



MARYLAND MILITARY COALITION

Serving Veterans through Legislative Advocacy

February 7, 2025

The Honorable Joseline A. Pena-Melnyk
Chair, Health and Government Operations Committee
240 Taylor House Office Building
Annapolis, MD 21401

Subject: Request **FAVORABLE Report with Amendment** – HB0448 – Modernization of Military Laws Act

Dear Chair Pena-Melnyk and distinguished members of the Health and Government Operations Committee:

On behalf of the members of the Maryland Military Coalition (MMC), I write to recommend a **FAVORABLE report with Amendment** by the Committee on **HB0448 – Modernization of Military Laws Act**, sponsored by Delegate Nicholas Kipke. This bill will update selective Articles of the Maryland Code through the adoption, integration, and proper use of definitions related to the uniformed services found in 10 U.S. Code § 101 and 38 U.S. Code § 101. Our recommendation of a FAVORABLE report with Amendment, however, 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, which 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.

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 4, lines 20-25: restore the deleted text in § 1-117 and delete the reference to 38 U.S. Code § 101.
- Page 6, lines 20-23: 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 HB0448** and asks for a **FAVORABLE report with Amendment** from the Health and Government Operations Committee. Making the Maryland Code consistent with the U.S. Code for key terms related to the uniformed services will decrease their misuse in future legislation and policymaking.

The Maryland Military Coalition is a registered non-profit, non-partisan advocacy organization comprised of 22 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. Visit our website at <https://mdmilcoalition.org/>.

We want to thank Delegate Kipke for sponsoring this legislation and his support of 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