
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. Section 121-30, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§121-30 Order to active service.** (a) In case of war,
4 insurrection, invasion, riot, or imminent danger thereof; an
5 emergency or disaster; [~~or~~] danger from flood, fire, storm,
6 earthquake, civil disturbances, or terrorist events; any
7 forcible obstruction to the execution of the laws, or reasonable
8 apprehension thereof; or for assistance to civil authorities in
9 disaster relief or emergency management, the governor may order
10 the national guard or other component of the militia, or any
11 part thereof, into active service. The governor, or the
12 governor's designated representative, may also order the
13 national guard into active service:

14 (1) In nonemergency situations for duty and training in
15 addition to the drill and instruction required by
16 section 121-28;



1 (2) To provide support to other states in response to a
2 request for assistance under the Emergency Management
3 Assistance Compact under chapter 127F; and

4 (3) To detect, prevent, prepare for, investigate, respond
5 to, or recover from any of the events for which an
6 order to active service may be made.

7 (b) Except as required by federal or state law, the
8 commanding officer of any unit of the armed forces of this State
9 called into active service pursuant to state law or title 32
10 United States Code shall not assist or cooperate with, or allow
11 time, money, personnel, data, or any other resources to be used
12 to assist, cooperate with, or facilitate, an operation by:

13 (1) A national guard unit of another state that is
14 deployed in this State if the governor has objected to
15 the deployment; or

16 (2) Federal troops or law enforcement deployed to this
17 State if the governor has objected to the deployment.

18 (c) The governor's objection required pursuant to
19 subsection (b) shall:

20 (1) Be made by a written determination signed by the
21 governor;



- 1 (2) Specify the deployment request, operation, or activity
- 2 to which the objection applies;
- 3 (3) State the factual basis for the objection;
- 4 (4) Specify the geographic scope of the objection;
- 5 (5) Specify the effective date, time, and duration of the
- 6 objection;
- 7 (6) Be provided to the adjutant general, administrator of
- 8 the Hawaii emergency management agency, and attorney
- 9 general; and
- 10 (7) Be maintained as a public record; provided that any
- 11 information required to be confidential under state or
- 12 federal law shall not be made public."

13 SECTION 2. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect on July 1, 3000.



Report Title:

Hawaii National Guard; Deployment; Federal Law Enforcement;
Collaboration

Description:

Prohibits the Hawaii National Guard from deploying to assist federal troops, federal law enforcement, or the national guard of any other state operating in Hawaii when the Governor has objected to the deployments. Effective 7/1/3000. (HD2)

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