
A BILL FOR AN ACT

RELATING TO THE MILITARY.

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

1 SECTION 1. The legislature finds that the United States
2 military presence in the State is critical to the State's
3 economy. Military spending in the State is approximately
4 \$8,800,000,000 each year and generates approximately 102,000
5 local jobs. The military's influence on the State's economy is
6 second to only tourism.

7 The purpose of this Act is to expand the office of
8 veterans' services to include military affairs and appropriate
9 funds for those purposes.

10 SECTION 2. Section 26-21, Hawaii Revised Statutes, is
11 amended by amending subsection (b) to read as follows:

12 "(b) The office of military affairs and veterans' services
13 and the advisory board on veterans' services as constituted by
14 chapter 363 are placed within the department of defense for
15 administrative purposes."

16 SECTION 3. Section 249-9.2, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:



1 "(a) In lieu of the number plates contracted on behalf of
2 the counties by the director of finance of the city and county
3 of Honolulu, the director of finance shall provide, for a fee,
4 one set of special number plates upon the receipt of an
5 application together with:

- 6 (1) Specific proof that the applicant was awarded the
7 Purple Heart by the United States Department of
8 Defense for wounds received in military or naval
9 combat against an armed enemy of the United States;
- 10 (2) Certification that the applicant is a veteran;
- 11 (3) Specific proof that the applicant was serving the
12 United States in the military or as a civilian, on
13 Oahu, or offshore at a distance of not more than three
14 miles at the time of the December 7, 1941, attack on
15 Pearl Harbor. Certification from the Hawaii state
16 chairperson of the Pearl Harbor Survivors Association
17 shall constitute sufficient proof;
- 18 (4) Specific proof that the applicant was confined as a
19 prisoner of war while providing military service to
20 the United States;



- 1 (5) Certification from the United States Department of
2 Veterans Affairs or the state office of military
3 affairs and veterans' services that the applicant is a
4 combat veteran or a veteran of the Vietnam conflict,
5 the Korean conflict, World War II, or the Persian Gulf
6 conflict; or
- 7 (6) Specific proof that the applicant would qualify for a
8 gold star lapel button under the criteria established
9 by title 10 United States Code section 1126; provided
10 that the applicant shall not be disqualified for the
11 special number plates because the applicant is the
12 grandparent of the deceased member of the United
13 States armed forces;
- 14 provided that applicants, except civilian applicants under
15 paragraph (3) and civilian applicants and applicants who are
16 currently serving the United States in the military under
17 paragraph (6), shall also provide a copy of the applicant's most
18 recent discharge paper or separation document that indicates an
19 honorable discharge or general (under honorable conditions)
20 discharge from active duty."



1 SECTION 4. Chapter 363, Hawaii Revised Statutes, is
2 amended by amending its title to read as follows:

3 "~~VETERANS~~ RIGHTS AND BENEFITS OF VETERANS AND SERVICE MEMBERS"

4 SECTION 5. Section 363-1, Hawaii Revised Statutes, is
5 amended as follows:

6 1. By adding a new definition to be appropriately inserted
7 and to read:

8 "Service member" has the same meaning as in section 88-
9 131."

10 2. By amending the definitions of "director" and "office"
11 to read:

12 "Director" means the director of the office of military
13 affairs and veterans' services.

14 "Office" means the office of military affairs and veterans'
15 services as constituted under this chapter."

16 SECTION 6. Section 363-2, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "§363-2 Office of military affairs and veterans' services;
19 director. (a) The office of military affairs and veterans'
20 services shall be responsible for the conduct or supervision of
21 all activities provided for by this chapter and for the



1 formulation and adoption of all policies and rules for the
2 administration of this chapter and is established in the
3 department of defense for administrative purposes.

4 (b) The head of the office shall be known as the director
5 of the office of military affairs and veterans' services. The
6 director shall be nominated and appointed by the governor
7 without regard to chapters 76 and 89. Effective July 1, 2005,
8 the director shall be paid a salary set by the appointing
9 authority that shall not exceed sixty-nine per cent of the
10 salary of the director of human resources development. The
11 director shall be included in any benefit program generally
12 applicable to the officers and employees of the State.

13 (c) The director shall have the following principal
14 functions, duties, and powers:

15 (1) Serve as the principal official in state government
16 responsible for the performance, development, and
17 control of programs, policies, and activities under
18 this chapter;

19 (2) Oversee, supervise, and direct the performance by the
20 director's subordinates of activities in such areas as
21 planning, evaluation, and coordination of [veterans]



- 1 programs pertaining to service members and veterans
2 and development of a statewide service delivery
3 network;
- 4 (3) Assess the policies and practices of other agencies
5 with respect to delivery of services and benefits to
6 service members and veterans;
- 7 (4) Administer funds allocated for the office, and apply
8 for, receive, and disburse grants and donations from
9 all sources for [~~veterans~~] programs for service
10 members and veterans and services provided under this
11 chapter;
- 12 (5) Establish a clearinghouse for complaints of persons
13 regarding services to service members and veterans, or
14 operations of state and county agencies affecting
15 service members and veterans, investigate such
16 complaints, and refer the complaints and the
17 director's findings to the appropriate agency for
18 corrective action;
- 19 (6) Adopt, amend, and repeal rules pursuant to chapter 91
20 for the purposes of this chapter;



- 1 (7) Employ and retain such staff as may be necessary for
2 the purposes of this chapter, in conformance with
3 chapters 76, 89, and the appropriate collective
4 bargaining agreements, executive orders, executive
5 directives, or rules, except for the position of
6 coordinator and executive secretary to the director,
7 who shall be hired without regard to chapters 76 and
8 89;
- 9 (8) Contract for or grant such services as may be
10 necessary for the purposes of this chapter, including
11 a master contract with other state agencies receiving
12 federal and state funds for programs and services for
13 service members and veterans, and purchase of service
14 agreements with appropriate agencies;
- 15 (9) Oversee the development, establishment, and operation
16 of a state veterans cemetery on Oahu; develop and
17 administer the policies and procedures of the state
18 veterans cemetery in accordance with the United States
19 Department of Veterans Affairs and existing state
20 guidelines; and oversee the maintenance of state
21 veterans cemeteries on all islands; and



1 (10) Act on behalf of deceased veterans found to be
2 indigent at the time of death and without surviving
3 immediate family members to ensure burial or cremation
4 services are provided and that the veteran's remains
5 are buried or inurned in a state veterans cemetery."

6 SECTION 7. Section 363-3, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§363-3 Activities of the office.** Except as otherwise
9 provided by law, the office shall:

10 (1) Maintain or cause to be maintained, subject to the
11 control and supervision of the office, a center to
12 which service members and veterans, including their
13 families and dependents, may come for information,
14 counsel, aid, and assistance, and by which they may be
15 directed or referred to any agency in the community
16 whose function it is, by law or otherwise, to provide
17 the services, assistance, or benefits which in each
18 instance appear necessary or appropriate. Agencies to
19 which any referrals may be made shall include[7] but
20 are not limited to[7] departments and divisions of the
21 federal and state governments, veterans'



1 organizations, military organizations, and so-called
2 "private" social agencies;

3 (2) Assume the initiative, in cooperation with agencies in
4 the community, for coordinating all services now
5 available, and which hereafter may become available,
6 for the use and benefit of service members and
7 veterans, including their families and dependents, to
8 the end that maximum effectiveness of the services may
9 be realized, and overlapping and duplication of effort
10 as between agencies may be minimized;

11 (3) Assemble, analyze, compile, and disseminate factual,
12 up-to-date information with respect to:

13 (A) Benefits, rights, and services of whatever nature
14 to which service members and veterans, including
15 their families and dependents, are entitled, or
16 which may be available to them; and

17 (B) The structure, functions, area of service, and
18 other pertinent information regarding each agency
19 and organization participating in the veterans'
20 assistance program in the State;



- 1 (4) Cooperate with federal departments and other agencies
2 which, by law, have responsibility for the
3 administration of rights and benefits granted by the
4 federal government to service members or veterans,
5 including their families and dependents;
- 6 (5) As soon as possible after the close of each fiscal
7 year, compile and submit to the governor, for such use
8 or distribution as the governor may deem appropriate,
9 a comprehensive report of the activities and
10 operations of the office, and of all disbursements and
11 expenditures authorized by the office under this
12 section; [~~and~~]
- 13 (6) Inspect every three years all state war memorials and
14 veterans' cemeteries for repair and maintenance
15 deficiencies, and report all repair and maintenance
16 problems at these memorials and cemeteries to the
17 adjutant general, the comptroller, and the legislature
18 prior to the start of the next regular session[-];
- 19 (7) Interact and work with the armed services in the State
20 to address any issues and concerns impacting the State
21 and residents;



1 (8) Collect and maintain information pertaining to the
2 military's economic impact in the State;

3 (9) Serve as a liaison between the State's executive
4 branch and the armed services in the State; and

5 (10) Research federal funding opportunities that relate to
6 the military and veterans to provide grants or
7 financial assistance to the State."

8 SECTION 8. Section 363-3.5, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) There shall be a policy advisory board on veterans'
11 services within the office [~~of veterans' services~~]. The board
12 shall consist of nine members appointed by the governor as
13 provided in section 26-34. Five members shall be veterans, and
14 there shall be at least one member residing in each of the
15 counties of Maui and Kauai. The county of Hawaii shall be
16 represented by two members, one member shall reside in east
17 Hawaii and one member shall reside in west Hawaii. Four members
18 shall reside in the city and county of Honolulu. At least three
19 members shall be women. The director of health, the director of
20 human services, the director of labor and industrial relations,
21 and the adjutant general shall serve as ex officio[+], [+]



1 nonvoting members. The director for the office [~~of veterans'~~
2 ~~services~~] shall serve as an ex officio[+], [+]
3 The chairperson of the board shall be elected by the majority of
4 the board. The members shall serve without compensation but
5 shall be allowed their actual and necessary expenses incurred in
6 the performance of their duties."

7 SECTION 9. Section 363-5, Hawaii Revised Statutes, is
8 amended as follows:

9 1. By amending its title to read:

10 "**§363-5 Councils' responsibility; burial of service**
11 **members, veterans, and dependents; office of military affairs**
12 **and veterans' services approval.**"

13 2. By amending subsection (c) to read:

14 "(c) Prior to any county action that may:

15 (1) Have an adverse financial impact upon the State's
16 fiscal obligation to establish and maintain veterans
17 cemeteries; or

18 (2) Impair or conflict with federal requirements that are
19 a prescribed condition for the allocation of federal
20 funds,



1 the county shall obtain approval of the action from the office
2 [~~of veterans' services~~]. In the event of any disagreement
3 between any county and the office [~~of veterans' services~~] over
4 whether this subsection applies, the decision of the office [~~of~~
5 ~~veterans' services~~] shall control."

6 SECTION 10. Section 363-12, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "[~~+~~]§363-12[~~+~~] Disbursement of World War II Filipino-
9 American veterans burial grant funds. (a) The office [~~of~~
10 ~~veterans' services~~], at the request of a deceased World War II
11 Filipino-American veteran's survivor or an interested party,
12 shall make payment, under the veterans burial grant program,
13 directly to a licensed provider of mortuary or crematory
14 services in the State for the cost of:

15 (1) Providing funeral and burial services for a deceased
16 World War II Filipino-American veteran; and

17 (2) Transporting the remains of a deceased World War II
18 Filipino-American veteran to the Philippines.

19 (b) The maximum amount that may be disbursed on behalf of
20 a deceased World War II Filipino-American veteran under this
21 section is \$2,500.



1 (c) The office [~~of veterans' services~~] shall not expend
2 more than the amount appropriated for the fiscal year to provide
3 burial grants for deceased World War II Filipino-American
4 veterans.

5 (d) The office [~~of veterans' services~~] shall establish
6 specific eligibility criteria, application and appeal
7 procedures, service choices, and invoicing arrangements.
8 Eligibility shall include the requirement that a World War II
9 Filipino-American veteran was, at the time of death, a resident
10 of the State, as evidenced by valid documentation of state
11 residence, a State of Hawaii driver's license, or a State of
12 Hawaii identification card.

13 (e) Payment shall be made by the office [~~of veterans'
14 services~~] upon the submission of a contract for services on
15 behalf of the deceased World War II Filipino-American veteran
16 and an itemized unpaid invoice to the office.

17 (f) For the purposes of this section, "World War II
18 Filipino-American veteran" means any Filipino-American veteran,
19 who is now a citizen of the United States, who served honorably
20 in an active duty status in any of the armed services of the
21 United States between September 1, 1939, and December 31, 1946."



1 SECTION 11. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2015-2016 and
4 the same sum or so much thereof as may be necessary for fiscal
5 year 2016-2017 to expand the office of veterans' services to
6 include military affairs.

7 The sums appropriated shall be expended by the department
8 of defense for the purposes of this Act.

9 SECTION 12. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 13. This Act shall take effect on January 1, 2016.

12



Report Title:

Office of Military Affairs and Veterans' Services; Appropriation

Description:

Expands the office of veterans' services to include military affairs and establishes additional duties of the office; and appropriates funds. Effective 1/1/16. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

