
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 that end, it is the policy of the
5 legislature to lend out department of defense facilities, in
6 accordance with the Hawaii Revised Statutes and department of
7 defense requirements, on a non-interference basis for temporary
8 public use by organizations such as civic and veterans groups
9 and nonprofit entities within the community. The rental moneys
10 collected are intended to cover the costs of utilities,
11 including but not limited to water, sewer, and electricity, and
12 any supplies, including but not limited to soap, paper towels,
13 and toilet paper, all related to state personnel or staffing
14 costs necessary to open, close, clean, maintain, or repair the
15 facility, and the wear and tear on the facility associated with
16 the use of the facility. However, section 121-19, Hawaii
17 Revised Statutes, requires all moneys received from the rentals



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

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

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

20 "§121-19 Regulations governing armories, etc. Any law to
21 the contrary notwithstanding, the adjutant general may make



1 regulations to establish procedures governing the care and
2 custody of [~~armories, rifle ranges, reservations and~~
3 ~~installations~~] department of defense facilities that are either
4 set aside to the department of defense or on license from the
5 federal government. The adjutant general may permit the use of
6 or may temporarily rent to [~~private, community,~~] veterans and
7 other nonprofit public organizations and groups, a national
8 guard unit or other county, state, or federal government agency
9 sponsoring or co-sponsoring meetings, classes, or other
10 activities; hosting athletic events or competitions; billeting
11 personnel in conjunction with sanctioned events such as agency
12 sponsored conferences or classes, agency sponsored athletic or
13 recreation programs, government sponsored public hearings or
14 meetings, unit sponsored youth organizations and activities, or
15 public school sponsored classes, dances, plays, concerts, and
16 other activities, nonprofit or eleemosynary organizations
17 conducting a community or group activity, and film production
18 enterprise activities promoted and coordinated through the
19 Hawaii film industry branch of the department of business,
20 economic development, and tourism, such portions of [~~armories,~~
21 ~~rifle ranges, reservations and installations~~] department of



1 defense facilities as will not interfere with the military use
2 thereof. The adjutant general shall establish the rentals to be
3 charged for their use, and all [~~moneys~~] net proceeds received
4 from the rentals shall be deposited into the general fund of the
5 State. Chapter 91 shall not apply."

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

8 SECTION 4. This Act shall take effect upon its approval.
9



Report Title:

Department of Defense Facilities; Operating Costs Recoupment

Description:

Allows the Department of Defense to recoup operating costs when the Adjutant General permits temporary facility use of department facilities to the public. (SD1)

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