
A BILL FOR AN ACT

MAKING APPROPRIATIONS FOR WILDFIRE RECOVERY.

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

1 SECTION 1. The legislature finds that the devastating
2 wildfires brought on by winds from Hurricane Dora on August 8,
3 2023, resulted in one of the worst natural disasters in the
4 State's history. The wildfires caused loss of life and
5 displacement of thousands on the island of Maui. The disaster
6 also destroyed nearly all of Lahaina.

7 The people of Hawaii and the world responded
8 compassionately by coming together with donation drives and
9 relief efforts to support those on Maui who had survived the
10 devastation. Federal, state, and county agencies worked
11 together with nonprofit organizations, including the American
12 Red Cross, Hawaii Community Foundation, Maui United Way, and
13 many others, on the emergency response and recovery efforts.

14 The legislature further finds that to support response and
15 recovery efforts and address immediate 2023 wildfire funding
16 needs, the governor, through the seventh emergency proclamation
17 relating to wildfires, dated September 8, 2023, and executive
18 memorandum no. 23-08, redirected \$164.1 million, after



1 adjustments, from selected general fund operating appropriations
2 from Act 164, Session Laws of Hawaii 2023, originally intended
3 for specific purposes and capital improvement projects, to the
4 department of budget and finance. The department of budget and
5 finance subsequently transferred \$65 million to the major
6 disaster fund and set aside the remaining \$99.1 million for the
7 State's share of noncongregate housing and debris clean-up costs
8 initially being paid by the Federal Emergency Management Agency.
9 These steps, among others, allowed the State to address response
10 and recovery expenses incurred thus far without cutting
11 positions and departmental base budgets.

12 The legislature notes that this Act is a vital component to
13 funding wildfire recovery. In addition to significant funding
14 in this Act, the Supplemental Appropriations Act of 2024
15 appropriates \$96,560,000 for various infrastructure projects on
16 Maui that include:

- 17 (1) \$4,560,000 for a final disposition site;
- 18 (2) \$11,000,000 for wastewater collection system repairs;
- 19 (3) \$9,000,000 for wastewater collection system laterals
20 and cleanouts;
- 21 (4) \$3,000,000 for traffic signal replacement;



- 1 (5) \$10,000,000 for fire flow improvements to water
2 systems;
- 3 (6) \$10,000,000 for water supply infrastructure repairs
4 and replacements;
- 5 (7) \$8,000,000 for storm drainage, flood control, and
6 water quality improvements;
- 7 (8) \$8,000,000 for roadway connectivity for disaster
8 evacuation; and
- 9 (9) \$33,000,000 for the repair and rehabilitation of
10 highways in Lahaina.

11 The legislature further finds that the status of Federal
12 Emergency Management Agency eligible and ineligible expenses
13 remains uncertain, making accurate appropriations an extreme
14 challenge.

15 The purpose of this Act is to appropriate additional moneys
16 to continue the State's recovery efforts in response to the Maui
17 wildfires and to accelerate statewide wildfire mitigation and
18 response capabilities.

19 SECTION 2. In accordance with section 9 of article VII of
20 the Constitution of the State of Hawaii and sections 37-91 and
21 37-93, Hawaii Revised Statutes, the legislature has determined



1 that the appropriations contained in H.B. No. 40, S.D. 1,
2 C.D. 1, will cause the state general fund expenditure ceiling
3 for fiscal year 2024-2025 to be exceeded by \$323,123,869 or 3.0
4 per cent. In addition, the appropriations contained in this Act
5 will cause the general fund expenditure ceiling for fiscal year
6 2024-2025 to be further exceeded by \$221,189,453 or 2.5 per cent.
7 The reasons for exceeding the general fund expenditure ceiling
8 are that:

- 9 (1) The appropriations made in this Act are necessary to
10 serve the public interest; and
11 (2) The appropriations made in this Act meet the needs
12 addressed by this Act.

13 SECTION 3. There is appropriated out of the state risk
14 management revolving fund established by section 41D-4, Hawaii
15 Revised Statutes, the sum of \$200,000,000 or so much thereof as
16 may be necessary for fiscal year 2024-2025 for insurance claim
17 payments related to the Maui wildfires disaster that began on
18 August 8, 2023; provided that the department of accounting and
19 general services shall submit to the legislature, on the seventh
20 day of each month, the following information associated with the
21 Maui wildfires disaster that began on August 8, 2023:



- 1 (1) The date of insurance proceeds allocation;
- 2 (2) The amount of proceeds allocated;
- 3 (3) The date of each expenditure;
- 4 (4) The amount of each expenditure;
- 5 (5) The purpose of each expenditure;
- 6 (6) Any contracts executed for the expenditure of funds;
- 7 (7) All liquidation dates for contracts or liabilities;
- 8 and
- 9 (8) A detailed explanation of the public purposes served
- 10 by the expenditure of resources.

11 Notwithstanding any law to the contrary, the governor shall
 12 submit to the legislature, no later than thirty days prior to
 13 the convening of the regular session of 2025, a summary report
 14 containing the aforementioned information for the previous
 15 twelve-month period from December 1 to November 30.

16 The sum appropriated shall be expended by the department of
 17 accounting and general services, state risk management and
 18 insurance administration (AGS 203), for the purposes of this
 19 section, with the approval of the comptroller.

20 SECTION 4. There is appropriated out of the general
 21 revenues of the State of Hawaii the sum of \$186,160,000 or so



1 much thereof as may be necessary for fiscal year 2024-2025 as a
2 set-aside for recovery costs for the Maui wildfires disaster
3 that began on August 8, 2023; provided that notwithstanding any
4 law to the contrary the governor may authorize the transfer of
5 up to \$186,160,000 in general funds to other state agencies for
6 recovery costs for the Maui wildfires disaster that began on
7 August 8, 2023; provided further that the governor shall provide
8 notice to the legislature fourteen days prior to the date of any
9 transfer and submit a report to the legislature within five days
10 of each use of this authority; provided further that the report
11 shall include the date of transfer, the amount of the transfer,
12 the program ID to which funds were transferred, and an
13 explanation of the purpose of the transfer of resources.

14 Notwithstanding any law to the contrary, the governor shall
15 submit to the legislature, no later than thirty days prior to
16 the convening of the regular sessions of 2025 and 2026, a
17 summary report containing the aforementioned information for
18 each use of this authority for the previous twelve-month period
19 from December 1 to November 30.



1 The sum appropriated shall be expended by the department of
2 budget and finance, departmental administration and budget
3 division (BUF 101), for the purposes of this Act.

4 SECTION 5. Notwithstanding any law to the contrary, the
5 department of budget and finance or any department or agency
6 receiving funds transferred by the governor under this Act shall
7 submit to the legislature, on the seventh day of each month, the
8 following information associated with the Maui wildfires
9 disaster that began on August 8, 2023:

- 10 (1) The date of each expenditure;
- 11 (2) The amount of each expenditure, for expenses that are
12 Federal Emergency Management Agency eligible; and
13 separately, for expenses that are Federal Emergency
14 Management Agency ineligible;
- 15 (3) The purpose of expenditures;
- 16 (4) Any contracts executed for the expenditure of funds;
- 17 (5) All liquidation dates for contracts or liabilities;
- 18 and
- 19 (6) A detailed explanation of the public purposes served
20 by the expenditure of resources.



1 Notwithstanding any law to the contrary, the governor shall
2 submit to the legislature, no later than thirty days prior to
3 the convening to the regular session of 2025, a summary report
4 containing the aforementioned information for the previous
5 twelve-month period from December 1 to November 30.

6 SECTION 6. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$62,500 or so much
8 thereof as may be necessary for fiscal year 2024-2025 for a
9 temporary library located in Lahaina, Maui.

10 The sum appropriated shall be expended by the Hawaii state
11 public library system, public libraries (EDN 407) for the
12 purposes of this section.

13 SECTION 7. (a) There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$424,344 or so much
15 thereof as may be necessary for fiscal year 2024-2025 for six
16 full-time equivalent (6.0 FTE) temporary positions in the
17 department of human services.

18 (b) There is appropriated out of the general revenues of
19 the State of Hawaii the sum of \$13,370,000 or so much thereof as
20 may be necessary for fiscal year 2024-2025, and the sum of
21 \$12,751,554 or so much thereof as may be necessary for fiscal



1 year 2024-2025 in federal funds for emergency management related
2 to the Maui wildfires that began on August 8, 2023.

3 (c) The sums appropriated shall be expended by the
4 department of human services, general administration - DHS
5 (HMS 904), for the purposes of this section.

6 SECTION 8. There is appropriated out of the conservation
7 and resources enforcement special fund established by section
8 199-1.5, Hawaii Revised Statutes, the sum of \$521,473 or so much
9 thereof as may be necessary for fiscal year 2024-2025 for the
10 department of land and natural resources, division of
11 conservation and resources enforcement, for Maui wildfire
12 recovery efforts.

13 The sum appropriated shall be expended by the department of
14 land and natural resources, division of conservation and
15 resources enforcement (LNR 405), for the purposes of this
16 section.

17 SECTION 9. There is appropriated out of the public
18 utilities commission special fund established by section 269-33,
19 Hawaii Revised Statutes, the sum of \$1,000,000 or so much
20 thereof as may be necessary for fiscal year 2024-2025 for
21 consultant contracts for utility dockets.



1 The sum appropriated shall be expended by the public
2 utilities commission (CCA 901) for the purposes of this section.

3 SECTION 10. There is appropriated or authorized for
4 expenditure out of federal moneys received by the State of
5 Hawaii the sum of \$20,000,000 or so much thereof as may be
6 necessary for fiscal year 2024-2025 for wildfire response,
7 recovery, and prevention measures.

8 The sum appropriated shall be expended by the department of
9 Hawaiian home lands, administration and operating support
10 (HHL 625), for the purposes of this section.

11 SECTION 11. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$7,425,000 or so much
13 thereof as may be necessary for fiscal year 2024-2025 for fire
14 response and rehabilitation and wildfire fuels reduction
15 contracts for the department of land and natural resources,
16 division of forestry and wildlife.

17 The sum appropriated shall be expended by the department of
18 land and natural resources, native resources and fire protection
19 program (LNR 402), for the purposes of this section.

20 SECTION 12. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$1,412,928 or so much



1 thereof as may be necessary for fiscal year 2024-2025 for
2 twenty-two full-time equivalent (22.0 FTE) positions within the
3 native resources and fire protection program of the department
4 of land and natural resources.

5 The sum appropriated shall be expended by the department of
6 land and natural resources, native resources and fire protection
7 program (LNR 402), for the purposes of this section.

8 SECTION 13. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$10,000,000 or so
10 much thereof as may be necessary for fiscal year 2024-2025 for
11 fire and emergency response equipment.

12 The sum appropriated shall be expended by the department of
13 land and natural resources, native resources and fire protection
14 program (LNR 402), for the purposes of this section.

15 SECTION 14. There is appropriated or authorized for
16 expenditure out of federal moneys received by the State of
17 Hawaii the sum of \$3,549,000 or so much thereof as may be
18 necessary for fiscal year 2024-2025 for fire and emergency
19 response equipment.



1 The sum appropriated shall be expended by the department of
2 land and natural resources, native resources and fire protection
3 program (LNR 402), for the purposes of this section.

4 SECTION 15. There is appropriated out of the public
5 utilities commission special fund established under section
6 269-33, Hawaii Revised Statutes, the sum of \$900,000 or so much
7 thereof as may be necessary for fiscal year 2024-2025 for
8 consultant contracts for utility dockets.

9 The sum appropriated shall be expended by the division of
10 consumer advocacy (CCA 103) for the purposes of this section.

11 SECTION 16. Act 164, Session Laws of Hawaii 2023, as
12 amended by House Bill 1800, H.D. 1, S.D. 1, C.D. 1, passed by
13 the legislature during the regular session of 2024, is amended
14 as follows:

15 1. By adding two new sections to Part III to read:

16 "SECTION . Provided that of the general fund
17 appropriation for the Hawaii association of conservation
18 districts (LNR141), the sum of \$400,000 or so much thereof as is
19 necessary for fiscal year 2024-2025 shall be expended in
20 accordance with chapter 180, Hawaii Revised Statutes, in areas
21 affected by Hurricane Dora in 2023; provided further that:



1 (1) The moneys shall be used to match extramural funding
2 for stormwater management for drought resiliency and
3 reducing wildfire risk;

4 (2) No later than thirty days prior to the convening of
5 the regular session of 2025, the department of land
6 and natural resources shall submit a report to the
7 legislature accounting for the usage of funds; and

8 (3) These funds are deemed necessary to qualify for
9 federal aid financing or reimbursement.

10 SECTION . Provided that of the general fund
11 appropriation for amelioration of natural disasters (DEF101),
12 the sum of \$194,000 or so much thereof as is necessary for
13 fiscal year 2024-2025 shall be expended for civilian auxiliary
14 aviation services, which may include search and rescue efforts,
15 damage assessments, aerial photography of impacted areas, alerts
16 and notifications, and transportation of supplies."

17 2. By adding a new section to Part V to read:

18 "SECTION . Provided that the sums appropriated to the
19 county of Maui (SUB401) for wildfire recovery projects in this
20 act denoted in section 7 as items K-18.1, K-18.2, K-18.3,
21 K-18.4, K-18.5, K-18.6, K-18.7, and K-18.8 shall be expended by



1 the county of Maui for the purposes of this Act; provided
2 further that the county of Maui shall reimburse the State for
3 all debt service including principal, interest, and any other
4 debt-related costs for the reimbursable general obligation
5 bonds; provided further that any debt service reimbursements
6 received by the State may be paid from tax revenue or any other
7 source received by the county of Maui, and from reimbursements
8 to the county of Maui by the Federal Emergency Management Agency
9 as allowed by law."

10 SECTION 17. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$2,334,681 or so much
12 thereof as may be necessary for fiscal year 2024-2025 for the
13 university of Hawaii economic research organization, which shall
14 be allocated as follows:

- 15 (1) \$1,500,000 to conduct a multiethnic cohort study on
16 the health effects of the August 2023 Maui wildfires;
17 and
18 (2) \$834,681 to develop and maintain a registry of those
19 affected by the wildfires to assess their long-term
20 health and well-being and the impacts on communities.



1 The sum appropriated shall be expended by the university of
2 Hawaii for the purposes of this Act.

3 SECTION 18. Any law to the contrary notwithstanding, the
4 appropriations authorized by this Act that are unencumbered as
5 of June 30, 2025, shall lapse as of that date.

6 SECTION 19. New statutory material is underscored.

7 SECTION 20. This Act shall take effect on July 1, 2024.



Report Title:

Wildfires; General Obligation Bonds; Appropriations; General Fund Expenditure Ceiling Exceeded

Description:

Appropriates funds to support the State's continued response to the August 2023 wildfires that affected the counties of Hawaii and Maui. Declares that the appropriation exceeds the state general fund expenditure ceiling for 2023-2024. (CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

