

# HOUSE BILL 1561

P1

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By: **Chair, Health and Government Operations Committee (By Request -  
Departmental - Veterans Affairs)**

Rules suspended

Introduced and read first time: March 12, 2009

Assigned to: Rules and Executive Nominations

Re-referred to: Health and Government Operations, March 16, 2009

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Committee Report: Favorable

House action: Adopted

Read second time: March 25, 2009

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Veterans Trust Fund**

3 FOR the purpose of establishing the Maryland Veterans Trust Fund in the  
4 Department of Veterans Affairs for certain purposes; providing for the uses and  
5 administration of the Fund; authorizing the deposit of certain gifts and grants  
6 in the Fund under certain circumstances; authorizing the award of certain  
7 grants and loans to certain persons under certain circumstances from the Fund;  
8 requiring certain units and persons to advise the Secretary of Veterans Affairs  
9 on the administration of the Fund; requiring the Secretary to adopt certain  
10 regulations; stating a certain intent concerning certain funding; requiring the  
11 Secretary to report each year to the General Assembly on the Fund; and  
12 generally relating to the Maryland Veterans Trust Fund.

13 BY repealing and reenacting, with amendments,  
14 Article – State Government  
15 Section 9–912  
16 Annotated Code of Maryland  
17 (2004 Replacement Volume and 2008 Supplement)

18 BY adding to  
19 Article – State Government  
20 Section 9–913  
21 Annotated Code of Maryland

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2004 Replacement Volume and 2008 Supplement)

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

4 **Article – State Government**

5 9–912.

6 (a) To carry out the responsibilities and goals of the Department [concerning  
7 the home], the Department may acquire, hold, use, improve, and convey property.

8 (b) In addition to any other power under this section and subject to Title 7 of  
9 the State Finance and Procurement Article, to carry out the purposes or goals of the  
10 Department, the [home] **DEPARTMENT MAY:**

11 (1) [may] accept a gift or grant; and

12 (2) unless the terms of a gift or grant require otherwise, and subject to  
13 the approval of the Secretary[, may]:

14 (i) spend the principal and income of the gift or grant  
15 **THROUGH GRANTS OR LOANS TO:**

16 **1. VETERANS AND THEIR FAMILIES;**

17 **2. PUBLIC AND PRIVATE PROGRAMS THAT SUPPORT**  
18 **VETERANS AND THEIR FAMILIES; OR**

19 **3. ANY OTHER PROGRAMS THAT THE SECRETARY**  
20 **CONSIDERS APPROPRIATE; or**

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

22 1. general obligations of the State; or

23 2. any other security.

24 (c) **(1) GIFTS AND GRANTS THAT THE DEPARTMENT ACCEPTS UNDER**  
25 **SUBSECTION (B) OF THIS SECTION SHALL BE DEPOSITED IN THE MARYLAND**  
26 **VETERANS TRUST FUND UNDER § 9–913 OF THIS SUBTITLE.**

27 **(2) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT**  
28 **A PROGRAM FOR GIFTS AND GRANTS MADE UNDER SUBSECTION (B)(2) OF THIS**  
29 **SECTION.**

1           **(D)** (1) In addition to any other power under this section, the Department  
2 may lease any part of the home property for use as a concession or other commercial  
3 purpose that is consistent with the purposes of the Department. However, the  
4 Department may not lease its property merely for investment purposes.

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

7 **9-913.**

8           **(A) IN THIS SECTION, "FUND" MEANS THE MARYLAND VETERANS**  
9 **TRUST FUND.**

10           **(B) THERE IS A MARYLAND VETERANS TRUST FUND IN THE**  
11 **DEPARTMENT.**

12           **(C) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**  
13 **SUBJECT TO REVERSION UNDER § 7-302 OF THE STATE FINANCE AND**  
14 **PROCUREMENT ARTICLE.**

15           **(2) THE STATE TREASURER SHALL HOLD THE FUND**  
16 **SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

17           **(D) (1) THE SECRETARY SHALL ADMINISTER THE FUND.**

18           **(2) THE MARYLAND VETERANS COMMISSION, THE MARYLAND**  
19 **VETERANS' HOME COMMISSION, AND PROGRAM DIRECTORS SHALL ADVISE THE**  
20 **SECRETARY ON THE ADMINISTRATION OF THE FUND.**

21           **(E) THE FUND CONSISTS OF GIFTS AND GRANTS THAT THE**  
22 **DEPARTMENT RECEIVES UNDER § 9-912(B) OF THIS SUBTITLE.**

23           **(F) MONEY IN THE FUND MAY ONLY BE USED TO:**

24           **(1) MAKE GRANTS AND LOANS UNDER § 9-912(B)(2)(I) OF THIS**  
25 **SUBTITLE;**

26           **(2) BE INVESTED UNDER § 9-912(B)(2)(II) OF THIS SUBTITLE;**  
27 **AND**

28           **(3) PAY THE COSTS OF ADMINISTERING THE FUND THROUGH**  
29 **DISTRIBUTION TO AN ADMINISTRATIVE COST ACCOUNT IN THE DEPARTMENT.**

1 (G) (1) THE STATE TREASURER SHALL INVEST THE MONEY IN THE  
2 FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

3 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE  
4 CREDITED TO THE FUND.

5 (H) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS  
6 NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT WOULD OTHERWISE BE  
7 APPROPRIATED TO THE DEPARTMENT.

8 (I) (1) ON OR BEFORE AUGUST 31 OF EACH YEAR, THE SECRETARY  
9 SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH §  
10 2-1246 OF THIS ARTICLE, ON THE STATUS OF THE FUND.

11 (2) THE REPORT SHALL INCLUDE:

12 (I) THE GROSS AMOUNT OF GIFTS AND GRANTS CREDITED  
13 TO THE FUND;

14 (II) THE COSTS OF ADMINISTRATION OF THE FUND; AND

15 (III) A DETAILED ACCOUNTING OF THE USE OF THE FUND.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2009.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.