
A BILL FOR AN ACT

RELATING TO THE NATIONAL GUARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. By establishing its facilities and presence
2 within communities throughout the State, it is the intent of the
3 State that the department of defense serve and be an integral
4 part of the community. To that end, it is the policy of the
5 legislature to lend out department of defense facilities, in
6 accordance with Hawaii Revised Statutes and department of
7 defense requirements, on a non-interference basis, for temporary
8 public use and rental by organizations such as civic and
9 veterans groups and non-profit entities within the community.
10 The rental moneys collected are intended to cover the costs of
11 utilities, including but not limited to water, sewer, and
12 electricity; any supplies, including but not limited to soap,
13 paper towels, and toilet paper; all related State personnel or
14 staffing costs necessary to open, close, clean, maintain, or
15 repair the facility; and the wear-and-tear on the facility
16 associated with the use of the facility. However, in accordance
17 with section 121-19, Hawaii Revised Statute, all moneys received



1 from the rentals shall be deposited into the general fund of the
2 State, with required amounts returned to the office of Hawaiian
3 affairs in accordance with Act 178, Session Laws of Hawaii 2006.

4 This situation requires the department of defense to utilize
5 operating funds to cover the costs of utilities, supplies and
6 personnel for the temporary public use of its facilities by the
7 community.

8 The intent and purpose of this Act is to clarify that the
9 department of defense may continue its community involvement by
10 lending out its facilities without incurring a loss to its
11 operating budget by allowing the department of defense to retain
12 revenues collected to cover the cost of utilities, supplies,
13 personnel and wear-and-tear associated with the lending out of
14 its facilities and that any net proceeds collected associated
15 with the lending out of its facilities will be returned to the
16 general fund, with required amounts returned to the office of
17 Hawaiian affairs.

18 SECTION 2. Section 121-19, Hawaii Revised Statutes is
19 amended to read as follows:

20 "§121-19 Regulations governing armories, etc. Any law to
21 the contrary notwithstanding, the Adjutant General may make



1 regulations to establish procedures governing the care and
2 custody of Department of Defense facilities that are either set
3 aside to the Department of Defense or on license from the
4 federal government. The Adjutant General may permit the use of
5 or may temporarily rent to a national guard unit or other
6 county, state, or federal government agency sponsoring or co-
7 sponsoring meeting(s), class(es), or other activities; hosting
8 athletic events or competitions; billeting personnel in
9 conjunction with sanctioned events such as agency sponsored
10 conferences or classes, agency sponsored athletic or recreation
11 programs, government sponsored public hearings or meetings, unit
12 sponsored youth organizations and activities, or public school
13 sponsored classes, dances, plays, concerts, etc., nonprofit or
14 eleemosynary (charitable) organizations conducting a community
15 or group activity, and film production enterprise activities,
16 promoted and coordinated through the Hawaii Film Industry
17 Branch, Department of Business, Economic Development and
18 Tourism, such portions of Department of Defense facilities as
19 will not interfere with the military use thereof. The Adjutant
20 General shall establish the rentals to be charged for their use
21 and all ~~[moneys]~~ net proceeds received from the rentals shall be



1 deposited into the general fund of the State. Chapter 91 shall
2 not apply."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on March 19, 2100.



Report Title:

Defense; National Guard

Description:

Allow the State Department of Defense to recoup operating costs when the Department allows for temporary facility use to the public. (HB2350 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

