

National Guard's Honor Guard to attend the burial service of a deceased veteran; requiring that certain compensation set by the Adjutant General be based on the availability of certain funds; and generally relating to the compensation of the Maryland National Guard's Honor Guard.

BY repealing and reenacting, with amendments,

Article 65 – Militia

Section 6

Annotated Code of Maryland

(1998 Replacement Volume and 2001 Supplement)

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

Article 65 – Militia

6.

(a) (1) The Adjutant General may organize a uniformed honor guard from the National Guard or the organized militia to attend the burial service of a deceased veteran if:

(i) The commander of an accredited veterans' organization or a friend or relative of the deceased veteran requests an honor guard to attend the burial service;

(ii) A uniformed honor guard from the active armed forces or veterans' organization is not available; and

(iii) The Adjutant General determines that provision of an honor guard will not have a detrimental effect on the readiness of the National Guard in the event of a State or federal emergency or the employment of a National Guard member.

(2) If an honor guard from the active armed forces is not available, the Adjutant General may request an honor guard from a veterans' organization to attend the burial service of a deceased veteran.

(b) Reasonable compensation of honor guard members shall be set by the Adjutant General[, but] **BASED ON THE AVAILABILITY OF FUNDS IN THE BUDGET. COMPENSATION MAY not[to] exceed the greater of:**

(1) **[75% of 1 day's basic pay] 100% OF 1 DAYS PAY AS DETERMINED BY THE CURRENT DEPARTMENT OF DEFENSE PAY SCALE**, plus other expenses incurred to participate in the burial service of a deceased veteran; or

(2) The minimum wage required under § 3-413 of the Labor and Employment Article, plus other expenses incurred to participate in the burial service of a deceased veteran.

(c) The Adjutant General shall adopt regulations to implement this section.