
By: **Chairman, Health and Government Operations Committee (By**

Request - Departmental - Veterans Affairs)

Introduced and read first time: February 17, 2005

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Department of Veterans Affairs - Revisions**

3 FOR the purpose of defining the operational and administrative authority of the
 4 Department of Veterans Affairs and of the Secretary of Veterans Affairs;
 5 defining the function of certain commissions within the Department; altering
 6 the composition and length of terms of Commission members; repealing obsolete
 7 provisions; altering certain provisions relating to interment in veterans
 8 cemeteries; altering certain provisions for admission to a veterans home; and
 9 generally relating to operation and function of the Department of Veterans
 10 Affairs.

11 BY repealing and reenacting, with amendments,
 12 Article - State Government
 13 Section 9-901, 9-904, 9-905, 9-907, 9-908, 9-909, 9-911, 9-912, 9-913, 9-914,
 14 9-915, 9-917, 9-918, 9-919, 9-920, 9-921, 9-922, 9-923, 9-925, and
 15 9-927 through 9-937, inclusive
 16 Annotated Code of Maryland
 17 (2004 Replacement Volume)

18 BY repealing and reenacting, without amendments,
 19 Article - State Government
 20 Section 9-902
 21 Annotated Code of Maryland
 22 (2004 Replacement Volume)

23 BY adding to
 24 Article - State Government
 25 Section 9-903
 26 Annotated Code of Maryland
 27 (2004 Replacement Volume)

28 BY repealing

1 Article - State Government
2 Section 9-910, 9-924, and 9-926
3 Annotated Code of Maryland
4 (2004 Replacement Volume)

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

7 **Article - State Government**

8 Subtitle 9. Department of Veterans Affairs.

9 Part I. Established.

10 9-901.

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

12 (b) "Department" means the Department of Veterans Affairs.

13 (c) "Secretary" means the Secretary of Veterans Affairs.

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

18 9-902.

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

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

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

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

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

30 (2) The Secretary is responsible for the operation of the Department and
31 shall establish guidelines and procedures to promote the orderly and efficient
32 operation of the Department.

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

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

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

7 9-903.

8 THE ATTORNEY GENERAL IS THE LEGAL ADVISER TO THE DEPARTMENT.

9 [9-911.] 9-904.

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

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

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

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

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

21 [(i) centrally in the area to be served so that the greatest number of
 22 veterans:]

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

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

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

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

29 (1) avoid an overlap of effort; and

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

32 [(d)] (B) [The Director shall supervise the service centers.] THERE SHALL BE
 33 A DIRECTOR OF VETERANS SERVICE CENTERS RESPONSIBLE FOR THE SUPERVISION

1 OF VETERANS SERVICE CENTERS, WHOSE DUTIES SHALL INCLUDE MAINTAINING
2 CONTACT WITH THE APPROPRIATE GOVERNMENTAL UNIT REGARDING THE STATUS
3 OF EACH CLAIM OF A VETERAN OR ELIGIBLE DEPENDENT OF A VETERAN.

4 [9-912.] 9-905.

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

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

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

- 11 (i) preparing, in proper form, claims for benefits;
12 (ii) presenting the claims to the appropriate governmental unit;
13 (iii) trying to prevent and to relieve congestion in the processing of
14 the claims; and
15 (iv) obtaining and expediting action on the claims.

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

18 [9-913.] 9-906.

19 (a) (1) In this section, "State veterans' cemetery" means a cemetery that the
20 [Commission] DEPARTMENT establishes under this section.

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

- 23 (i) served HONORABLY on active duty in the armed forces of the
24 United States; or
25 (ii) served HONORABLY as a member of the State militia ordered
26 into active service of the United States by order of the President and was killed in the
27 line of duty.

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

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

1 [(i)] (1) the governing body of the county where the State veterans'
2 cemetery is to be located;

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

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

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

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

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

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

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

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

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

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

26 [(3)] (2) [The] IF A VETERAN, THE veteran must ALSO have been a
27 resident of the State:

28 (i) when the veteran entered the armed forces;

29 (ii) when the veteran died; or

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

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

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

3 (i) the veteran; and

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

7 (2) (i) With each plot, the [Commission] DEPARTMENT shall provide 1
8 grave liner [not to exceed \$100 in cost, subject to an annual increase of not more than
9 5 percent to allow for inflation].

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

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

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

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

19 [9-914.] 9-907.

20 The [Commission] DEPARTMENT shall keep a registry of the graves of veterans
21 AND FAMILY MEMBERS OF VETERANS who are buried in the State VETERANS
22 CEMETERIES.

23 [9-915.] 9-908.

24 (a) In this section, "veterans' memorials and monuments" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (1) accept gifts or grants;

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

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

24 9-909. RESERVED.

25 [9-917.] 9-910.

26 [In this Part III of this subtitle,] "Home" means the home OR HOMES for
27 veterans that the [Maryland Veterans' Home Commission] DEPARTMENT supervises.
28 [9-927.] 9-911.

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

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

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

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

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

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

10 [(4)] (3) The [Commandant] DIRECTOR shall:

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

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

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

19 [9-928.] 9-912.

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

22 (1) TO A VETERAN WHO:

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

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

25 (2) TO A SPOUSE OF AN ELIGIBLE VETERAN.

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

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

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

1 [9-929.] 9-913.

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

5 (b) In addition to any other power under this section AND SUBJECT TO TITLE
6 7 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, to carry out the purposes or
7 goals of the [Veterans' Home Commission] DEPARTMENT, the [Commission] HOME:

8 (1) may accept a gift or grant; and

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

12 (i) spend the principal and income of the gift or grant; or

13 (ii) invest all or part of the principal and income in:

14 1. general obligations of the State; or

15 2. any other security.

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

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

23 Part II. Maryland Veterans Commission.

24 [9-904.] 9-914.

25 (a) In this Part II of this subtitle the following words have the meanings
26 indicated.

27 (b) "Commission" means the Maryland Veterans Commission.

28 [(c) "Director" means the Director of the Maryland Veterans Commission.]

29 [9-905.] 9-915.

30 There is a Maryland Veterans Commission in the Department THAT SHALL
31 ADVISE THE SECRETARY OF ALL MATTERS PERTAINING TO VETERANS ISSUES.

1 [9-907.] 9-916.

2 (a) (1) The Commission consists of [the following 30] 27 members[:

3 (i) as an ex officio member, the Chairman of the Maryland
4 Veterans' Home Commission; and

5 (ii) 29 members] appointed by the Governor.

6 (2) Of the [29 appointed] members:

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

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

11 (iii) 1 shall be a representative of a women veterans organization in
12 the State;

13 (IV) 1 SHALL BE A REPRESENTATIVE OF A RETIRED ENLISTED
14 ORGANIZATION; AND

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

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

18 2. the American Legion;

19 3. the Amvets;

20 4. the Catholic War Veterans;

21 5. the Disabled American Veterans;

22 6. the Fleet Reserve Association;

23 7. the Jewish War Veterans;

24 8. the Marine Corps League;

25 9. the Maryland [Retired Officers Association] MILITARY
26 OFFICERS ASSOCIATION OF AMERICA;

27 10. the Military Order of the Purple Heart;

28 11. the Pearl Harbor Survivors Association;

29 12. the Polish Legion of American Veterans;

30 13. the Veterans of Foreign Wars;

- 1 14. the Vietnam Veterans of America;
- 2 15. the Korean War Veterans Association, Inc.; AND
- 3 16. the Black Veterans of All Wars, Inc.[];
- 4 17. the Maryland Coalition of the Retired Enlisted
- 5 Association; and
- 6 18. the Veterans of the Battle of the Bulge; and
- 7 (v) I shall be a veteran of the Persian Gulf War appointed from the
- 8 State at large.]

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

10 separation from active service with a uniformed service of the United States was

11 under honorable conditions].

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

13 (2) The terms of the appointed members are staggered as required by the

14 terms provided for members of the Commission on October 1, 1984.

15 (3) At the end of a term, a member continues to serve until a successor is

16 appointed and qualifies.

17 (4) A member who is appointed after a term has begun serves only for

18 the rest of the term and until a successor is appointed and qualifies.

19 (5) WHEN AN ORGANIZATION IS NO LONGER A PART OF THE

20 COMMISSION, THE APPOINTMENT SHALL TERMINATE AT THE END OF THE CURRENT

21 MEMBER'S TERM.

22 (6) A NEW ORGANIZATION MAY NOT BE APPROVED BY THE GENERAL

23 ASSEMBLY UNLESS IT IS CONGRESSIONALLY CHARTERED.

24 [9-908.] 9-917.

25 (A) From among the members of the Commission, the Governor shall appoint

26 a chairman.

27 (B) A VICE CHAIRMAN SHALL BE ELECTED BY A SIMPLE MAJORITY VOTE OF

28 THE COMMISSION.

29 [9-909.] 9-918.

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

31 (b) A member of the Commission:

32 (1) may not receive compensation; but

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

4 (c) The Department shall provide staff support to the Commission in
5 accordance with the State budget.

6 [9-910.

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

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

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

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

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

14 9-919. RESERVED.

15 9-920. RESERVED.

16 Part III. Maryland Veterans' Home Commission.

17 [9-920.] 9-921.

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

19 [9-918.] 9-922.

20 (a) The [purposes] PURPOSE of the Maryland Veterans' Home Commission IS
21 TO ADVISE THE DEPARTMENT OF ISSUES RELATED TO STATE VETERANS HOMES [are
22 to operate and to manage in the State a home for veterans].

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

25 [9-919.] 9-923.

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

27 (1) a unit of the State government;

28 (2) a political subdivision of the State; or

29 (3) any person who is interested in veterans in the State.

1 [9-921.] 9-924.

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

4 (1) 11 individuals appointed by the Governor with the advice and
5 consent of the Senate; and

6 (2) as ex officio members:

7 (i) the Governor;

8 (ii) the President of the Senate; AND

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

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

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

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

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

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

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

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

22 (2) the geographical areas of the State.

23 [9-922.] 9-925.

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

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

29 [9-923.] 9-926.

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

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

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

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

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

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

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

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

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

18 (1) may not receive compensation, but

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

21 [9-924.

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

23 [9-925.] 9-927.

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

26 (1) GOVERN ITSELF; AND

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

29 (B) THE COMMISSION:

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

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

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

6 (i) to the Governor; and

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

8 (2) The annual report shall:

9 (i) describe the activities of the Commission; and

10 (ii) include any recommendations for furthering the purposes of the
11 Commission.

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

15 [9-926.

16 (a) The Veterans' Home Commission may with the approval of the Secretary
17 adopt regulations to:

18 (1) govern itself; and

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

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

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

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

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

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

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

1 [9-930.] 9-928.

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

5 Part IV. War Memorial Commission.

6 [9-931.] 9-930.

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

9 [9-932.] 9-931.

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

11 [9-933.] 9-932.

12 (a) (1) The Commission consists of 10 members.

13 (2) Of the 10 Commission members:

14 (i) 5 shall be appointed by the Secretary of Veterans Affairs, with
15 the approval of the Governor; and

16 (ii) 5 shall be appointed by the Mayor of Baltimore City.

17 (b) Each member must be a Maryland war veteran.

18 (c) (1) The term of a member is 5 years.

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

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

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

25 [9-934.] 9-933.

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

27 (1) a chairman;

28 (2) a vice chairman; and

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

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

3 [9-935.] 9-934.

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

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

8 [9-936.] 9-935.

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

11 [9-937.] 9-936.

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

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

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

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

20 (2) The Commission shall enforce the regulations.

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

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

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2005.