

HB0448/483526/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 448
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Kipke**” and substitute “**Delegates Kipke, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Lopez, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Ross, Szeliga, Taveras, White Holland, Woods, and Woorman**”; and in line 18, after “1-101(b-1)” insert “and (tt-1)”.

On page 2, in line 16, strike “9-906(a)(5) and (f),” and substitute “9-906, 9-907.”.

AMENDMENT NO. 2

On page 3, after line 6, insert:

“**(TT-1) “UNIFORMED SERVICES” HAS THE MEANING STATED IN § 9-901 OF THE STATE GOVERNMENT ARTICLE.**”;

and strike in their entirety lines 19 and 20.

On page 4, after line 18, insert:

“**(A) “VETERAN” HAS THE MEANING STATED IN § 9-901 OF THE STATE GOVERNMENT ARTICLE.**

(B)”;

in line 20, strike the bracket; and strike beginning with the bracket in line 24 down through “**ARTICLE**” in line 25.

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On page 5, in line 1, after “(a)” insert “**(1)**”; in the same line, strike beginning with the comma through “means” and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2) “ELIGIBLE VETERAN” MEANS;

in lines 1 and 2, strike “armed forces of the United States” and substitute “**UNIFORMED SERVICES**”; in line 3, strike “military”; strike beginning with “(1)” in line 4 down through “(3)” in line 6 and substitute “**(I) A RESERVE COMPONENT**;

(II);

in line 7, strike “(4)” and substitute “**(III)**”; in line 8, strike beginning with the bracket through “HAS” and substitute “.

(3) “RESERVE COMPONENT” HAS THE MEANING STATED IN § 9–901 OF THE STATE GOVERNMENT ARTICLE.

(4) “VETERAN” HAS;

in lines 11, 12, and 14, in each instance, strike the brackets; and in lines 11 and 12, in each instance, strike “A”.

On page 7, in line 3, strike the bracket; and in line 4, strike “of the United States]”.

On pages 7 and 8, strike in their entirety the lines beginning with line 23 on page 7 through line 10 on page 8, inclusive, and substitute:

“9–906.

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(a) (1) In this section the following words have the meanings indicated.

(2) **IN THIS SECTION AND IN § 9–907 OF THIS SUBTITLE, “ELIGIBLE DECEDENT” MEANS:**

(I) A VETERAN;

(II) A QUALIFIED RESERVE MEMBER; OR

(III) AN ELIGIBLE SPOUSE OR DEPENDENT.

(3) “Eligible dependent” means:

(i) a child who meets the requirements stated in 38 C.F.R. § 38.620(e); [or]

(ii) a parent who meets the requirements stated in 38 C.F.R. § 38.620(i); OR

(III) A PARENT OR CHILD RELATED BY BLOOD, MARRIAGE, OR ADOPTION OF A QUALIFIED RESERVE MEMBER.

[(3)] (4) “Eligible spouse” means:

(I) a spouse who meets the requirements stated in 38 C.F.R. § 38.620(e); OR

(II) A SPOUSE OF A QUALIFIED RESERVE MEMBER.

(Over)

(5) “QUALIFIED RESERVE MEMBER” MEANS A RESERVE COMPONENT MEMBER WHO DOES NOT MEET THE REQUIREMENTS FOR BURIAL AT A NATIONAL VETERANS’ CEMETERY BUT SERVED OTHER THAN DISHONORABLY AND COMPLETED THE INDIVIDUAL’S CONTRACTUAL OBLIGATION OF SERVICE.

[(4)] (6) “State veterans’ cemetery” means a cemetery that the Department establishes under this section.

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

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

(ii) served other than dishonorably 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.

(6)] (7) “Washington Cemetery” means the Civil War cemetery grounds authorized by Chapter 213 of the Acts of the General Assembly of 1870.

(b) The Department may establish one or more cemeteries in the State for the burial of [veterans and their eligible spouse or dependents] ELIGIBLE DECEDENTS as authorized by the Secretary.

(c) The 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 Department has the approval of:

(1) the governing body of the county where the State veterans’ cemetery is to be located;

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

(3) the Board of Public Works.

(d) (1) The Department shall maintain and supervise each State veterans' cemetery.

(2) The Washington Cemetery shall be under the supervision of the Department.

(e) The Department shall provide a plot in a State veterans' cemetery, without charge, to a veteran **OR A VETERAN'S ELIGIBLE SPOUSE OR DEPENDENT** who meets the requirements of this section.

(f) To qualify for a plot in a State veterans' cemetery:

(1) the [applicant] **ELIGIBLE DECEDENT** must be:

(I) a veteran who meets the requirements for burial at a national veterans' cemetery;

(II) **A QUALIFIED RESERVE MEMBER; or**

(III) an eligible spouse or dependent [of a veteran] who meets the requirements of this subsection; and

(2) if a [veteran, the veteran] **QUALIFIED RESERVE MEMBER, THE QUALIFIED RESERVE MEMBER** must also have been a resident of the State:

(Over)

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(i) when the [veteran] **QUALIFIED RESERVE MEMBER** entered the [armed forces] **RESERVE COMPONENT**;

(ii) when the [veteran] **QUALIFIED RESERVE MEMBER** died; or

(iii) for 2 years, unless, for a reason that the Department finds compelling, the Department waives the time period.

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

(h) (1) In a plot that is allotted to a veteran **OR A QUALIFIED RESERVE MEMBER**, the Department shall bury:

(i) the veteran **OR QUALIFIED RESERVE MEMBER**; 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 QUALIFIED RESERVE MEMBER** or in the next available plot.

(2) With each plot, the Department shall provide a grave liner at no cost for the veteran or **THE VETERAN'S** eligible spouse or dependent.

(i) (1) [The] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE** Department [shall bury the] **MAY NOT CHARGE A** veteran or **A VETERAN'S** eligible spouse or dependent [without charge] **FOR BURIAL.**

(2) **IF THE INDIVIDUAL BEING BURIED IS A QUALIFIED RESERVE MEMBER OR A QUALIFIED RESERVE MEMBER'S ELIGIBLE SPOUSE OR DEPENDENT, THE DEPARTMENT SHALL COLLECT AT THE TIME OF BURIAL A FEE**

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THAT IS EQUAL TO THE ANNUAL PLOT ALLOWANCE ESTABLISHED BY THE NATIONAL CEMETERY ADMINISTRATION.

9-907.

The Department shall keep a registry of the graves of [veterans and family members of veterans] **ELIGIBLE DECEDENTS** who are buried in the State veterans' cemeteries."

On page 8, in line 15, strike the brackets; in the same line, strike "armed forces" and substitute "**UNIFORMED SERVICES**"; in line 22, strike the bracket; in line 24, strike "of the United States"; and in line 25, strike the bracket.