 benefits and entitlements; requiring the Director to develop and implement a
 23 certain veterans outreach program; authorizing the Director, with the approval
 24 of the Commission, to enter into certain contracts with certain
 25 community-based organizations to provide certain information about certain
 26 services for veterans; requiring the Director and the Commission to develop
 27 certain mechanisms for outreach; requiring the Commission to submit a report
 28 on or before a certain date of each year to the Governor and General Assembly

1 that includes certain information regarding the services of the veterans
2 advocate offices; establishing a Task Force to Study State Assistance to
3 Veterans; providing for the composition of the Task Force; requiring the
4 President of the Senate and the Speaker of the House to jointly appoint the
5 chairman of the Task Force; requiring the Department to provide the staffing for
6 the Task Force; prohibiting members of the Task Force from receiving
7 compensation but entitling members to reimbursement of certain expenses;
8 requiring the Task Force to study and make recommendations regarding the
9 providing of State assistance and services to veterans of this State; requiring the
10 Task Force to submit a certain report to the Governor and the General Assembly
11 on or before a certain date; making certain technical corrections; providing for
12 the termination of certain provisions of this Act; and generally relating to
13 education and benefits assistance for veterans and veterans' families.

14 BY adding to
15 Article - Education
16 Section 18-604
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2004 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article - State Government
21 Section 9-911 and 9-912
22 Annotated Code of Maryland
23 (2004 Replacement Volume)

24 BY adding to
25 Article - State Government
26 Section 9-912.1
27 Annotated Code of Maryland
28 (2004 Replacement Volume)

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

31 **Article - Education**

32 18-604.

33 (A) THERE IS A VETERANS OF THE AFGHANISTAN AND IRAQ CONFLICTS
34 SCHOLARSHIP.

35 (B) AN INDIVIDUAL MAY APPLY TO THE OFFICE FOR A SCHOLARSHIP UNDER
36 THIS SECTION IF THE INDIVIDUAL:

37 (1) IS A RESIDENT OF MARYLAND;

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1 (2) (I) IS ACCEPTED FOR ADMISSION OR ENROLLED IN THE REGULAR
2 UNDERGRADUATE PROGRAM AT AN ELIGIBLE INSTITUTION; OR

3 (II) IS ACCEPTED FOR ADMISSION OR ENROLLED IN A 2-YEAR
4 TERMINAL CERTIFICATE PROGRAM IN WHICH THE COURSE WORK IS ACCEPTABLE
5 FOR TRANSFER CREDIT FOR AN ACCREDITED BACCALAUREATE PROGRAM IN AN
6 ELIGIBLE INSTITUTION; AND

7 (3) (I) IS A VETERAN, AS DEFINED UNDER § 9-901 OF THE STATE
8 GOVERNMENT ARTICLE, WHO SERVED IN THE AFGHANISTAN OR IRAQ CONFLICT; OR

9 (II) IS AT LEAST 16 YEARS OLD AND A SON OR DAUGHTER OF A
10 MEMBER OF THE ARMED FORCES WHO IS SERVING OR HAS SERVED IN THE
11 AFGHANISTAN OR IRAQ CONFLICT.

12 (C) A SCHOLARSHIP AWARDED UNDER THIS SECTION SHALL SUPPLEMENT
13 ANY FEDERAL EDUCATION BENEFITS FOR WHICH A RECIPIENT QUALIFIES AS A
14 RESULT OF AN INDIVIDUAL'S MILITARY SERVICE OR STATUS AS A DEPENDENT OF A
15 MEMBER OF THE ARMED FORCES OR OF A VETERAN OF THE ARMED FORCES.

16 (D) (1) EACH SCHOLARSHIP MAY BE USED, AT ANY ELIGIBLE INSTITUTION,
17 TO PAY FOR EDUCATIONAL EXPENSES AS DEFINED BY THE OFFICE, INCLUDING:

18 (I) TUITION AND MANDATORY FEES; AND

19 (II) ROOM AND BOARD.

20 (2) THE ANNUAL AMOUNT OF A SCHOLARSHIP AT A PRIVATE
21 INSTITUTION MAY NOT EXCEED THE EQUIVALENT ANNUAL TUITION AND
22 MANDATORY FEES OF A RESIDENT UNDERGRADUATE STUDENT AT THE 4-YEAR
23 PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY SYSTEM OF
24 MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE
25 AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE HIGHEST ANNUAL
26 EXPENSES FOR A FULL-TIME RESIDENT UNDERGRADUATE.

27 (E) A SCHOLARSHIP RECIPIENT SHALL MAINTAIN A GRADE POINT AVERAGE
28 OF AT LEAST 3.0 ON A 4.0 SCALE.

29 (F) EACH RECIPIENT OF A SCHOLARSHIP UNDER THIS SECTION MAY HOLD
30 THE AWARD FOR 5 YEARS OF FULL-TIME STUDY OR 8 YEARS OF PART-TIME STUDY.

31 (G) (1) FUNDS FOR THE VETERANS OF THE AFGHANISTAN AND IRAQ
32 CONFLICTS SCHOLARSHIP SHALL BE AS PROVIDED IN THE ANNUAL BUDGET OF THE
33 COMMISSION BY THE GOVERNOR.

34 (2) (I) THERE IS A VETERANS OF THE AFGHANISTAN AND IRAQ
35 CONFLICTS SCHOLARSHIP FUND IN THE COMMISSION.

36 (II) THE COMMISSION:

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

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

4 (1) avoid an overlap of effort; and

5 (2) provide, if possible, at 1 [service center] VETERANS ADVOCATE
6 OFFICE or in 1 general local area, complete information about the problems that
7 relate to veterans.

8 (d) The Director shall supervise the [service centers] VETERANS ADVOCATE
9 OFFICES.

10 9-912.

11 (a) [(1)] The Commission and the Department shall help veterans and their
12 dependents to receive promptly and regularly all of the benefits to which veterans or
13 dependents are entitled under federal, STATE, AND LOCAL law.

14 (B) (1) THE DIRECTOR MAY, IF NECESSARY, APPOINT A REPRESENTATIVE OF
15 THE VETERANS ADVOCATE OFFICE TO ACTIVELY ADVOCATE AND PROMOTE THE
16 INTERESTS OF A VETERAN, A VETERAN'S DEPENDENT, OR A VETERAN'S SURVIVOR IN
17 OBTAINING FEDERAL, STATE, AND LOCAL BENEFITS AND ANY OTHER
18 ENTITLEMENTS GRANTED BY LAW.

19 (2) Among other things, the Commission and the Department shall
20 ACTIVELY help veterans and their dependents in:

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

22 (ii) presenting the claims to the appropriate governmental unit;

23 (iii) trying to prevent and to relieve congestion in the processing of
24 the claims; and

25 (iv) obtaining and expediting action on the claims.

26 [(b)] (3) The Director OR THE APPOINTED REPRESENTATIVE OF THE
27 VETERANS ADVOCATE OFFICE shall keep in contact with the appropriate
28 governmental unit as to the status of each claim of a veteran, [or dependent of a
29 veteran] A VETERAN'S DEPENDENT, OR A VETERAN'S SURVIVOR.

30 (C) (1) FOR THE PURPOSES OF REACHING ANY VETERAN, VETERAN'S
31 DEPENDENT, OR VETERAN'S SURVIVOR IN NEED OF ASSISTANCE IN OBTAINING
32 ENTITLEMENTS GRANTED BY LAW, THE DIRECTOR SHALL DEVELOP AND IMPLEMENT
33 A VETERANS OUTREACH PROGRAM.

34 (2) AS APPROPRIATE TO CARRY OUT THE DIRECTOR'S RESPONSIBILITIES
35 UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DIRECTOR, WITH THE APPROVAL
36 OF THE COMMISSION, MAY ENTER INTO CONTRACTS WITH COMMUNITY-BASED

1 ORGANIZATIONS TO PROVIDE INFORMATION ABOUT THE SERVICES PROVIDED BY
2 THE VETERANS ADVOCATE OFFICE TO ELIGIBLE INDIVIDUALS IN THE STATE.

3 (3) THE DIRECTOR AND THE COMMISSION SHALL DEVELOP
4 MECHANISMS FOR OUTREACH INCLUDING THE DEVELOPMENT OF A PAMPHLET
5 DESCRIBING THE SERVICES PROVIDED BY THE VETERANS ADVOCATE OFFICE TO BE
6 DISSEMINATED BY DIRECT MAIL AND THROUGH COMMUNITY-BASED VETERANS
7 ORGANIZATIONS, THE DEPARTMENT OF VETERANS AFFAIRS, THE DEPARTMENT OF
8 HUMAN RESOURCES, AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE,
9 AND ANY OTHER APPROPRIATE STATE AGENCY OR UNIT THE DIRECTOR AND
10 COMMISSION CONSIDERS APPROPRIATE.

11 9-912.1.

12 THE COMMISSION SHALL SUBMIT A REPORT BY DECEMBER 31 OF EACH YEAR
13 TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE
14 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, THAT INCLUDES:

15 (1) THE NUMBER OF:

16 (I) REQUESTS FOR HELP IN OBTAINING BENEFITS RECEIVED; AND

17 (II) VETERANS, VETERANS' DEPENDENTS, AND VETERANS'
18 SURVIVORS HELPED BY THE VETERANS ADVOCATE OFFICE AND EACH OF THE
19 VETERANS ADVOCATE OFFICES, BY CATEGORY;

20 (2) THE BENEFITS THE VETERANS ADVOCATE OFFICE HELPED TO
21 OBTAIN, BY CATEGORY;

22 (3) A DETAILED DESCRIPTION OF THE COMMISSION'S VETERANS
23 ADVOCATE OFFICE OUTREACH PROGRAM;

24 (4) THE NUMBER OF ADVOCATE OFFICES IN OPERATION, THEIR
25 LOCATION, AND THE NUMBER AND TYPE OF STAFF REQUIRED TO OPERATE EACH
26 ADVOCATE OFFICE; AND

27 (5) AN ACCOUNT OF THE COSTS OF OPERATING THE VETERANS
28 ADVOCATE OFFICE AND VETERANS ADVOCATE OFFICES.

29 SECTION 3. AND BE IT FURTHER ENACTED, That:

30 (a) There is a Task Force to Study State Assistance to Veterans.

31 (b) The Task Force consists of the following members:

32 (1) four members of the Senate of Maryland, appointed by the President
33 of the Senate;

34 (2) four members of the House of Delegates, appointed by the Speaker of
35 the House;

1 (3) the Secretary of the Veterans Administration, or the Secretary's
2 designee;

3 (4) the Secretary of Health and Mental Hygiene, or the Secretary's
4 designee; and

5 (5) the following five members, jointly appointed by the President of the
6 Senate and the Speaker of the House:

7 (i) two members of the Maryland Veterans Commission;

8 (ii) two veterans, one of whom is disabled and one of whom has
9 separated from military service within the past 2 years; and

10 (iii) one representative of a veteran's hospital.

11 (c) The President of the Senate and the Speaker of the House shall jointly
12 designate the chairman of the Task Force.

13 (d) The President of the Senate and the Speaker of the House shall make all
14 appointments on or before July 1, 2005.

15 (e) The Department of Veterans Affairs shall provide staff for the Task Force.

16 (f) A member of the Task Force:

17 (1) may not receive compensation; but

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

20 (g) The Task Force shall study and make recommendations regarding:

21 (1) the efficacy of the Veterans Advocate Office to determine how well
22 the Veterans Advocate Office helps eligible individuals obtain benefits and whether
23 these are being obtained in a timely manner;

24 (2) whether there are enough advocate offices to efficiently help all
25 eligible individuals receive assistance;

26 (3) the potential impact of the increased number of veterans returning
27 from military service in recent conflicts on services provided by the State;

28 (4) what services are provided to veterans, veterans' families and
29 survivors and what services need to be provided including medical care and mental
30 health services; and

31 (5) any issue regarding benefits and assistance to veterans that the Task
32 Force determines is necessary.

1 (h) The Task Force shall report its findings and recommendations to the
2 Governor and, in accordance with § 2-1246 of the State Government Article, the
3 General Assembly, on or before December 1, 2005.

4 SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act
5 shall take effect July 1, 2005. Section 1 of this Act shall remain effective for a period
6 of 5 years and, at the end of June 30, 2010, with no further action required by the
7 General Assembly, Section 1 of this Act shall be abrogated and of no further force and
8 effect.

9 SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act
10 shall take effect June 1, 2005. Section 3 of this Act shall remain effective for a period
11 of 6 months and 1 day and, at the end of December 1, 2005, with no further action
12 required by the General Assembly, Section 3 of this Act shall be abrogated and of no
13 further force and effect.

14 SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in
15 Sections 4 and 5 of this Act, this Act shall take effect June 1, 2005.