

Maryland Military Coalition HB0494 Written Testimo

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MARYLAND MILITARY COALITION

Serving Veterans through Legislative Advocacy

February 10, 2025

The Honorable Marc Korman
Chair, Environment and Transportation Committee
250 Taylor House Office Building
Annapolis, MD 21401

Subject: Request for **FAVORABLE Report with Amendments** – HB0494 – Recreational Equality for Service Members Act

Dear Chair Korman and distinguished members of the Environment and Transportation Committee:

On behalf of the members of the Maryland Military Coalition (MMC), I write to recommend a **FAVORABLE report with Amendments** by the Committee on **HB0494 – Recreational Equality for Service Members Act**, sponsored by Delegate Nick Allen. The bill will update and change the application of certain provisions of law governing natural resources to apply to all uniformed services rather than only the armed forces. It is a **positive step in making the Maryland Code consistent with U.S. Code in the use of terms related to the uniform services**, which the MMC endorses. However, our recommendation of a FAVORABLE report with Amendments is based on the definition of “veteran” being proposed in the bill compared with that in § 1-117, Veteran, of the State Government Article of the Maryland Code.

General Provisions § 1-117 defines a veteran as an individual “eligible under 38 U.S. Code § 101, a member of the commissioned corps of: (1) the Public Health Service; or (2) the National Oceanic and Atmospheric Administration or its predecessor, the Coast and Geodetic Survey.” The language that is proposed in Article – State Government § 9-901 (M) uses the definition of “veteran” found in 38 U.S. Code § 101, in which § 101 (2) states that the “term ‘veteran’ means a person who served in the active military, naval, air, or space service, and who was discharged or released therefrom under conditions other than dishonorable.” That subparagraph, **38 U.S. Code § 101 (2), by itself, does not include the commissioned corps of both the Public Health Service (PHS) and the National Oceanic and Atmospheric Administration (NOAA) and could be interpreted differently from the existing definition in Maryland’s General Provisions § 1-117, which does.** The MMC believes this could lead to an interpretation that veterans who served honorably with PHS and NOAA are not eligible.

Subject: Request for FAVORABLE Report with Amendments – HB0494 – Recreational Equality for Service Members Act

The MMC's position is to make certain that those who have served in the PHS and NOAA continue to have the same rights and benefits as those who have served in the armed forces and received a DD Form 214 that is other than dishonorable. Our position is also to make certain that all federal and state legal references supporting the above clearly indicate the same to those who will use these references in the future. **We respectfully request that the language be amended to read that "veteran" has the meaning stated in § 1-117 of the General Provisions Article.**

The specific instances where these amendments should be made are as follows:

- Page 3, lines 8-13: restore the deleted text in § 1-117 and delete the reference to 38 U.S. Code § 101.
- Page 10, lines 3-6: amend the language to read that "veteran" has the meaning stated in § 1-117 of the General Provisions Article.

The Maryland Military Coalition **strongly supports HB0494** and asks for a **FAVORABLE report with Amendments** as noted above. Updating and implementing the proposed changes will make the Maryland Code consistent with the U.S. Code for key terms related to the uniformed services and will decrease their misuse in future legislation and policymaking.

The Maryland Military Coalition is a registered non-profit, nonpartisan advocacy organization comprised of 22 prominent Maryland-based veteran and military groups. It represents over 150,000 service-connected individuals, including those currently serving, veterans, retirees and their families, caregivers and survivors. Visit our website at <https://mdmilcoalition.org/>.

We want to thank Delegate Allen for sponsoring this legislation and for supporting the uniformed services community in Maryland.

Respectfully,



David L. Dragics
COL (Ret), U.S. Army
Legislative Director



Member Organizations of the Maryland Military Coalition

Air Force Sergeants Association

American Military Society

American Minority Veterans Research Project

Association of the United States Navy

Commissioned Officers Association of the U.S. Public Health Service

Disabled American Veterans

Fleet Reserve Association of Annapolis

Jewish War Veterans of the U.S.A

Maryland Air National Guard Retirees' Association

National Active and Retired Federal Employees, Maryland Veterans

Maryland Veterans Chamber of Commerce

Military Officers Association of America

Military Order of the Purple Heart

Military Order of the World Wars

Montford Point Marines of America

National Association of Black Veterans

National Active and Retired Federal Employees, Maryland Veterans

Naval Enlisted Reserve Association

NOAA Association of Commissioned Officers

Platoon 22

Reserve Organization of America

Society of Military Widows

Veterans of Foreign Wars

HB494_Nash_FWA

Uploaded by: Lynn Nash

Position: FWA



Commissioned Officers Association of the United States Public Health Service

Protecting the interests of the USPHS Commissioned Corps since 1951

February 12, 2025

The Honorable Marc Korman
The Honorable Regina T. Boyce
House Environment and Transportation Committee
250 Taylor House Office Building
Annapolis, MD 21401

Subject: Request for **FAVORABLE Report with Amendments – HB 494 – Recreational Equality for Service Members Act**

Dear Chair Korman, Vice Chair Boyce and Distinguished Members of the House Environment and Transportation Committee:

As the Maryland Military Coalition Director representing the Commissioned Officers Association, I write to request a **FAVORABLE Report with Amendments** for SB 282 – Recreational Equality for Service Members Act. As a retired U.S. Public Health Officer, I have first-hand witnessed events where members of my Corps were denied benefits given to other service members because of the language written or more likely omitted in legislation. Over the past several years, I have worked relentlessly to try and remediate legislation before it is enacted to ensure that the correct terms and meaning are understood by everyone. As an example, last session I requested an amendment and succeeded in getting inclusion of U.S. Public Health Service and National Oceanic and Atmospheric Administration spouses into the Families Serve Act, where service spouses receive priority hiring for Maryland State Government positions. This session, I am asking for a similar amendment to the Burial Equity Act, to codify what is already happening in Maryland State Cemeteries.

HB 475 updates and changes the application of certain provisions of law governing natural resources to apply to **ALL** uniformed services, including both the U.S. Public Health and National Oceanic and Atmospheric Administration Commissioned Corps Officers who are NOT members of the armed forces. This is important Maryland Statute General Provisions § 1-117 states:

“With respect to any State program of benefits, rights, or privileges applicable to a veteran under this Code, “veteran” includes, if the individual is eligible under 38 U.S.C. § 101, a member of the commissioned corps of:

- (1) the Public Health Service; or
- (2) the National Oceanic and Atmospheric Administration or its predecessor, the Coast and Geodetic Survey.

Request for **FAVORABLE Report with Amendments** – HB 475 – Recreational Equality for Service Members Act

However, 38 U.S. Code §101 (2) is less explicit. It states “the term ‘veteran’ means “a person who service in the active military, naval, air or space service, and who was discharged or released therefrom under conditions other than dishonorable”.

Maryland is home to the **headquarters of both the U.S. Public Health Service AND National Oceanic and Atmospheric Administration Commissioned Corps**. In addition to my headquarters, U.S. Public Health Service serve in Department of Health and Human Services operating administrations including the **National Institutes of Health**, the **Food and Drug Administration**, the **Health Resources and Services Administration, Substance Abuse and Mental Health Services Administration**, as well as the **Centers for Medicare and Medicaid Services**, among others. There are over 1,390 active-duty officers, 8 Ready Reservists and nearly 7,000 retired officers living in Maryland.

I served for a total of 30 active-duty years in both the Army as well as Public Health. I served under combat during Desert Storm – Desert Shield and also under “combat” fighting public health “wars” including 9/11, the Anthrax Attacks on the Capitol, New York and Florida, Hurricanes Katrina and Rita, the Fukushima Daiichi disaster, Ebola and other major public health events. More often than not, my PHS duties placed me in more perilous positions than much of my Army time. I have TWO DD-214s, and by Maryland law, I am a veteran. While I can continue to go about and attempt to right the wrongs of previous legislation on a case-by-case basis, it seems more efficient to update relevant Maryland code to be inclusive of **ALL** uniformed services.

Public Health and NOAA officers work hard and undertake significant activities to improve the health and safety of the Nation. They deserve inclusion in Maryland statute and access to all benefits received by other services. I respectfully request that HB 475 be amended to read that “veteran” has the meaning stated in Maryland Statute General Provisions § 1-117 and request that this Committee give a **FAVORABLE report** to the amended bill.

Delegate Allen, I am grateful to you for sponsoring not only this bill in coordination with Senator Simonaire, but also the other Maryland Statute uniformed services updates that you and others have offered. I know it took a tremendous amount of work to draft these. Thank you for your on-going support of **ALL** of the uniformed services community in Maryland.

Respectfully,



Lynn A. Nash, PhD, RN, PHCNS-BC, FAAN
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Commissioned Officers Director
Maryland Military Coalition
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