

JAN 24 2018

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 monies 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 Regulations governing armories, etc. of the
18 Hawaii Revised Statutes, all monies received from the rentals

1 shall be deposited into the general fund of the State, with
2 required amounts returned to the Office of Hawaiian Affairs in
3 accordance with Act 178/SLH 2006. This situation requires the
4 Department of Defense to utilize operating funds to cover the
5 costs of utilities, supplies and personnel for the temporary
6 public use of its facilities by the community.

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

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

19 "§121-19 Regulations governing armories, etc. Any law to
20 the contrary notwithstanding, the Adjutant General may make
21 regulations to establish procedures governing the care and
22 custody of Department of Defense facilities that are either set
23 aside to the Department of Defense or on license from the

1 federal government. The Adjutant General may permit the use of
2 or may temporarily rent to a national guard unit or other
3 county, state, or federal government agency sponsoring or co-
4 sponsoring meeting(s), class(es), or other activities; hosting
5 athletic events or competitions; billeting personnel in
6 conjunction with sanctioned events such as agency sponsored
7 conferences or classes, agency sponsored athletic or recreation
8 programs, government sponsored public hearings or meetings, unit
9 sponsored youth organizations and activities, or public school
10 sponsored classes, dances, plays, concerts, etc., nonprofit or
11 eleemosynary (charitable) organizations conducting a community
12 or group activity, and film production enterprise activities,
13 promoted and coordinated through the Hawaii Film Industry
14 Branch, Department of Business, Economic Development and
15 Tourism, such portions of Department of Defense facilities as
16 will not interfere with the military use thereof. The Adjutant
17 General shall establish the rentals to be charged for their use
18 and all [~~moneys~~] net proceeds received from the rentals shall be
19 deposited into the general fund of the State. Chapter 91 shall
20 not apply."

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

23 SECTION 4. This Act shall take effect upon approval.

S.B. NO. 2777

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INTRODUCED BY: *Wm. M. M.*

BY REQUEST

S.B. NO. 2777

Report Title:

Defense; National Guard

Description:

Allow the Department to recoup operating costs when the department allows for temporary facility use to the public. Currently, the law requires all monies received from the rentals shall be deposited into the general fund of the State.

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

JUSTIFICATION SHEET

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD.

PURPOSE: Allow the Department to recoup operating costs when the department allows for temporary facility use to the public. Currently, the law requires all monies received from the rentals shall be deposited into the general fund of the State

MEANS: Amend section 121-19, Hawaii Revised Statutes (HRS).

JUSTIFICATION: Rental monies collected from facility use are intended to cover the costs of utilities, including but not limited to water, sewer, and electricity, any supplies, including but not limited to soap, paper towels, and toilet paper, all related State personnel or staffing costs necessary to open, close, clean, maintain, or repair the facility, and the wear-and-tear on the facility associated with the use of the facility.