



# MARYLAND MILITARY COALITION

*Serving Veterans through Legislative Advocacy*

February 29, 2024

The Honorable Pamela Beidle  
Chair, Senate Finance Committee  
3 East Miller Senate Office Building  
Annapolis, MD 21401

Subject: **Request for FAVORABLE Report with Amendment** – SB0478 – Families Serve Act

Dear Chair Beidle and Members of the Finance Committee:

The Maryland Military Coalition (MMC) recommends a **FAVORABLE report with Amendment** by the Committee on *SB0478 – Families Serve Act*, sponsored by the President at the request of the Administration. This legislation authorizes private sector employers to grant a preference in hiring and promotion to spouses of eligible service members. The legislation also requires appointing authorities in the Executive Branch of State government to grant a credit on any selection test to an eligible service member's spouse.

This legislation is a key component of Governor Moore's pledge to make 2024 the Year of the Military Family in Maryland. As Governor Moore said in his December speech:

Our military families sacrifice everything so their loved ones can serve. They are just as much a part of the American story as those in the armed forces, ...States have a duty to answer the service and sacrifice of our military families with strong support.

According to the latest Department of Defense data, the active duty uniformed spouse unemployment rate is about 21 percent<sup>1</sup> compared to the national unemployment rate of 3.7 percent<sup>2</sup> and Maryland's unemployment rate of 1.9 percent.<sup>3</sup> This bill will reduce spousal unemployment by authorizing a service member spousal hiring preference and providing a spousal hiring preference in state employment. The bill, therefore, aligns the State Personnel Management System with not only the Maryland Joins Forces focus on employment but also the

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<sup>1</sup> <https://www.defense.gov/News/Feature-Stories/Story/Article/3558394/military-spouses-to-gain-more-job-ops-thanks-to-growing-employment-partnership/#:~:text=More%20partners%20mean%20more%20job,spouses%20is%20at%20about%2021%25.>

<sup>2</sup> <https://www.bls.gov/news.release/pdf/empsit.pdf>

<sup>3</sup> <https://www.bls.gov/news.release/laus.nr0.htm>

White House Joining Forces initiative designed to reduce underemployment of active duty spouses.

There are currently 14,292 active-duty spouses in Maryland.<sup>4</sup> These spouses represent a pool of talented personnel who may be available to fill vacancies in state government. A spousal preference would not only facilitate hiring them but also recognize the sacrifices they make to support active-duty personnel and national security.

The MMC strongly supports the policies proposed in SB0478. However, we ask that the Committee favorably report the bill with an amendment to make clear that the spousal employment preference applies to all **uniformed services** spouses, not just armed forces spouses. The language in the current version of SB0478 is ambiguous as to whether the private sector spousal preference applies only to the armed forces or all the uniformed services. The bill language also confuses the two armed forces and uniformed services. Furthermore, the bill language makes clear that the state employment preference only applies to military spouses, not uniformed services spouses. We submit that there is no policy reason to apply the state employment preference only to military and not uniformed services spouses.

The armed forces consist of the Army, Navy, Air Force, Marine Corps, Coast Guard and Space Force. The uniformed services consist of the armed forces plus the Commissioned Officer Corps of the Public Health Service (PHS) and the National Oceanic and Atmospheric Administration (NOAA).

The respective Commissioned Corps of the PHS and NOAA play critical roles in Maryland. Both are headquartered in Montgomery County. Commissioned officers of the PHS serve at the National Institutes of Health, Food and Drug Administration and Center for Medicare Services. PHS officers provide all the health care for the Coast Guard, which has no organic medical personnel. There are over 1,700 PHS officers in Maryland.

SB0478 defines “eligible service member” as a “full-time active duty member of the uniformed services of any branch of the armed forces.” This definition confuses two classes of veterans since the uniformed services are not part of the armed forces. All armed forces personnel are part of the uniformed services, but the opposite is not true.

The bill provides that an employer may grant a hiring preference to the spouse of an “eligible service member” which may apply to spouses of officers of the PHS and NOAA. However, the language “member of the uniformed services of any branch of the armed forces” is confusing and could be read to exclude spouses of PHS and NOAA officers.

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<sup>4</sup> <https://statepolicy.militaryonesource.mil/state/MD>

The bill's language clearly states that the state spousal employment preference applies only to military spouses and not the spouses of all uniformed servicemembers.

The bill defines "eligible military spouse" entitled to the state employment preference as "an individual who is married to an active duty **military service member.**" The bill states that:

An appointing authority shall apply a credit of 10 points on any selection test for **an eligible military spouse.**

This language clearly excludes PHS and NOAA spouses because the PHS and NOAA are not military services.

We note the Time to Serve Act (SB0477) which increases the number of leave days for state employees who serve in the "uniformed services" with the Families Serve Act which provides a state employment preference to military spouses but not uniformed services spouses. We are puzzled as to why state employees who serve in the PHS Reserve should receive additional leave to serve but their spouses do not receive a preference in state employment. Accordingly the MMC urges the Committee to amend the bill so that it is in harmony with the definition found in the Time to Serve Act (SB0477).

SB0478 should state that "**uniformed services has the meaning stated in 38 U.S.C. §4303 and 20 C.F.R. § 1032.5(o).** The amended bill should further state that an "eligible **uniformed services spouse**" entitled to the state employment preference is " an individual who is married to an active duty **uniformed service member.**"

Finally, the bill should provide: "An appointing authority shall apply a credit of 10 points on any selection test for **an eligible uniformed services spouse.**"

The Maryland Military Coalition is a registered non-profit, non-partisan advocacy organization comprised of prominent Maryland-based veteran and military groups, representing over 150,000 service-connected individuals, including those currently serving, veterans, retirees and their families, caregivers, and survivors.

We want to thank the Governor, and Senate President for their leadership on this this legislation and their continued strong support of the uniformed services and their spouses.

Respectfully,



Jayson Spiegel  
LTC USAR (Ret)  
President

Member Organizations, Maryland Military Coalition

James P. Monahan  
Air Force Sergeants Association

Steve P. May  
American Military Society

Elwood R. Raphael Gray  
American Minority Veterans Research Project

W. W. W.  
Association of the United States Navy

Lynn A. Gask  
Commissioned Officers Association of the  
US Public Health Service

Wilbur B. Fisher  
Disabled American Veterans

Seldon H. Freedy  
Distinguished Flying Cross Association

Phyllis J. Collins  
Fleet Reserve Association

Seldon H. Freedy  
Jewish War Veterans of the USA

Steve L. Brooker  
Maryland Air National Guard Retirees'  
Association

Emmett R. Robert  
Maryland Veterans Chamber of Commerce

Robert F. Winton  
Military Officers Association of America

Charles E. Spahr  
Military Order of the Purple Heart

E. J.  
Montford Point Marines of America

M. L. Meese  
National Association for Black Veterans

Michael P. Hays  
Naval Enlisted Reserve Association

Christian Andreasen  
NOAA Association of Commissioned Officers

John S.  
Reserve Organization of America

Catherine L. McGraw  
Society of Military Widows

E. J.  
National Active and Retired Federal Employees  
Veterans Affairs Directorate, NARFE MD

M. Blackwell  
Veterans of Foreign Wars

**Maryland Military Coalition**  
**Recommended Technical Amendments – HB0604, Families Serve Act of 2024**

**Article – Labor and Employment**

3-714

(a) (1) In this section[, “eligible] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) **“ELIGIBLE SERVICE MEMBER” MEANS A FULL-TIME ACTIVE DUTY MEMBER OF THE UNIFORMED SERVICES [OF ANY BRANCH OF THE ARMED FORCES] OF THE UNITED STATES.**

(3) **“ELIGIBLE veteran”** means a veteran of [any branch of the armed forces] **THE UNIFORMED SERVICES** of the United States who has received an honorable discharge or a certificate of satisfactory completion of military service, including:

[(1)] (1) the National Guard;

[(2)] (2) the military reserves;

[(3)] (3) the Commissioned Corps of the Public Health Service; and

[(4)] (4) the Commissioned Corps of the National Oceanic and Atmospheric Administration.

(b) An employer may grant a preference in hiring and promotion to:

(1) an eligible veteran;

(2) the spouse of an eligible veteran who has a service-connected disability;

[or]

(3) **THE SPOUSE OF AN ELIGIBLE SERVICE MEMBER; OR**

(4) the surviving spouse of a deceased eligible veteran.

(c) Granting a preference under subsection (b) of this section does not violate any State or local equal employment opportunity law.

## Article – State Personnel and Pensions

7-207

(c) (1) (I) In this subsection [, “eligible] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(II) **“ELIGIBLE [MILITARY] SPOUSE” MEANS AN INDIVIDUAL WHO IS MARRIED TO AN ACTIVE DUTY [MILITARY SERVICE] MEMBER OF THE UNIFORMED SERVICES.**

(III) **“ELIGIBLE veteran” means a veteran of [any branch of the armed forces] THE UNIFORMED SERVICES of the United States who has received an honorable discharge or a certificate of satisfactory completion of military service, including the National Guard, [and] the military reserves, THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE, AND THE COMMISSIONED CORPS OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.**

(IV) **“UNIFORMED SERVICES HAS THE MEANING STATED IN § 9-1104 OF THIS ARTICLE.**

(2) (i) An appointing authority shall apply a credit of [ten] **10** points on any selection test for:

1. **AN ELIGIBLE [MILITARY] SPOUSE**

2. an eligible veteran;

[2.] **3.** the spouse of an eligible veteran who has a service-connected disability; or

[3.] **4.** the surviving spouse of a deceased eligible veteran.

(ii) An appointing authority shall apply a credit of two additional points on any selection test for a former prisoner of war.

(3) The following applicants are ineligible for a credit under this subsection:

(i) a current State employee; and

(ii) an eligible veteran who is convicted of a crime after being discharged from or completing military service.