

**"CHAPTER 123  
NAVAL MILITIA**

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## Cross References

Civil relief for state military forces, see chapter 657D.

" **§123-1 Organization.** The governor may organize a naval militia to consist of not more than four divisions and to be known as the naval militia of the State of Hawaii. The naval militia shall be a portion of the organized militia of the State and shall conform to such regulation as may be prescribed by the secretary of the navy.

The governor shall appoint a commission of five to be known as the naval militia board and who shall serve without compensation for the service. Three members of the board shall consist of the commanding officer of the naval militia, one staff officer of the naval militia, and one other commissioned officer of the naval militia with the rank of lieutenant or higher. The board shall direct and audit the expenditure of all sums of money appropriated or available for the use of the naval militia. The senior commissioned officer of naval militia shall be chairperson of the board. The senior commissioned officer may call special meetings of the board when it becomes necessary or expedient by giving ten days' notice of the meeting; provided the meetings may be held at any time without such notice upon the consent of all of the members of the board. The board shall hold regular quarterly meetings at Honolulu, at the established headquarters of the board. The board shall keep a record of the proceedings, and may employ a secretary capable of attending to the technical details of the board, who shall keep a record of its meetings. It may arrange for the headquarters of the naval militia in the armory or armories in the State as the governor may designate and provide necessary stationery and furniture; provision such ship or ships as may be loaned the State by the United States, and provide suitable moorings for the same; promulgate and submit to the governor for the governor's approval such rules and regulations for the government of the naval militia as it deems for the good of the service. The rules and regulations shall govern the naval militia the same as the rules and regulations of the United States navy govern the navy of the United States. The rules and regulations to be promulgated shall conform as nearly as practicable to the articles, rules, and regulations of the United States navy. The articles, rules, and regulations of the United States navy shall govern the naval militia until otherwise ordered by the governor on the recommendation of the board. Members of the board shall hold office for four years. Three or more members of the board shall constitute a quorum for the transaction of business. [L

1915, c 151, §1; RL 1925, §271; RL 1935, §7860; RL 1945, §13080; RL 1955, §354-1; HRS §123-1; gen ch 1985, 1993]

" **§123-2 Divisions; formation of.** Divisions may be formed in the discretion of the governor, on the islands of Oahu, Maui, Hawaii, and Kauai, not to exceed the maximum force of four divisions for the State. [L 1915, c 151, §2; RL 1925, §272; RL 1935, §7861; RL 1945, §13081; RL 1955, §354-2; HRS §123-2]

" **§123-3 Commander in chief; powers of.** The governor as commander in chief of the militia of the State, may prescribe the organization for the naval militia of the State, in such manner and form as to make the organization conform to the requirements for the naval militia under the laws of the United States. For that purpose the governor may alter, divide, annex, consolidate, disband, organize, or recognize the whole or any unit or part of the naval militia, so as to conform to any organization system, drill, instruction, or discipline which may be prescribed by law for the organization, government and discipline of the naval militia of the United States, and for that purpose the number of commissioned, warrant or petty officers, of any grade or rating in any organization of the naval militia, may be increased or diminished, and the designation and grade or rating of any officers may be altered to the extent necessary to secure uniformity. [L 1915, c 151, §3; RL 1925, §273; RL 1935, §7862; RL 1945, §13082; RL 1955, §354-3; HRS §123-3; gen ch 1985]

" **§123-4 Officers; appointment; term.** The officers of the naval militia shall be appointed by the governor and shall consist of a commander, a lieutenant commander, a surgeon and a paymaster, each with rank of lieutenant, and such other officers as may be designated by the secretary of the navy. The term of commission shall be for four years. [L 1915, c 151, §4; RL 1925, §274; RL 1935, §7863; RL 1945, §13083; RL 1955, §354-4; HRS §123-4]

" **§123-5 Enlisted personnel; term of service.** The term of service for enlisted personnel shall be three years for the first enlistment and two years thereafter. The requirements for enlistment and discharge shall be as prescribed by the secretary of the navy. [L 1915, c 151, §5; RL 1925, §275; RL 1935, §7864; RL 1945, §13084; RL 1955, §354-5; HRS §123-5; gen ch 1993]

" **§123-6 Vessels; instructors.** The governor may apply to the navy department of the United States for the loan of a vessel or vessels for the use of the naval militia and for the

detail of commissioned, warrant, or petty officers of the navy to act as inspectors or instructors. [L 1915, c 151, pt of §7; RL 1925, §277; RL 1935, §7865; RL 1945, §13085; RL 1955, §354-6; HRS §123-6]

" **§123-7 Battalions and divisions.** A battalion of naval militia shall be considered the equivalent of a battalion of land militia, and a division of naval militia shall be considered the equivalent of a company of land militia and equal in the state service, and they shall be entitled to equal rights, privileges, and allowances when not inconsistent with law. [L 1915, c 151, pt of §7; RL 1925, §278; RL 1935, §7866; RL 1945, §13086; RL 1955, §354-7; HRS §123-7]

" **§123-8 Pay.** When engaged in exercises afloat or participating in encampments for instructions ashore, and when serving on general courts-martial, officers and men shall receive the same pay as is at the time allowed by law to those holding similar positions in the United States navy. [L 1915, c 151, §8; RL 1925, §279; RL 1935, §7867; RL 1945, §13087; RL 1955, §354-8; HRS §123-8]