

**ACT 201**

H.B. NO. 1807

A Bill for an Act Relating to Military Service.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that reserve and national guard members, employed by the State, are authorized to receive fifteen days of annual paid military leave while on active duty or during periods of instruction or maneuvers. However, of the fifteen days, members actually use only about ten to twelve days, leaving the members with three to five days of unused military leave every

year. Title 5 United States Code section 6323(a)(1) authorizes federal employees to use these remaining days for monthly inactive-duty training. There is currently no state statute that allows state and county employees to do the same.

The legislature further finds that all branches of the nation's military undergo rigorous training to ensure troop readiness and the safety of citizens. Many members of the reserve and national guard often have full-time civilian occupations and thus keep their reserve and national guard skills current through inactive-duty training. The nation's military is strengthened and remains ready, in part, due to inactive-duty training.

The purpose of this Act is to support reserve and national guard members and to conform state law with federal law with regard to military leave pay.

SECTION 2. Section 78-16.5, Hawaii Revised Statutes, is amended by amending its title and subsection (a) to read as follows:

**“[§78-16.5] Pay of officers and employees on active military service and other periods.** (a) All officers and employees of the State and the several counties who are appointed for at least six months of service shall be entitled, while on active duty, inactive-duty training, or during periods of camps of instruction or field maneuvers as members of the ~~[Hawaii]~~ national guard or ~~[organized reserves, including the officers' reserve corps and the enlisted reserve corps]~~ reserve of the armed forces under call of the President of the United States or the governor of the State, to receive pay as provided by law. During the absence of the officer or employee, while in the performance of ordered military or naval duty, including inactive-duty training, as a member of the national guard~~[, air national guard, naval militia, or organized reserves, including the officers' reserve corps and the enlisted reserve corps]~~ or reserve of the armed forces, the officer or employee shall receive the officer's or employee's salary or compensation as ~~[such]~~ an officer or employee, but only for a period not exceeding fifteen working days in any calendar year.”

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

SECTION 4. This Act shall take effect on July 1, 2016.

(Approved July 5, 2016.)