



*Protecting the interests of the USPHS Commissioned Corps since 1951*

February 29, 2024

Honorable Pamela G. Beidle  
Chair, Finance Committee  
3 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

Subject: **Request for a FAVORABLE Report with Amendment- SB 478 Families Serve Act**

Dear Chair Beidle and members of the Senate Finance Committee:

On behalf of the 1,700 active-duty U.S Public Health Service (PHS) Officers, our 7,000 retired PHS service members, and their family members who live in Maryland, I am providing testimony on the Families Serve Act. My name is CAPT (R) Lynn Nash, and I am a retired PHS officer and a lifetime member of the Commissioned Officers Association of the U.S. Public Health Service. While I represent PHS officers on the Maryland Military Coalition, today I am here on behalf of COA and PHS families. I have lived in Montgomery County since 1995 and I made a conscious choice to remain in Maryland when I retired after 30 years of service in both the U.S. Army and the PHS.

In December, the Governor and Lt. Governor declared 2024 as the Year of the Military Family. In late January, the President offered SB 478 on behalf of the administration, which included twenty-three co-sponsors. When I read the bill, I was dismayed. While the intention of the bill was to offer a spousal hiring preference in state government positions to service spouses, something that the Coalition had offered as one of its legislative priorities at our listening session in November, what I read was a tangling of terms.

As you well know, legislation is all about the definition of terms. In my view, SB 478 is frankly a mess. I would like to point out why I am concerned as well as the needed technical changes to bring this bill into compliance with **existing state law**.

In 1984, then Governor Hughes promulgated §1-117, Article 1 of Section 28 of the Annotated Code of Maryland. Article 1 states:

**WITH RESPECT TO ANY STATE PROGRAM OF BENEFITS, RIGHTS, OR PRIVILEGES APPLICABLE TO A VETERAN UNDER THIS CODE, THE TERM "VETERAN" INCLUDES MEMBERS OF THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE AND THE COMMISSIONED CORPS OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (OR ITS PREDECESSOR, THE COAST AND GEODETIC SURVEY) IF ELIGIBLE UNDER §101, TITLE 38 OF THE U.S. CODE.**

SB 478—Families Serve Act - **Favorable with Amendments**

As currently written, **SB 478 breaks faith with USPHS and NOAA officers** who have devoted years to protect and defend the constitution, as well as protect the health and changing environment of our Nation. Do you know that we take the same oath? We just don't work for the Department of Defense.

SB 478 does exactly the opposite of the Governor's manta—**as currently written, SB 478 leaves Public Health Service and NOAA spouses BEHIND.**

As someone who has served in a military service and who finished my time on active duty in the Public Health Service, I have spent a great of time trying to educate members and their staffs about the distinct difference in the terms military, armed services, armed forces and uniformed services. Each term is separate and distinct, codified by law and they are NOT interchangeable. As a result, **I write to ask that you make the needed technical changes to bring this legislation into compliance with existing Maryland code.**

This bill is necessary because spouses have over time experienced high levels of unemployment. I have personally taken a great deal of time to raise the issue of spousal unemployment, because especially here in high-cost Maryland, most service spouses need to work. Spousal unemployment is one of the top issues that influences service members staying on active duty. Over the last 10 years, most service branches have suffered huge losses in both recruiting and retention. Improving spousal employment is focus area 1 in **Maryland Joins Forces** and the White House's **Joining Forces** initiatives.

As the Maryland Military Coalition points out, there are more than 15,000 active-duty spouses. Maryland state government has over 9,000 vacancies remaining, even after the Administration's actions to reduce that number. **Correcting the language in SB 478 does not cost anything** and passing an amended bill will do much to help service spouses, including those married to a PHS or NOAA officer, get meaningful employment as well as fill existing government vacancies with much needed talent.

I ask that you make the very needed technical amendments to SB 478, which the Maryland Military Coalition has provided, to bring the legislation into compliance with existing Maryland code. Then, once amended, that you give this bill a **favorable report with amendments.**

Respectfully,



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HARRY HUGHES, Governor

2291

Approved May 15, 1984.

CHAPTER 343

(Senate Bill 408)

AN ACT concerning

Veterans - Definition

FOR the purpose of including members of certain uniformed services in the definition of "veteran" for the purpose of certain State programs .

BY adding to

Article 1 - Rules of Interpretation  
Section 28  
Annotated Code of Maryland  
(1981 Replacement Volume and 1983 Supplement)

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

Article 1 - Rules of Interpretation

28.

WITH RESPECT TO ANY STATE PROGRAM OF BENEFITS, RIGHTS, OR PRIVILEGES APPLICABLE TO A VETERAN UNDER THIS CODE, THE TERM "VETERAN" INCLUDES MEMBERS OF THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE AND THE COMMISSIONED CORPS OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OR ITS PREDECESSOR, THE COAST AND GEODETIC SURVEY) IF ELIGIBLE UNDER §101, TITLE 38 OF THE U.S. CODE .

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 15, 1984.

CHAPTER 344

(Senate Bill 440)

AN ACT concerning

**Maryland Military Coalition**  
**Recommended Technical Amendments – SB 478, 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.