
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 Statutes, relating to



1 regulations governing armories, etc., all moneys received from
2 the rentals shall be deposited into the general fund of the
3 State, with required amounts returned to the office of Hawaiian
4 affairs in accordance with Act 178, Session Laws of Hawaii 2006.
5 This situation requires the department of defense to utilize
6 operating funds to cover the costs of utilities, supplies, and
7 personnel for the temporary public use of its facilities by the
8 community.

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

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



1 "§121-19 Regulations governing armories, etc. Any law to
2 the contrary notwithstanding, the adjutant general may make
3 regulations to establish procedures governing the care and
4 custody of [~~armories, rifle ranges, reservations and~~
5 ~~installations]~~ department of defense facilities that are either
6 set aside to the department of defense or on license from the
7 federal government. The adjutant general may permit the use [~~of~~
8 ~~or may temporarily rent to civic, community, veterans and other~~
9 ~~nonprofit public organizations and groups, such portions of~~
10 ~~armories, rifle ranges, reservations and installations as will~~
11 ~~not interfere with the military use thereof.] or temporary
12 rental of portions of department of defense facilities by the
13 following entities or for the following purposes, as applicable:~~

- 14 (1) A national guard unit or other county, state, or
15 federal government agency sponsoring or co-sponsoring
16 a meeting, class, or other activity;
17 (2) A charitable organization, as defined in section 467B-
18 1, conducting a community or group activity;
19 (3) The billeting of personnel in conjunction with
20 sanctioned events, including:
21 (A) Agency-sponsored conferences or classes;



1 (B) Agency-sponsored athletic or recreation programs;

2 (C) Government-sponsored public hearings or meetings;

3 or

4 (D) Unit-sponsored youth organizations and

5 activities;

6 (4) The hosting of athletic events or competitions;

7 (5) Events sponsored by a public school including classes,
8 dances, plays, and concerts; and

9 (6) Film production enterprise activities that are
10 promoted and coordinated through the film industry
11 branch of the department of business, economic
12 development, and tourism;

13 provided that the use or temporary rental does not interfere
14 with any military use. The adjutant general shall establish the
15 rentals to be charged for their use and all [~~moneys~~] net
16 proceeds received from the rentals shall be deposited into the
17 general fund of the State. Chapter 91 shall not apply."

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

20 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

DOD; National Guard

Description:

Allows the Department of Defense to recoup operating costs when allowing the use or temporary rental of its facilities by the public, provided that the use or rental does not interfere with any military use. Effective 7/1/2050. (SD1)

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