
A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS.

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

1 SECTION 1. This Act is recommended by the Governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Hawaii State Constitution.

4 SECTION 2. The purpose of this Act is to make an emergency
5 appropriation for emergency relief operations in the counties of
6 Hawaii, Maui, Kauai, and the city of Honolulu as a result of the
7 October 15, 2006, Kiholo Bay Earthquake disaster as follows:

8 (1) Cover the costs of statewide response and recovery
9 efforts to repair damaged homes, public buildings,
10 transportation infrastructure, utilities, irrigation systems,
11 hospitals, and nursing homes, especially on the islands of
12 Hawaii and Maui;

13 (2) Cover the required twenty-five percent cost share for
14 the Federal Emergency Management Agency's public assistance
15 program and individual assistance program, as required by the
16 Robert T. Stafford Disaster and Emergency Assistance Act, and
17 for the Natural Resources Conservative Service emergency
18 watershed protection program;

1 (3) Upgrade State and county warning systems by providing
2 emergency generators to selected critical facilities such as
3 radio and television stations to ensure continuity of operations
4 in informing the general public of potential immediate risks;

5 (4) Hire consultants to:

6 (a) Investigate and survey alternate sources of
7 irrigation water for Hawaii Island.

8 (b) Develop and coordinate plans for public and
9 private partnerships to improve and to protect sources and
10 distribution of irrigation water on Hawaii Island;

11 (5) Provide financial assistance to critical facilities
12 such as public schools, hospitals, and nursing facilities for
13 structural and non-structural mitigation projects;

14 The legislature finds and declares the appropriations under
15 this Act are in the public interest and ensures public health,
16 safety, and general welfare of the state.

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$900,000, or so much
19 thereof as may be necessary, for fiscal year 2006-2007 to cover
20 operational expenses associated with earthquake disaster
21 recovery efforts, including but not limited to national guard

1 personnel on state active duty and helicopter operating
2 expenses.

3 The sum appropriated shall be expended by the department of
4 defense for the purposes of this Act.

5 SECTION 4. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$24,000,000, or so
7 much thereof as may be necessary for fiscal year 2006-2007, to
8 cover the twenty-five percent non-federal cost share for
9 earthquake disaster recovery projects made eligible under the
10 Federal Emergency Management Agency's public assistance program.

11 The sum appropriated shall be expended by the department of
12 defense for the purposes of this Act.

13 SECTION 5. Each department or agency expending funds
14 authorized by this Act shall submit reports to the legislature
15 no later than January 15, 2008. The information contained in
16 the reports shall:

- 17 (1) Be organized by county;
- 18 (2) Provide summaries of expenditure data on a statewide
19 basis; and
- 20 (3) Include:
 - 21 (A) The date of each expenditure;
 - 22 (B) The purpose and description of each expenditure;

1 (C) The identification of any recipient of payments
2 from each expenditure; and

3 (D) For funds not authorized by this Act but
4 nevertheless used by any department or agency
5 for the purposes of this Act:

6 (i) The source of those funds, by specific
7 program;

8 (ii) The impact to the programs originally funded
9 by those funds; and

10 (iii) The need for any emergency appropriations
11 that resulted from the diversion of those
12 funds.

13 SECTION 6. Any provision of the Act to the contrary
14 notwithstanding, the appropriations under this Act shall not
15 lapse at the end of the fiscal year for which the appropriations
16 were made. All unexpended and unencumbered balances of the
17 appropriations made in this Act as of close of business on June
18 30, 2008, shall lapse.

19 SECTION 3. This Act shall take effect upon its approval.

20
21 INTRODUCED BY: Chin K. Jay

22 BY REQUEST
JAN 22 2007

H.B. 1345

JUSTIFICATION SHEET

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT MAKING AN EMERGENCY
APPROPRIATION FOR NATURAL DISASTERS.

PURPOSE: Make emergency appropriations of \$900,000 in general funds to the Department of Defense for fiscal year 2006-2007 to cover operational expenses associated with the October 15, 2006, Kiholo Bay earthquake disaster recovery efforts in the counties of Hawaii, Maui, Kauai, and the city of Honolulu; and make emergency appropriations of \$24,000,000 in general funds to the Department of Defense for fiscal year 2006-2007 to cover the twenty-five percent non-federal cost share for earthquake disaster recovery projects made eligible under the Federal Emergency Management Agency's Public Assistance program, for emergency watershed protection projects under the Natural Resources Conservative Service, upgrading State and county warning systems, repairing and improving irrigation water systems, and repairing public school facilities, hospitals, and healthcare facilities. Emergency Appropriations funds will also be used for structural and non-structural earthquake mitigation projects.

MEANS: Emergency Appropriations.

JUSTIFICATION: In its continuing efforts at providing necessary and appropriate disaster relief to victims and to government entities impacted by the October 15, 2006, Kiholo Bay Earthquake, the Department of Defense has nearly depleted the balance of the Major Disaster Fund. Therefore, additional emergency funding is required to continue the Department of Defense's disaster relief efforts and to cover the twenty-five percent cost share of the Federal Emergency Management Agency's Public Assistance programs as required by the Robert T. Stafford Disaster and Emergency Assistance Act. Without this emergency appropriation, State agencies will be at risk of losing federal funding for the repair and restoration of damaged government facilities. The general fund recommendation included in this measure has been made in accordance with the statutorily defined appropriation ceiling for the Executive Branch pursuant to section 37-92, Hawaii Revised

Statutes. Including appropriations made up to and including the regular session of 2006, the Executive Branch appropriation ceiling for Fiscal Year 2006-2007 has already been exceeded by \$415,349,859 or 8.51 percent. Funding requested in this measure will assure continued assistance and relief for the October 15, 2006, Kiholo Bay earthquake disaster, and will result in the appropriation ceiling for the Executive Branch to now be exceeded in Fiscal Year 2006-2007 by \$24,900,000 or 0.51 percent. This current emergency declaration takes into account additional general fund appropriations authorized for Fiscal Year 2006-2007 in this measure only, and does not include other general fund appropriations for Fiscal Year 2006-2007 that may be authorized for the Executive Branch in other legislation submitted to the Legislature during the regular session of 2007.

Impact on the public: Assures continued assistance and relief for the State's victims of the October 15, 2006, Kiholo Bay Earthquake.

Impact on the department and other agencies: Assures continued receipt of Federal Emergency Management Agency funding.

GENERAL FUND: \$24,900,000.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: None.

OTHER AFFECTED DEPARTMENTS OF: Agriculture; Business, Economic
AGENCIES: Development and Tourism; Accounting and General
Services; Education; Health; Human Services; Land
and Natural Resources; Labor and Industrial
Relations; and Transportation.

EFFECTIVE
DATE: Upon approval.