

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

Senate Bill 78 (Chair, Education, Health, and Environmental Affairs
Committee)(By Request - Departmental - Veterans Affairs)
Education, Health, and Environmental Affairs Health and Government Operations

Washington Cemetery Board of Trustees

This departmental bill abolishes the Washington Cemetery Board of Trustees and establishes that supervision of the cemetery is the sole responsibility of the Maryland Department of Veterans Affairs (MDVA).

Fiscal Summary

State Effect: None. The bill's requirements can be handled with existing budgeted resources.

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.

Analysis

Current Law/Background: In 1868, the General Assembly appropriated \$5,000 to bury Confederate soldiers – who died in the battles of Antietam, Crampton's Gap, South Mountain, and Monocacy – at Antietam National Cemetery. However, the trustees of Antietam National Cemetery refused to allow the remains of Confederate soldiers to be interred there. The General Assembly subsequently passed Chapter 213 of 1870, which allowed for the purchase of a lot to be used as a cemetery and specifically identified the deceased Civil War soldiers eligible for interment at the cemetery. Chapter 213 also

established the Washington Cemetery Board of Trustees to oversee the cemetery's creation and the execution of the provisions of Chapter 213.

The Washington Cemetery is located inside Rosehill Cemetery in Hagerstown. According to MDVA, Rosehill has provided perpetual care for Washington Cemetery, at no cost to the State, since its creation. Although no formal agreement exists between the State and Rosehill Cemetery, MDVA advises that a memorandum of understanding could be prepared to ensure for continued care of Washington Cemetery by Rosehill Cemetery.

Chapter 269 of 1982 transferred oversight of the Washington Cemetery Board of Trustees from the Department of General Services to the Maryland Veterans Commission. In 1999, the Maryland Veterans Commission was housed within the newly created MDVA.

State Fiscal Effect: MDVA advises that – because so little oversight of Washington Cemetery is necessary – the Board of Trustees has not met in several years. MDVA further advises that the department's oversight responsibilities related to the cemetery, if the Board of Trustees were eliminated, are very minimal: the occasional visit by a staff member being sufficient. Therefore, the resulting fiscal or operational impact, from elimination of the board is small enough that it can be handled with existing resources.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - January 12, 2010
a/ljm

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Washington Cemetery Board of Trustees

BILL NUMBER: SB 78

PREPARED BY: Maryland Department of Veterans Affairs

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.