A BILL FOR AN ACT

RELATING TO ACTIVE DUTY MILITARY ENTITLEMENTS.

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

SECTION 1. The purpose of this Act is to ensure that military personnel, when called to active duty, are paid without delay at the same rate as their active duty counterparts and are entitled to basic allowance for housing. This Act also provides for service credit for military personnel called to active duty.

SECTION 2. Chapter 88, Hawaii Revised Statutes, is amended by adding a new section to part II, subpart E, to be appropriately designated and to read as follows:

"§88- Credit for military service; active duty. When ordered to active duty in the State, military personnel shall receive service credit for time in service while serving on active duty. This service credit shall count toward retirement."

SECTION 3. Section 121-40, Hawaii Revised Statutes, is amended to read as follows:

"§121-40 Pay of enlisted personnel while on active duty.

(a) Enlisted personnel of the army and air national guard while
on active duty in the service of the State, except during
periods of annual field training or year-round field training,
shall receive the same pay and allowances as enlisted personnel
of similar rank in the United States Army and Air Force
respectively; provided that the:

(1) State shall allow enlisted personnel to directly
deposit their pay by electronic means to their
personal banking accounts; and

(2) Aggregate of the pay and allowances, computed on a
daily basis, shall in no event be less than the amount
equal to ten times the hourly wage specified in
section 387-2.

(b) When ordered to active duty, enlisted personnel of the
army and air national guard shall be paid without delay from the
date of deployment and, subject to rules adopted by the
governor, shall be entitled to basic allowance for housing."

SECTION 4. Section 121-42, Hawaii Revised Statutes, is
amended to read as follows:

"§121-42 No pay without orders. No officer or enlisted
member of the army or air national guard shall be entitled to
receive the pay herein provided unless the orders detailing the
officer or enlisted member for duty or subsequent orders, 
specify that pay is to be received for the service rendered[—]; 
provided that if a non-active duty officer or enlisted member of 
the army or air national guard is ordered to active duty, that 
military member shall be paid without delay from the date of 
deployment and, subject to rules adopted by the governor, shall 
be entitled to basic allowance for housing."

SECTION 5. Section 122A-8, Hawaii Revised Statutes, is 
amended to read as follows:

"§122A-8 Pay and allowances. (a) When in the active 
service of the State, members of the Hawaii state defense force 
shall receive from the State the same basic pay and allowance 
for subsistence as prescribed by federal law and regulations for 
members of the army national guard, of like grade and length of 
service, when in the active service of the United States. 
[Subject to rules adopted by the governor, members may be 
subsisted in kind in lieu of a monetary allowance therefor.] 
When ordered to active duty, members of the Hawaii state defense 
force shall be paid without delay from the date of deployment. 
(b) Subject to rules adopted by the governor, members of 
the Hawaii state defense force when in the active service of the
State [may be quartered at the expense of the State or paid a monetary allowance in lieu thereof] shall be entitled to basic allowance for housing."

SECTION 6. Section 123-8, Hawaii Revised Statutes, is amended to read as follows:

"§123-8 Pay. (a) When engaged in exercises afloat or participating in encampments for instructions ashore, and when serving on general courts-martial, officers and [men] enlisted personnel of the navy shall receive the same pay as is at the time allowed by law to those holding similar positions in the United States navy.

(b) When ordered to active duty, officers and enlisted personnel of the navy shall be paid without delay from the date of deployment and, subject to rules adopted by the governor, shall be entitled to basic allowance for housing."

SECTION 7. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 8. This Act shall take effect on July 1, 2019.

INTRODUCED BY: __________

JAN 24 2019
Report Title:
Department of Defense; State Activation; Active Duty Military Pay; Basic Allowance for Housing; Service Credit

Description:
Requires the State to: pay, without delay, military personnel called to active duty at the same rate as their active duty counterparts; provide basic housing allowance (BAH); and provide service credit for time on active duty.

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