

VeteransCaucusLegislationSupportLetter_SB280.pdf

Uploaded by: Benjamin Brooks

Position: FAV



MARYLAND GENERAL ASSEMBLY
VETERANS CAUCUS

January 28, 2025

Senator William Smith, Chair
Judicial Proceedings Committee
3E Miller Senate Office Building
Annapolis, MD 21401

Re: SB280, Judicial and Public Safety for Service Members Act
Hearing Date: January 30, 2025

Dear Chairman Smith,

Please let this letter serve as notice of the support of the Maryland General Assembly Senate Veterans Caucus for Senate Bill 280.

After review by our respective legislative committees, the Senate Veterans Caucus believes that the above-mentioned legislation would provide a valuable benefit to the veterans of the State of Maryland.

With kindest regards,

A handwritten signature in cursive script that reads "Benjamin F. Brooks".

Senator Benjamin Brooks
Senate Chair

cc: Senator Bryan Simonaire

SB280 The American Legion

Uploaded by: David Heredia

Position: FAV



THE AMERICAN LEGION
Department of Maryland, Inc.

The War Memorial Building, Baltimore, Maryland 21202
410-752-1405

January 29, 2025

David Heredia, Jr.
Commander, Department of Maryland
The American Legion
101 N. Gay Street, Suite E
Baltimore, MD, 21202

The Honorable Bryan W. Simonaire
Maryland State Senate
11 Bladen Street
Annapolis, MD 21401

The Honorable Michael A. Jackson
Maryland State Senate
11 Bladen Street
Annapolis, MD 21401

cc: Senate Judicial Proceedings Committee
The Honorable Johnny Salling, J.B. Jennings, Jason Gallion, Johnny Mautz, and Jack Bailey

Subject: Support for SB 280 – Judicial and Public Safety for Service Members Act

Dear Senator Simonaire and Honorable Co-Sponsors,

On behalf of The American Legion Department of Maryland and our over 42,000 members, I would like to express our full support for Senate Bill 280 – The Judicial and Public Safety for Service Members Act. This vital piece of legislation acknowledges the sacrifices made by our service members and seeks to provide them with the legal protections and public safety measures they rightfully deserve.

Our service members, including active-duty personnel, National Guard members, and Reservists, dedicate their lives to protecting our freedoms. In return, it is our duty as a state to ensure they are not unduly burdened by judicial or public safety matters that can arise while they are deployed or serving in demanding capacities. SB 280 strengthens legal safeguards for service members, addressing issues such as:

- Judicial Protections – Ensuring that service members are not disadvantaged in legal proceedings due to their military obligations.
- Public Safety Measures – Enhancing law enforcement and emergency response coordination to support service members and their families.
- Fair Access to Legal Resources – Providing military personnel with appropriate accommodations in judicial matters, preventing undue penalties resulting from service-related absences.

This legislation aligns with Maryland's longstanding commitment to its veterans and military community. It reinforces the principles of fairness and justice while ensuring that those who protect us are protected in return.

On behalf of the over 350,000 veterans, active-duty service members, National Guard, and Reservists in Maryland, I respectfully urge you to support SB 280 and advocate for its swift passage. Our service members stand for us every day—this bill is a meaningful step to stand for them.

Thank you for your time and commitment to supporting those who serve. I welcome the opportunity to discuss this further and appreciate your leadership on this critical issue.

Sincerely,

David Heredia Jr.

David Heredia, Jr.
Commander, Department of Maryland
The American Legion

cc: Senate Judicial Proceedings Committee

The Honorable Johnny Salling, J.B. Jennings, Jason Gallion, Johnny Mautz, and Jack Bailey

Written Testimony - SB 280 - Simonaire - Judicial

Uploaded by: Joseph Pruden

Position: FAV

Chair Smith, Vice Chair Kagan and members of this committee.
Thank you for this opportunity to address you regarding Senate Bill 48.

My name is Joseph Pruden and I am addressing you behalf of the nearly 81,000 members of the American Legion Family in 157 posts throughout the State of Maryland.

As proud veterans and advocates for our military and veteran communities, we strongly believe this legislation is a critical step forward in aligning Maryland's laws with federal standards. By standardizing definitions and broadening the scope of who is recognized as a veteran, this bill ensures equitable access to members of the Public Health Service and NOAA.

This assures that all who have served in uniform will receive benefits and resources they deserve.

This modernization is not just about updating language; it's about honoring the sacrifices of all service members and ensuring they receive the support they've earned.

We thank Senator Bryan Simonaire for his efforts and for sponsoring this bill.

We urge your favorable consideration of this legislation.

Thank you.

SB 280 Hugh McClean_UMB School of Law.pdf

Uploaded by: Kara Contino

Position: FAV



School of Law
The Bob Parsons Veterans
Advocacy Clinic

1420 N. Charles St.
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January 23, 2025

Judicial Proceedings Committee
Miller Senate Office Building
11 Bladen Street
Annapolis, MD

Re: Letter in Support of Senate Bill 280

Dear Honorable Committee Members,

I respectfully submit this letter in support of Senate Bill (“SB”) 280, the Tax Relief & Pensions Equality for Service Members Act. I am an Associate Professor and Director of the Bob Parsons Veterans Advocacy Clinic at the University of Baltimore School of Law. I founded the clinic in 2014, and I have supervised student-attorneys in the representation of veterans in a wide variety of litigation and legislative initiatives for the last ten years. Prior to joining the faculty, I served in the U.S. Air Force Judge Advocate General Corps from 2003 to 2014, and was on the faculty at the U.S. Air Force Academy, Colorado Springs, Colorado.

I fully support the interpretations and definitions outlined in SB 280. The bill clearly defines military terms that are important in the designation of certain benefits. The bill removes previous ambiguity in military terminology. Where appropriate, the bill incorporates definitions from the U.S. Code, thereby maintaining continuity between military terminology in state and federal law.

For the above reasons, I fully endorse SB 280. Please do not hesitate to contact me with questions at hmclean@ubalt.edu.

Sincerely,

A handwritten signature in black ink that reads 'Hugh McClean'.

Hugh McClean

SB 280 Senator Simonaire_FAV.pdf

Uploaded by: Kara Contino

Position: FAV

BRYAN W. SIMONAIRE
Legislative District 31
Anne Arundel County

Education, Energy, and the
Environment Committee

Joint Committee on the Chesapeake and
Atlantic Coastal Bays Critical Area



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11 Bladen Street, Room 320
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The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

SB 280 - " Judiciary & Public Safety Equality for Servicemembers Act "

I am Senator Bryan Simonaire presenting SB 280.

I am very excited to be presenting a package of bills that represents the most comprehensive overhaul of military law in our state's modern history.

The package consists of 8 bills:

At the core is SB 275 - Modernization of Military Laws Act

Along with 7 other bills covering all of Maryland Laws

I have worked directly with the Uniformed Services, military advocates, federal and state agencies, military legal experts and our DLS legal counsel to draft a consensus and workable solution.

This being the first bill hearing of the package I wanted to give you an overview of what the package does:

1. Completely restructures Maryland's military law into the 21st century with modernized and standardized terms that are also strategically centralized in one location
2. Establishes consistent and equal benefits among all 8 Uniformed Services branches and reserve units, and
3. Authorizes the Department of Veterans and Military Families to provide support to our service members, in addition to our veterans.

The advantages are namely:

1. Updates current laws to provide over 100 additional benefits that were being denied to various former and current service members simply because of inconsistent and outdated terminology.
2. Creates a centralized structure that facilitates easy, consistent and standard military laws for future revisions.
3. Codifies the Department's authority and duty to support the service members.

To get an idea of the magnitude of this package, every legislator received a memo this past November from the Department of Veterans and Military Families highlighting 34 sections in our laws with inconsistencies in military terminology.

In contrast, this comprehensive legislative package updates more than 230 sections with over 500 revisions touching nearly every article.

But first a brief refresher on terms so my presentation makes sense:

The term 'Uniformed Services' is comprised of 8 federal branches.

There are 6 military branches of the Uniformed Services (~ 1.3 million active duty):

Referred to as the 'Armed forces':

Air Force, Army, Coast Guard, Marines, Navy and Space Force

There are 2 non-military branches of the Uniformed Services (~6,000 active duty nationwide)

- Commissioned Corps Officers of the Public Health Services (PHS)
- Commissioned Corps Officers of the National Oceanic Atmospheric and Administration (NOAA)

I am sure we are all familiar with what our military branches do, but some may not realize what the other non-military branches do to protect our nation.

I won't discuss all PHS and NOAA responsibilities, but I will highlight a few tasks.

PHS sent hundreds of officers over to Afghanistan to assist during the war. Additionally, they were sent over to Africa to help when there was an Ebola outbreak to contain it.

NOAA is involved in almost every mission performed by our military through its coordination of their satellites and weather capabilities. Additionally, you may not know that NOAA was in the Gulf helping sweep for mines during the war.

And that brings me to SB 280. which improves the Courts & Judicial Proceedings Article by updating the uniformed services term to be inclusive of all 8 branches in areas, such as:

1. Consideration for individuals going on duty assignments,
2. Not charging for copies of a marriage certificate, and
3. Uses the Standardized Veteran definition for the Court Dog Program.

This bill updates the Criminal Law Article by updating the uniformed services term to be inclusive of all 8 branches in areas, such as:

1. Using the term 'uniformed services' identification card opposed to 'military identification' as that is the correct terminology.

This bill updates the Family Law Article by updating the uniformed services term to be inclusive of all 8 branches in areas, such as:

1. Timing exemption on marriage licenses for service members, and
2. Consideration for individuals going on duty assignments and deployments.

This bill updates the Public Safety Article by updating the uniformed services term to be inclusive of all 8 branches in areas, such as:

1. Receiving a state flag if died while performing duty,
2. Using the term 'uniformed services' identification card opposed to 'military identification' as that is the correct terminology.
3. Referring to all the honor guards in the uniformed services,
4. Regarding dishonorable discharges,
5. Requirements for all branches in MD Defense Force commissions,
6. Exemptions for the prohibitions on wearing uniforms for all branches,
7. Regarding termination of contracts after receiving orders to relocate apply to all branches of the uniformed services,
8. Prohibitions on refusing service to someone wearing a uniform for all branches, and
9. Provide clarity in military definitions.

Lastly, I would note that in general, these bills are not changing the underlying policy but providing equality among our service members. And worked very hard to keep the fiscal note to zero or within all the Department's current budget.

I could go into much greater depth but will stop there and say, "For all these reasons, I ask for your favorable consideration."

Maryland Military Coalition SB0280 Written Testimo

Uploaded by: DAVID Dragics

Position: FWA



MARYLAND MILITARY COALITION

Serving Veterans through Legislative Advocacy

January 28, 2025

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Subject: Request for **FAVORABLE Report with Amendments** – SB0280 – Judicial and Public Safety for Service Members Act

Dear Chair Feldman and distinguished members of the Education, Energy, and the Environment 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 **SB0280 – Judicial and Public Safety for Service Members Act**, sponsored by Senator Bryan Simonaire. The bill will update and change the application of certain provisions of law governing judicial proceedings, corrections, criminal, family, public safety, and real property laws 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 FAVORABLE Report with Amendment – SB0280 – Judicial and Public Safety 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 12, lines 11-16: restore the deleted text in § 1-117 and delete the reference to 38 U.S. Code § 101.
- Page 24, lines 11-14: 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 SB0280** 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 Senator Simonaire 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

MCPA-MSA SB 280 Judicial and Public Safety support

Uploaded by: Samira Jackson

Position: FWA



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith Jr., Chair and
Members of the Senate Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: January 30, 2025

RE: **SB 280: Judicial and Public Safety for Service Members Act**

POSITION: **SUPPORT with Amendment**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **support with amendment SB 280**. The MCPA/MSA wholly supports our military veterans and legislation that assists with ensuring they receive services to which they are entitled.

SB 280 establishes rules of interpretation related to the uniformed services; altering the rule of interpretation for "veteran"; and altering the application of certain provisions of judicial proceedings, corrections, criminal, family, public safety, and real property laws to apply to all uniformed services, rather than only the armed forces.

The MCPA/MSA offers that the provision under 3-209.28 (a) requiring certification as a police officer any individual having less than an honorable discharge from military service, so long as they have applied to become a citizen of the United States, creates considerable concern. Specifically, the bill states:

3-209 (a) The Commission shall certify as a police officer each individual who: 29 (5) (ii) subject to subsection (b) of this section, is a permanent legal resident of the United States and [**an honorably discharged**] A veteran [of the United States armed forces], provided that the individual has applied to obtain United States citizenship and the application is still pending approval.

The Uniformed Services of the United States delineate five (5) types of discharge from military service. These are:

- **Honorable Discharge:** Considered the most favorable discharge, signifying exemplary service.
- **General Discharge (Under Honorable Conditions):** Indicates service with minor issues, still considered generally positive.
- **Other Than Honorable Discharge (OTH):** A less favorable discharge, often due to administrative issues or misconduct not severe enough for a Bad Conduct Discharge.
- **Bad Conduct Discharge (BCD):** A punitive discharge given by a court-martial for serious misconduct.

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Dishonorable Discharge: The most severe discharge, awarded for serious criminal offenses or extremely poor conduct.

Any discharge less than **honorable** raises concerns as to the integrity, honesty, conduct, and potential criminal convictions of an individual under the Uniform Code of Military Justice (UCMJ). Nearly 80% of all military discharges are reported as honorable, a classification of which those who receive this discharge are rightly proud of earning.

A state mandate requiring the certification of anyone with less than an **honorable discharge** as a police officer will erode community trust. As public servants tasked with protecting and serving our communities, it is of the utmost importance that our Maryland law enforcement officers uphold the public trust by maintaining the highest ethical standards and a moral character.

For these reasons, the MCPA/MSA support with amendment SB 280, to maintain the requirement that any certification as a police officer for a member prior member of the uniformed services be no less than an Honorable Discharge from military service.