

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 1217
A BILL RELATING TO STATE MILITARY FORCES

BY

PRESENTED BEFORE
THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY
AFFAIRS

MAJOR GENERAL ARTHUR J. LOGAN
ADJUTANT GENERAL,
DIRECTOR OF THE HAWAII EMERGENCY MANAGEMENT AGENCY AND
DIRECTOR OF HOMELAND SECURITY

FEBRUARY 11, 2019

Chair Nishihara, Vice Chair Wakai and the Members of the Committee on Public Safety, Intergovernmental and Military Affairs.

I am Major General Arthur Logan, Adjutant General, Director of the State Emergency Management Agency and Director of Homeland Security.

The Department of Defense (DOD) provides written testimony in **SUPPORT** of SB 1217.

There currently exist a coverage gap for our Servicemembers serving on full-time National Guard duty, as defined by Title 32 United States Code (USC) 101(19). The purpose of this bill is to apply the protections of the Civil Relief for State Military Forces (CRSMF) to persons serving on full-time National Guard duty under Title 32, USC and to bring provisions in line with the Servicemembers Civil Relief Act, codified in 50 United States Code, Chapter 50 (§§3901-4043).

Service Members on full-time National Guard duty pursuant to Title 32, United States Code, are not covered by the federal Servicemembers Civil Relief Act (SCRA), nor are they covered by the State of Hawaii equivalent, CRSMF. The SCRA coverage only extends to those on Title 10 Active Duty and Title 32 Service Members mobilized to respond to a national emergency declared by the President and supported by federal funds. Coverage under SCRA specifically excludes full-time national guard orders. The CRSMF applies only to those members of the state military forces ordered to State Active Duty.

This bill will apply the protections under CRSMF to Servicemembers serving on Full-Time National Guard duty under Title 32, USC and updates provisions to match the SCRA as codified in 50 United States Code, Chapter 50 §§3901 et. Seq.

Thank you for the opportunity to support SB1217.

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