
A BILL FOR AN ACT

RELATING TO DEPARTMENT OF DEFENSE FACILITIES.

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 this 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 nonprofit entities within the community.
10 The rental moneys collected are intended to cover the costs of
11 utilities, including water, sewer, and electricity, any
12 supplies, including soap, paper towels, and toilet paper, all
13 related state personnel or staffing costs necessary to open,
14 close, clean, maintain, or repair the facility, and the wear-
15 and-tear on the facility associated with the use of the
16 facility. However, in accordance with section 121-19, Hawaii
17 Revised Statutes, all moneys received from the rentals shall be
18 deposited into the general fund of the State, with required



1 amounts returned to the office of Hawaiian affairs in accordance
2 with Act 178, Session Laws of Hawaii 2006. This situation
3 requires the department of defense to utilize operating funds to
4 cover the costs of utilities, supplies, and personnel for the
5 temporary public use of its facilities by the community.

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

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

18 "§121-19 Regulations governing armories, etc. Any law to
19 the contrary notwithstanding, the adjutant general may make
20 regulations to establish procedures governing the care and
21 custody of [~~armories, rifle ranges, reservations and~~



1 ~~installations]~~ department of defense facilities that are either
2 set aside to the department of defense or on license from the
3 federal government. The adjutant general may permit the use of
4 or may temporarily rent to ~~[civil, community, veterans and other~~
5 ~~nonprofit public organizations and groups, such portions of~~
6 ~~armories, rifle ranges, reservations and installations]~~ national
7 guard units or other county, state, or federal government agency
8 sponsoring or co-sponsoring meetings, classes, or other
9 activities; hosting athletic events or competitions; billeting
10 personnel in conjunction with sanctioned events such as agency-
11 sponsored conferences or classes, agency-sponsored athletic or
12 recreation programs, government-sponsored public hearings or
13 meetings, unit-sponsored youth organizations and activities, or
14 public school sponsored classes, dances, plays, and concerts;
15 nonprofit or eleemosynary organizations conducting a community
16 or group activity; and film production enterprise activities
17 promoted and coordinated through the Hawaii film industry
18 branch, department of business, economic development, and
19 tourism, such portions as will not interfere with the military
20 use thereof. The adjutant general shall establish the rentals
21 to be charged for their use and all ~~[moneys]~~ net proceeds



1 received from the rentals shall be deposited into the general
2 fund of the State. Chapter 91 shall not apply."

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

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



Report Title:

Department of Defense Facilities

Description:

Allows the Department of Defense to recoup operating costs when the Adjutant General permits temporary use of department facilities to the public and requires remaining net proceeds to be deposited into the general fund. (HB990 CD1)

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