



Maryland Military Law Package



Most Comprehensive Overhaul in Modern History

- Over 500 References
- Over 200 Statutes
- Nearly every Article

- Veterans
- Service members
- Reserves
- National Guard



Bi-Partisan Legislative Package



8 Bill Legislative Package

HB 448 Modernization of Military Laws Act

HB 691 Tax Relief & Pensions Equality

HB 895 Business & Insurance Equality

HB 475 Transportation Equality

for
Service
Members Act

HB 466 Health Equality

HB TBD Judicial & Public Safety Equality

HB 494 Recreational Equality

HB 600 Educational Equality

The Problem: Inconsistent Definitions

Different Definitions
Throughout our Articles
Example: “**Service Member**”

Health

Education

Labor &
Employment

Commercial
Law

Financial
Institutions

Tax –
Property

Public
Safety

The Problem: Undefined Terms

Undefined and Inconsistent Terms
Throughout our Articles

Veteran

Reserve Component

Armed Forces

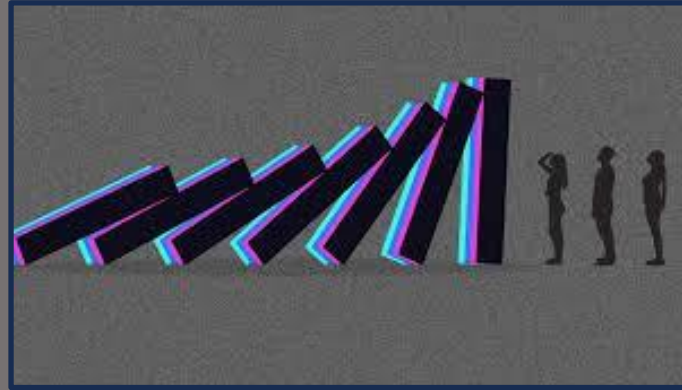


Service Member

Active Duty

Military Families

The Problem: Inconsistent and Undefined Terms



Negative Outcomes

1. Inconsistent Laws Create Confusion
2. Inconsistent Benefits Provided to our Service Members
3. A Nightmare to Update Military terms
4. Keeps Maryland Out-of-Sync with Federal Agencies



HB 448 - Modernization of Military Laws



1. Completely Restructures our Laws
into 21st Century

2. Equal Treatment for all Service Members

3. Authorizes Dept to Support Service Members

Benefits

- Equal Access to Benefits & Services
- Consistent Treatment for All Members
- Easy Revisions to Future Laws
- Simplify Interaction with Federal Agencies



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21st Century Maryland Military Laws



Varying
Definitions

Standardization

- Consistent Terminology and Laws
- Align with many Federal Definitions

Base Federal Definitions
Embrace Dept 's Goals

Local
Definitions

Centralization

- Terminology Centralized in One Section
- All Articles Reference One Section

1 Centralized Location
Easy Future Revisions

Military ID
Military Reserves

Modernization

- Incorporate 21st Century Terminology
- Include All Branches & Reserve Units

Uniformed Services ID
Reserve Components



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UNIFORMED SERVICES

Consist of 8 Branches

6 Military Branches

2 Non-Military Branches

ARMED FORCES

AIR FORCE
ARMY
COAST GUARD
MARINES
NAVY
SPACE FORCE

~ 1.3 MILLION ACTIVE DUTY

RESERVES

AIR FORCE
ARMY
MARINES
NAVY
AIR NATIONAL
GUARD
ARMY NATIONAL
GUARD

PHS

COMMISSIONED OFFICER CORPS

(HQ in Bethesda)

~ 5,300 ACTIVE DUTY

~ 1000 IN MARYLAND

RESERVES

PHS READY
RESERVE

NOAA

COMMISSIONED OFFICER CORPS

(HQ in Silver Springs)

~ 330 ACTIVE DUTY

~ 85 IN MARYLAND

PHS – United States Public Health Services

NOAA – National Oceanic & Atmospheric Administration

PHS & NOAA

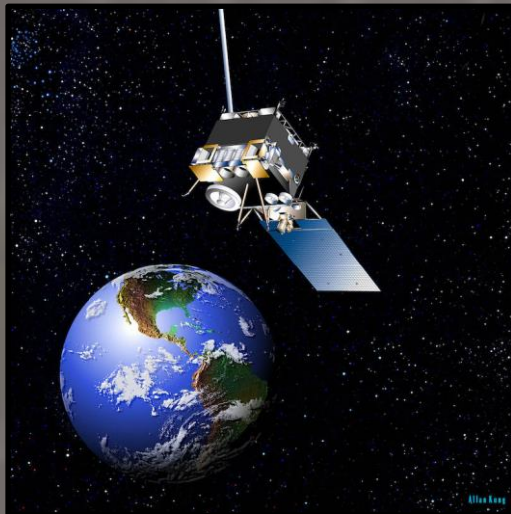
Serves & Protects our Nation



NOAA – Supported mine sweeping in Gulf.



PHS – Deployed 100s to Iraq & Afghanistan conflict.



NOAA – Coordinates weather satellite data with military operations



PHS – Deployed to Africa fighting Ebola



COMMISSIONED CORPS OF THE U.S. PUBLIC HEALTH SERVICE

[About Us](#)
 [Career Fields](#)
 [Recruitment Questions](#)

All 8 Branches Protect our County...

... All 8 Branches Deserve Equal Respect & Treatment!





Creating Equal Treatment

Updating laws to:

- Change 'Armed Forces' to 'Uniformed Services' where appropriate
- Change 'military' terminology to 'inclusive' language
 - Applies to almost every article



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Departmental Authority

Mission Statement

DEPARTMENT OF
Veterans & Military Families

HOME BENEFITS HEALTH EMPLOYMENT MARYLAND LIVING REPORTS/TRAINING

About Us

- > Mission/Staff Directory
- > Downloadable Brochure
- > Maryland Joins Forces
- > Find A VA Benefits Office
- > Cemeteries/Memorials
- > Charlotte Hall Veterans Home
- > Veterans Trust Fund
- > Women Veterans/Inclusion Program
- > Public Affairs/Outreach

About The Maryland Department of Veterans and Military Families

The Maryland Department of Veterans and Military Families (DVMF) was created by the State Legislature in 1999 as an executive agency with the mission of leading veterans, service members, and their families through life's transitions. The Department's origin follows the history of the Maryland Veterans Commission back to 1924, when the Soldiers' Relief Fund Commission was formed to administer a State relief fund for disabled veterans of World War I.

The State of Maryland pledges to provide constituents, businesses, customers, and stakeholders with services in the following manner:

- **Friendly and Courteous:** We will be helpful and supportive and have a positive attitude and passion for what we do.
- **Timely and Responsive:** We will be proactive, take initiative, and

10 (2) The Secretary is responsible for:

11 (I) the operation of the Department and shall establish guidelines

12 and procedures to promote the orderly and efficient operation of the Department; AND

13 (II) **THE DEVELOPMENT OF COORDINATED POLICIES FOR**

14 **LEADING VETERANS, SERVICE MEMBERS, AND THEIR FAMILIES THROUGH LIFE'S**

15 **TRANSITIONS, INCLUDING ASSISTING IN SECURING BENEFITS EARNED THROUGH**

16 **SERVICE IN THE UNIFORMED SERVICES AND RESERVE COMPONENTS.**



Departmental Authority

Updating laws to:

- Support our Service Members
 - Codify Existing Duties
 - Grant Authority in law



Miscellaneous

- Organized package based on committee subject matter
 - Military Families definition
 - General Provisions – Rules of Interpretation



COLLABORATION

Collaboration and Amendments

- Worked with 12 State Departments
- Worked with Uniformed Services Branches
- Worked with Military Advocacy Groups
 - Worked with Military Legal Experts
 - Worked with Numerous Stakeholders
 - Worked extensively with DLS
- Amendments – A Few Tweaks to align with goals of Department



HB 448 - Modernization of Military Laws



Maryland a Model for Other States!

Ask for Favorable Consideration!

Completely Restructures our Laws
into 21st Century

Equal Treatment for all Service
Members

Authorizes Dept to Support Service
Members



HB 448 - Modernization of Military Laws



Support Material



Amendments in Progress



(1) **Veteran definition:** Working with the Department and the Governor's office to revise the 'veterans' definition as the Department is considering future changes to the definition that would be more expansive than the Federal definition in 38 USC 101. That would be potentially future legislation, not included in this bill. The definition will still line up with the package's goal of including all 8 branches of the Uniformed Services. Amendment to come upon consensus with all stakeholders.

(2) **Honorable Discharged:** Working with the Department and the Governor's office to restore all references to 'honorably discharged' that were removed in this bill. It was incorrectly thought the federal definition of 'veteran' was for 'honorably discharged' individuals. It is actually for 'discharged or released there from under conditions other than dishonorable', which is different. Therefore, we will be amending the bills to restore the 'honorable discharge' language any place it was removed in Maryland law. It was thought this was simply redundant language that was described in the federal definition, which was not the case. Again, we are not changing the underlying policy. This amendment ensures that the underlying policy remains the same but is equal across all 8 branches. Amendment to come upon consensus with all stakeholders.

(3) **Miscellaneous Technical or Clarifying:** Working with the Department and the Governor's office to update minor technical corrections or clarifications. Amendment to come upon consensus with all stakeholders.



38 USC 101



(2) The term "**veteran**" means a person who served in the **active military, naval, air, or space service**, and who was discharged or released there from under conditions other than dishonorable

(24) The term "**active military, naval, air, or space service**" includes-

(A) **active duty**

(B) any period of active duty for training during which the individual concerned was disabled or died from a disease or injury incurred or aggravated in line of duty; and

(C) any period of inactive duty training during which the individual concerned was disabled or died-

(i) from an injury incurred or aggravated in line of duty; or

(ii) from an acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident occurring during such training.

(21) The term "**active duty**" means-

(A) full-time duty in the **Armed Forces**, other than active duty for training;

(B) full-time duty (other than for training purposes) as a commissioned officer of the **Regular or Reserve Corps** of the **Public Health Service** (i) on or after July 29, 1945, or (ii) before that date under circumstances affording entitlement to "full military benefits" or (iii) at any time, for the purposes of chapter 13 of this title;

(C) full-time duty as a commissioned officer in the commissioned officer corps of the **National Oceanic and Atmospheric Administration** or its predecessor organization the Coast and Geodetic Survey (i) on or after July 29, 1945, or (ii) before that date (I) while on transfer to one of the Armed Forces, or (II) while, in time of war or national emergency declared by the President, assigned to duty on a project for one of the Armed Forces in an area determined by the Secretary of Defense to be of immediate military hazard, or (III) in the Philippine Islands on December 7, 1941, and continuously in such islands thereafter, or (iii) at any time, for the purposes of chapter 13 of this title;

(D) service as a cadet at the United States Military, Air Force, or Coast Guard Academy, or as a midshipman at the United States Naval Academy; and

(E) authorized travel to or from such duty or service.



General Provisions & State Govt Article



General Provisions 1-117

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.~~

AN INDIVIDUAL WHO MEETS THE DEFINITION OF “VETERAN” UNDER § 9-901 OF THE STATE GOVERNMENT ARTICLE.

State Govt 9-901

(f) Except as otherwise provided ~~[in this subtitle]~~, “veteran” means an individual who served on active duty in the ~~[armed forces of the United States]~~, **UNIFORMED SERVICES** other than for training, and was discharged or released under conditions other than dishonorable.

State Govt 9-901

(L) **UNIFORMED SERVICES** HAS THE MEANING STATED IN 37 U.S.C. § 101

37 USC 101:

(3) The term "uniformed services" means the Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, **National Oceanic and Atmospheric Administration**, and **Public Health Service**.