
A BILL FOR AN ACT

RELATING TO THE HAWAII EMERGENCY MANAGEMENT AGENCY.

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

1 SECTION 1. Chapter 127A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§127A- Hazard mitigation special fund. (a) There is
5 established in the state treasury the hazard mitigation special
6 fund, into which shall be deposited:

7 (1) All revenues from any recovery or reimbursement
8 pursuant to section 127A-18; and

9 (2) Appropriations made by the legislature for deposit
10 into the fund.

11 (b) Moneys in the hazard mitigation special fund shall be
12 used for personnel costs and operating and administrative costs
13 deemed necessary by the agency to administer section 127A-18."

14 SECTION 2. Section 127A-18, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) Even in the absence of an emergency or disaster, the
17 governor may authorize designated state employees, agents,



1 contractors, or representatives to enter private property at
2 reasonable times to mitigate situations deemed by the governor
3 to be hazardous to the health and safety of the public; provided
4 that this section shall be applicable only to the following
5 actions:

6 (1) Cutting, trimming, or removing dangerous trees or
7 branches that pose a hazard to other properties;

8 (2) Stabilizing or removing unstable rock and soil
9 hazards; [~~or~~]

10 (3) Cleaning streams and waterways to mitigate or prevent
11 flooding; or [~~other~~]

12 (4) Additional natural hazards;

13 provided further that at least ten days' written notice shall be
14 provided to the landowner and to the occupier of the private
15 property of the governor's intention to authorize designated
16 state employees, agents, contractors, or representatives to
17 enter the property to mitigate the hazardous situation; provided
18 further that the landowner or occupier shall be given a
19 reasonable opportunity to mitigate the hazardous situation
20 without assistance of the State before designated state



1 employees, agents, contractors, or representatives may enter the
2 property."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Hawaii Emergency Management Agency; Hazard Mitigation

Description:

Establishes the hazard mitigation special fund for the Hawaii emergency management agency. Effective 7/1/2050. (HD1)

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