

JAN 28 2009

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# A BILL FOR AN ACT

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RELATING TO STATE DISASTER RELIEF.

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

1       SECTION 1.   Section 127-10, Hawaii Revised Statutes, is  
2   amended to read as follows:

3       "~~§127-10   Disaster relief [during suspension of preceding~~  
4   ~~sections.]; proclamation of disaster emergency; report.~~   (a)

5   For purposes of this chapter, the governor shall have the  
6   authority to proclaim a disaster emergency to implement disaster  
7   relief under subsection (c).

8       (b)   The vice-director of civil defense shall issue a  
9   preliminary report within sixty days from the date of issuance  
10   of the disaster proclamation. The preliminary report shall be  
11   issued to the governor, mayor of each county, and the  
12   legislature, detailing the nature of the disaster, loss  
13   projections, and an assessment of the cause of the natural  
14   disaster; provided that there shall be a follow-up report within  
15   one hundred eighty days from the date of issuance of the  
16   disaster proclamation to evaluate the response of the State to  
17   the proclamation of disaster emergency.



1       (c) During any period in which [~~sections 127-1 to 127-9~~  
2   ~~are not in effect,~~] disaster relief is in effect, the governor  
3   and political subdivisions may exercise any and all of [~~their~~]  
4   the same powers that relate to disasters resulting from enemy  
5   attacks[~~7~~] under chapter 128, in order to provide [~~either~~]  
6   disaster relief. All provisions [~~of law~~] that relate to  
7   disasters resulting from enemy attacks under chapter 128 [~~during~~  
8   ~~such period~~] are made applicable to [~~either~~] disaster relief,  
9   including without limitation, provisions making or authorizing  
10   appropriations or expenditures.

11       (d) As used in this section [~~"other disaster~~] "disaster  
12   relief" means the preparation for and the carrying out of all  
13   functions[~~7~~] under this chapter and applicable provisions of  
14   chapter 128, other than functions for which United States  
15   military forces are primarily responsible, to minimize and  
16   repair injury and damage resulting from disasters caused by  
17   fire, flood, tidal wave, volcanic eruption, earthquake, or other  
18   natural causes and major disasters caused by acts of man,  
19   including but not limited to, massive oil spills, nuclear  
20   accidents, airplane crashes and civil disturbances."

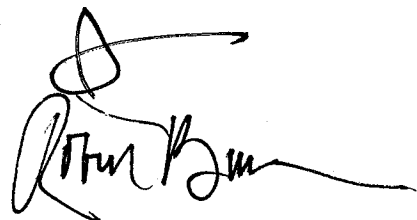
21       SECTION 2. Statutory material to be repealed is bracketed  
22   and stricken. New statutory material is underscored.



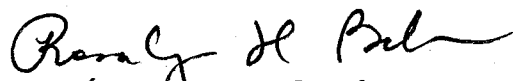

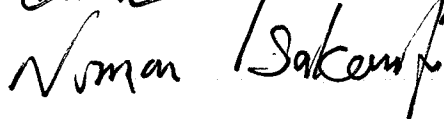
1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Will Eyo







**Report Title:**

Civil Defense; Natural Disaster; Governor's Declaration

**Description:**

Clarifies that the governor has the authority to declare a disaster emergency. Requires the state civil defense division after the governor has proclaimed a disaster emergency, to report to the governor, legislature, and each county mayor on the disaster, including specified information.

