June 7, 2019  GOV. MSG. NO. 1177

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirtieth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai‘i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirtieth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai‘i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 7, 2019, the following bill was signed into law:

HB990 HD1 SD1 CD1 RELATING TO DEPARTMENT OF DEFENSE FACILITIES.  
ACT 076 (19)

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai‘i
A BILL FOR AN ACT

RELATING TO DEPARTMENT OF DEFENSE FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

SECTION 1. By establishing its facilities and presence within communities throughout the State, it is the intent of the State that the department of defense serve and be an integral part of the community. To this end, it is the policy of the legislature to lend out department of defense facilities in accordance with Hawaii Revised Statutes and department of defense requirements, on a non-interference basis, for temporary public use and rental by organizations such as civic and veterans groups, and nonprofit entities within the community. The rental moneys collected are intended to cover the costs of utilities, including water, sewer, and electricity, any supplies, including 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. However, in accordance with section 121-19, Hawaii Revised Statutes, all moneys received from the rentals shall be deposited into the general fund of the State, with required
amounts returned to the office of Hawaiian affairs in accordance
with Act 178, Session Laws of Hawaii 2006. This situation
requires the department of defense to utilize operating funds to
cover the costs of utilities, supplies, and personnel for the
temporary public use of its facilities by the community.

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

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

"§121-19 Regulations governing armories, etc. Any law to
the contrary notwithstanding, the adjutant general may make
regulations to establish procedures governing the care and
custody of [armories, rifle ranges, reservations and
installations] department of defense facilities that are either set aside to the department of defense or on license from the federal government. The adjutant general may permit the use of or may temporarily rent to [civic, community, veterans and other nonprofit public organizations and groups, such portions of armories, rifle ranges, reservations and installations] national guard units or other county, state, or federal government agency sponsoring or co-sponsoring meetings, classes, or other activities; hosting athletic events or competitions; billeting personnel in conjunction with sanctioned events such as agency-sponsored conferences or classes, agency-sponsored athletic or recreation programs, government-sponsored public hearings or meetings, unit-sponsored youth organizations and activities, or public school sponsored classes, dances, plays, and concerts; nonprofit or eleemosynary organizations conducting a community or group activity; and film production enterprise activities promoted and coordinated through the Hawaii film industry branch, department of business, economic development, and tourism, such portions as will not interfere with the military use thereof. The adjutant general shall establish the rentals to be charged for their use and all [moneys] net proceeds
received from the rentals shall be deposited into the general fund of the State. Chapter 91 shall not apply."

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

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

APPROVED this 7 day of JUN, 2019

GOVERNOR OF THE STATE OF HAWAII
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.

Scott K. Saiki
Speaker
House of Representatives

Brian L. Takeshita
Chief Clerk
House of Representatives
H.B. No. 990, H.D. 1, S.D. 1, C.D. 1

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai‘i, Regular Session of 2019.

[Signature]
President of the Senate

[Signature]
Clerk of the Senate