

**JOSH GREEN, M.D.**  
GOVERNOR  
KE KIA'ĀINA



**KENNETH S. HARA**  
DIRECTOR OF EMERGENCY  
MANAGEMENT

**JAMES DS. BARROS**  
ADMINISTRATOR OF  
EMERGENCY MANAGEMENT

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF DEFENSE**  
**KA 'OIHANA PILI KAUA**  
**HAWAI'I EMERGENCY MANAGEMENT AGENCY**  
4204 DIAMOND HEAD ROAD  
HONOLULU, HAWAI'I 96816-4420

STATE OF HAWAI'I  
DEPARTMENT OF DEFENSE  
HAWAI'I EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON SENATE BILL 582 SD1,  
RELATING TO EMERGENCY MANAGEMENT

BEFORE THE SENATE COMMITTEE ON  
**WAYS AND MEANS**

BY

**JAMES DS. BARROS**  
ADMINISTRATOR  
HAWAI'I EMERGENCY MANAGEMENT AGENCY

FEBRUARY 21, 2024

Aloha Chair Dela Cruz, Vice-Chair Moriwaki, and Members of the Committee:

Thank you for the opportunity to submit testimony to **SUPPORT SB 582 SD1**.

The devastating wildfires that ravaged Lahaina in August 2023 demand immediate and proactive action from the State. It is imperative that the State not only supports recovery efforts but also takes decisive steps to address the aftermath of the wildfires. Allocating funds for this purpose is a clear demonstration of the State's unwavering commitment to aiding the affected communities in Maui and ensuring their well-being and speedy recovery.

The allocation of funds will enable the State to swiftly respond to urgent needs and tackle critical issues resulting from such disasters. This may involve providing emergency relief, aiding displaced individuals and families, restoring crucial infrastructure, and implementing measures to prevent future wildfires. This bill underscores the State's dedication to the resilience and prosperity of the people of Maui and Hawai'i as a whole, guaranteeing that they receive the necessary support to rebuild and thrive once again.

HI-EMA **strongly supports** this bill, which reflects the State's responsibility to protect its citizens and communities during times of crisis.

Thank you for the opportunity to provide testimony on Senate Bill 582 SD1.

James Barros: [james.barros@hawaii.gov](mailto:james.barros@hawaii.gov); 808-733-4300



JOSH GREEN, M.D.  
GOVERNOR

SYLVIA LUKE  
LIEUTENANT GOVERNOR

EMPLOYEES' RETIREMENT SYSTEM  
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND  
OFFICE OF THE PUBLIC DEFENDER

LUIS P. SALAVERIA  
DIRECTOR

SABRINA NASIR  
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**STATE OF HAWAII**  
**DEPARTMENT OF BUDGET AND FINANCE**  
*Ka 'Oihana Mālama Mo'ohelu a Kālā*  
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ADMINISTRATIVE AND RESEARCH OFFICE  
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION  
FINANCIAL ADMINISTRATION DIVISION  
OFFICE OF FEDERAL AWARDS MANAGEMENT

TESTIMONY BY LUIS P. SALAVERIA  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE SENATE COMMITTEE ON WAYS AND MEANS  
ON  
SENATE BILL NO. 582, S.D. 1

**February 21, 2024**  
**9:30 a.m.**  
**Room 211 and Videoconference**

RELATING TO STATE BUDGET

The Department of Budget and Finance (B&F) supports Senate Bill (S.B.) No. 582, S.D. 1, with proposed amendments.

S.B. No. 582, S.D. 1, makes an emergency appropriation to cover the State's immediate expenses incurred in the Hawai'i wildfires disaster response efforts. The emergency appropriation is now necessary because at present, the State's expenses for noncongregate housing and other expenses, including expenses for individuals impacted by the wildfires who have been classified as not eligible for Federal Emergency Management Agency (FEMA) assistance, are expected to exceed the \$199.1 million previously transferred to the Major Disaster Fund.

Because the State executed the contracts for noncongregate housing and those other expenses, the State is responsible for making payment and will seek reimbursement from FEMA for eligible costs. The State is working to maximize FEMA reimbursements; however, issues have arisen over what costs are FEMA eligible, and the timeline in which the State will be reimbursed for eligible costs is currently not clear.

What is clear is that the State will require additional funds to cover these immediate expenses in FY 24.

B&F has attached amended language for the Committee's consideration. The proposed amendment differs from S.D. 1 in the following respects:

1. Corrects the reference to "fiscal year 2024-2025" on page three, lines 7-8 of the S.D. 1, to "fiscal year 2023-2024," consistent with the emergency appropriations in FY 24 made in the bill;
2. Uses language preferred by the Department of the Attorney General (AG) with respect to the expenditure ceiling declaration for FY 24 in section three of the S.D. 1; and
3. Uses language preferred by AG with respect to the appropriation to B&F in section four of the S.D. 1.

Thank you for your consideration of our comments and requested amendments.

Attachment

# A BILL FOR AN ACT

RELATING TO STATE BUDGET.

**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 Constitution of the State of Hawaii.

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

10           The legislature further finds that to support response and  
11 recovery efforts and address immediate 2023 wildfire funding  
12 needs, the governor, through the seventh emergency proclamation  
13 relating to wildfires, dated September 8, 2023, and executive  
14 memorandum no. 23-08, redirected \$164.1 million, after  
15 adjustments, from selected general fund operating appropriations  
16 from Act 164, Session Laws of Hawaii 2023, originally intended  
17 for specific purposes and capital improvement projects, to the  
18 department of budget and finance. The department of budget and

1 finance subsequently transferred the \$164.1 million to the major  
2 disaster fund along with another \$30 million that the governor  
3 authorized pursuant to section 5 of Act 164, Session Laws of  
4 Hawaii 2023. With the existing \$5 million major disaster fund  
5 appropriation, a total of \$199.1 million has been allocated to  
6 the major disaster fund for initial wildfire response and  
7 recovery, including the expected State's share of noncongregate  
8 housing and debris clean-up costs initially being paid by the  
9 Federal Emergency Management Agency (FEMA). These steps  
10 provided what was thought to be sufficient funding for the State  
11 to address the expected fiscal year 2023-2024 response and  
12 recovery expenses as of the beginning of January 2024.

13 The legislature further finds that FEMA executed the  
14 contract for debris clean-up costs, and the State executed the  
15 contracts for noncongregate housing and related expenses for  
16 room and board of wildfire victims displaced from their homes.  
17 The State's expenses for noncongregate housing and other  
18 expenses including expenses for individuals impacted by the  
19 wildfires who have been classified as not eligible for FEMA  
20 assistance is expected to exceed the amounts previously  
21 transferred to the major disaster fund. Because the State  
22 executed these contracts, the State is responsible for making

1 payment and will seek reimbursement from FEMA for eligible  
2 costs. Issues have recently arisen over what costs are eligible  
3 and the timeline in which the State will be reimbursed for  
4 eligible costs is currently not clear. The State will require  
5 additional funds to cover these immediate expenses in fiscal  
6 year 2023-2024.

7 The purpose of this Act is to make an emergency  
8 appropriation to cover the State's immediate expenses incurred  
9 in the Hawaii wildfires disaster response efforts.

10 SECTION 3. In accordance with section 9 of article VII of  
11 the Constitution of the State of Hawaii and sections 37-91 and  
12 37-93, Hawaii Revised Statutes, the legislature has determined  
13 that the general fund expenditure ceiling for fiscal  
14 year 2023-2024 has already been exceeded by \$1,005,342,735 or  
15 9.4 per cent. The appropriations contained in this Act will  
16 cause the state general fund expenditure ceiling for fiscal  
17 year 2023-2024 to be further exceeded by \$ or  
18 per cent. This declaration takes into account the additional  
19 general fund appropriation(s) authorized for fiscal  
20 year 2023-2024 in this Act only. The reasons for exceeding the  
21 general fund expenditure ceiling are that:

1           (1) The appropriations made in this Act are necessary to  
2           serve the public interest; and

3           (2) The appropriations made in this Act meet the needs  
4           addressed by this Act.

5           SECTION 4. There is appropriated out of the general  
6 revenues of the State of Hawaii to the department of budget and  
7 finance, departmental administration and budget division  
8 (BUF101) the sum of \$           or so much thereof as may be  
9 necessary for fiscal year 2023-2024 for expenses related to  
10 noncongregate housing and other costs relating to the provision  
11 of food, housing or other assistance for individuals affected by  
12 the Hawaii wildfires disaster that began on August 8, 2023;  
13 provided that any unexpended or unencumbered balance shall lapse  
14 to the general fund on June 30, 2026; provided that any law to  
15 the contrary notwithstanding, the governor may authorize the  
16 transfer of these funds to the major disaster fund established  
17 by section 127A-16, Hawaii Revised Statutes.

18           SECTION 5. This Act shall take effect upon its approval.

**Report Title:**

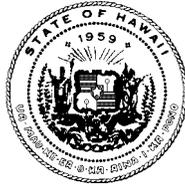
Wildfires; Emergency Appropriation

**Description:**

Appropriates funds to support the State's response to the August 2023 wildfires that affected the county of Maui.

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

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



CATHY BETTS  
DIRECTOR  
KA LUNA HO'OKELE

JOSEPH CAMPOS II  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

TRISTA SPEER  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF HUMAN SERVICES**  
KA 'OIHANA MĀLAMA LAWELAWE KANAKA  
Office of the Director  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

January 18, 2024

To: The Honorable Senator Donovan Dela Cruz, Chair  
Senate Committee on Ways & Means

FROM: Cathy Betts, Director

SUBJECT: **SB 582 SD1 – RELATING TO STATE BUDGET.**

Hearing: February 21, 2024, 9:30 a.m.  
Conference Room 211, State Capitol & Video Conference

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this measure for emergency appropriations for State Fiscal Year 2024 to address expenditures in response to the Maui Wildfires. DHS defers to the Department of Budget & Finance, the Hawaii Emergency Management Agency (HIEMA), and the Department of Hawaiian Home Lands (DHHL). DHS provides comments.

**PURPOSE:** This bill appropriates funds to support the State's response to the August 2023 wildfires that affected the county of Maui. Declares that the general fund expenditure ceiling is exceeded. (SD1)

As part of the State's response to finding temporary housing solutions for Maui residents impacted by the August wildfires, Governor Green tasked DHS with the housing projects that are to be funded by the Major Disaster Fund.

- **Rental Assistance Program (RAP):** The current rental assistance program is budgeted to expend \$17.5M in the current fiscal year and aims to provide interim housing for those survivor households that are ineligible for FEMA

housing solutions nor receive other forms of financial rental assistance. HIEMA determines eligibility for the RAP program. The community-based organization Global Empowerment Mission (GEM Hawaii) facilitates RAP in collaboration with Airbnb. GEM Hawaii contacts eligible households directly and connects them with an available Airbnb for up to 12 months. Additionally, GEM Hawaii will provide a food box for each household in RAP with sufficient food for the first week in their new accommodations. Since the program launched on November 30, 2023, as of February 13, 2023, the RAP program has placed **86** households, which includes **223** individuals, and expended **\$6,450,406** in rental subsidies. DHS projects that the \$17.5M funding will provide this interim housing solution for approximately 200 households.

- **Temporary modular housing project.** DHS is working with other State and Maui County agencies to develop a 450 modular unit temporary housing project on State land in West Maui. The site may be available to begin putting up the modular units by the end of June through July 2024. Preliminary projected costs are \$115,000,000, including \$56M for the purchase of 450 modular units, \$6M for community buildings, and \$53M for the infrastructure. Current projections for infrastructure work include \$10M in site improvements that will benefit the Department of Hawaiian Homelands (DHHL) Villages of Leiali'i. We are in discussion with DHHL to contribute \$10M from the appropriated funds for the Villages of Leiali'i. In addition, operating costs for one year, including utilities and property management, are estimated at \$5M. The estimated duration of the project is five (5) years. Should the need for interim housing still exist, the project may continue longer than the estimated five (5) years. The target population of the project is Maui residents who are deemed ineligible for FEMA assistance. Specific eligibility requirements and application processes are being developed.

Thank you for the opportunity to provide testimony on this measure.



Robin K. Matsunaga  
Ombudsman

Yvonne M.F. Jinbo  
First Assistant

**OFFICE OF THE OMBUDSMAN  
STATE OF HAWAII**

465 South King Street, 4<sup>th</sup> Floor  
Honolulu, Hawaii 96813  
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complaints@ombudsman.hawaii.gov

**TESTIMONY OF ROBIN K. MATSUNAGA, OMBUDSMAN,  
ON H.B. NO. 2520, A BILL FOR AN ACT  
MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES  
OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE  
BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION**

**SENATE COMMITTEE ON WAYS AND MEANS**

**FEBRUARY 22, 2024**

Chair Dela Cruz and Members of the Committee on Ways and Means:

Thank you for the opportunity to present testimony in strong support of H.B. No. 2520. The purpose of this bill is to provide appropriations for the legislative branch, including the Office of the Ombudsman. Section 11 of this bill appropriates \$1,574,544 for the operations of the Office of the Ombudsman for FY 2024-2025. Section 13 of this bill appropriates an additional \$84,035 for accrued vacation payments and vacation transfer payments for employees who leave employment with the Office of the Ombudsman prior to June 30, 2025.

The Office of the Ombudsman was created to receive and investigate complaints about the administrative acts of state executive branch and county government agencies of the State of Hawaii. Although we do not substantiate every complaint that we investigate, by independently and impartially investigating, we level the playing field for Hawaii's citizens who have complaints about their government and ensure that they are being treated lawfully, fairly, and reasonably.

During the past 12 months, we received 3,610 jurisdictional complaints, which is 3.8 percent less than the previous 12 month period, but still 7.6 percent more than we received during the 12-month period preceding the COVID-19 pandemic. The number of complainants who exhibit behavior that is inappropriate, hostile, and sometimes threatening continues to increase, but my office has continued to effectively investigate complaints at pre-pandemic levels of efficiency. We have been able to successfully persuade agencies to take corrective action when we have found through our investigations that an agency had not acted properly.

The appropriation in Section 11 of this bill will provide the funding needed for the office to pay for increased operating expenses, as well as salary adjustments for office staff to keep their pay equitable to that of employees in the executive and judicial branches. The appropriation in Section 13 of this bill will provide funding for vacation payouts and transfers, based on the

current composition of staff in the office. Attached for your information is a breakdown and comparison of my office's proposed budget for FY 2024-2025 and the current fiscal year.

Your support of this bill and the appropriations in Sections 11 and 13 will allow my office to continue to timely, independently, and impartially investigate citizen complaints about the administrative acts of state and county agencies and their employees.

Thank you for your consideration of this testimony and for your support of my office.

## Attachment

OFFICE OF THE OMBUDSMAN  
OPERATING BUDGET  
FY 2024-2025 vs. FY 2023-2024

	<u>FY 2024-2025</u>	<u>FY 2023-2024</u>
<b>A. PERSONAL SERVICES</b>		
Staff Salaries	<b>1,510,544 (14)</b>	1,464,442 (14)
<b>SUBTOTAL PERSONAL SERVICES</b>	<b>1,510,544</b>	1,464,442
<b>B. OTHER CURRENT EXPENSES</b>		
Office Supplies & Postage	<b>6,600</b>	6,600
Telephone	<b>6,500</b>	6,500
Intra-state Transportation & Subsistence	<b>2,000</b>	2,000
Out-of-state Transportation & Subsistence	<b>7,000</b>	7,000
Coronavirus Pandemic Response	<b>0</b>	200
Printing, Advertising & Publications	<b>1,000</b>	1,000
Maintenance - Office Equipment	<b>4,500</b>	4,500
Equipment Rental	<b>4,700</b>	4,700
Training/Subscriptions/Dues	<b>7,000</b>	7,000
Other Miscellaneous Current Expense	<b>1,100</b>	1,100
Computer Services	<b>21,000</b>	20,000
Risk Management	<b><u>(included w/Other)</u></b>	<b><u>(included w/Other)</u></b>
<b>SUBTOTAL OTHER CURRENT EXPENSES</b>	<b>61,400</b>	60,600
<b>C. EQUIPMENT, FURNISHINGS, &amp; BOOKS</b>		
Equipment	<b>2,000</b>	2,000
Furnishings	<b>0</b>	0
Books	<b>600</b>	600
<b>SUBTOTAL EQUIP, FURNISHINGS, BOOKS</b>	<b>2,600</b>	2,600
<b>TOTAL OPERATING BUDGET</b>	<b><u>1,574,544</u></b>	<b><u>1,527,642</u></b>
Vacation payout / transfers	<b>84,035</b>	84,035
<b>TOTAL BUDGET REQUEST</b>	<b><u>1,658,579</u></b>	<b><u>1,611,677</u></b>



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-SECOND LEGISLATURE, 2024**

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**LATE**

**ON THE FOLLOWING MEASURE:**

S.B. NO. 582, S.D. 1, RELATING TO STATE BUDGET.

**BEFORE THE:**

SENATE COMMITTEE ON WAYS AND MEANS

**DATE:** Wednesday, February 21, 2024      **TIME:** 9:30 a.m.

**LOCATION:** State Capitol, Room 211 and Videoconference

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Randall S. Nishiyama, Deputy Attorney General

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Chair Dela Cruz and Members of the Committee:

The Department of the Attorney General supports this bill.

This bill appropriates funds to support the State's response to the August 2023 wildfires that affected the County of Maui. In addition, this bill declares that the general fund expenditure ceiling is exceeded.

In the attached Proposed S.D. 2, we propose to amend this bill to establish the One Ohana Fund, a trust fund, to compensate individuals or their personal representatives affected by serious physical injury or death caused by the Maui wildfires. The purpose of these amendments is to make an emergency appropriation to fund the State's contribution to the One Ohana Fund to address this urgent and exceptional situation. In addition, this Proposed S.D. 2 sets forth the statutory framework for the One Ohana Fund.

We respectfully ask the Committee to pass this bill with the recommended amendments in the Proposed S.D. 2. Thank you for the opportunity to testify.

S.B. NO. 582  
PROPOSED SD 2

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A BILL FOR AN ACT

RELATING TO STATE BUDGET.

**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 Constitution of the State of Hawaii.

4           SECTION 2. The legislature finds that the State's  
5 contribution of public funds to the one ohana fund to compensate  
6 individuals or their personal representatives affected by  
7 serious physical injury or death caused by the Maui wildfires  
8 serves a public purpose.

9           The purpose of this Act is to make an emergency  
10 appropriation to fund the State's contribution to the one ohana  
11 fund. In addition, this Act sets forth the statutory framework  
12 for the one ohana fund.

13           SECTION 3. The legislature finds and declares that  
14 expenditures from the one ohana fund under this Act is in the  
15 public interest and for the public health, safety, and general  
16 welfare of the State for the following reasons:

**S.B. NO. 582**  
**PROPOSED SD 2**

- 1           (1) The State recognizes the devastating impact of the  
2           Maui wildfires on its residents, resulting in physical  
3           injury and loss of life;
- 4           (2) It is imperative for the State to respond with  
5           compassion and support for those affected by the Maui  
6           wildfires, ensuring that victims or their personal  
7           representatives are provided with fair and just  
8           compensation on a timely basis;
- 9           (3) The State has established the one ohana fund, a trust  
10          fund, for those who have lost loved ones or suffered  
11          serious physical injuries in the Maui wildfires.  
12          Participation in the one ohana fund is purely  
13          voluntary;
- 14          (4) The legislature recognizes that contributors to the  
15          one ohana fund besides the State include among others,  
16          the county of Maui, Hawaiian Electric Company, the  
17          Kamehameha Schools, Charter Communications/Spectrum,  
18          Hawaiian Telcom, and the West Maui Land Company;
- 19          (5) The legislature recognizes the one ohana fund as an  
20          efficient mechanism to address this urgent and  
21          exceptional situation, and understands the one ohana

**S.B. NO. 582**  
**PROPOSED SD 2**

1 fund's unique ability to provide assistance to those  
2 in need;

3 (6) The legislature recognizes the complexity and  
4 challenges of tort litigation and finds it prudent to  
5 provide an alternative through the one ohana fund of  
6 streamlining the compensation process for those  
7 impacted by the Maui wildfires;

8 (7) The legislature finds that it is in the public  
9 interest to encourage swift and fair resolution to  
10 claims arising from the Maui wildfires, thus  
11 alleviating the burden on the judicial system, and  
12 fostering community support, unity, and recovery in  
13 the aftermath of the Maui wildfires; and

14 (8) The legislature recognizes that individuals seeking  
15 compensation from the one ohana fund will be required  
16 to release the contributing parties to the fund from  
17 further liability and are willingly waiving their  
18 rights to pursue damages through tort litigation for  
19 wrongful death or personal injury claims, contributing  
20 to a more efficient resolution process.

**S.B. NO. 582**  
**PROPOSED SD 2**

1           Consequently, the legislature finds and declares that the  
2 public purpose is served by authorizing the expenditure of  
3 public moneys from the one ohana fund to provide an alternative  
4 for compensation to any individual or personal representative of  
5 a deceased individual who suffered serious physical injury or  
6 died as a result of the Maui wildfires, thus offering a timely  
7 and compassionate resolution to those affected by the Maui  
8 wildfires while relieving the burden on the judicial system and  
9 contributing to the rebuilding of lives and community.

10           Further, the legislature finds and declares that the moneys  
11 deposited into the one ohana fund shall be deemed trust moneys  
12 to be used to assist the families of individuals who died and  
13 individuals who suffered serious physical injury as a result of  
14 the Maui wildfires and who are the beneficiaries of the one  
15 ohana fund.

16           SECTION 4. Any individual who receives compensation from  
17 the one ohana fund under this Act shall waive the right to sue  
18 for damages related to physical injury or death resulting from  
19 the Maui wildfires, recognizing the one ohana fund as an  
20 alternative to tort litigation.

**S.B. NO. 582**  
PROPOSED SD 2

1           SECTION 5. Chapter 28, Hawaii Revised Statutes, is amended  
2 by adding to part I a new section to be appropriately designated  
3 and to read as follows:

4           "§28-       One ohana fund. (a) There is established  
5 outside the state treasury the one ohana fund, a trust fund,  
6 into which shall be deposited:

7           (1) Appropriations made by the legislature to the fund;

8           (2) Contributions made to the fund; and

9           (3) Earnings on the fund.

10          (b) Moneys in the one ohana fund shall be used for the  
11 following purposes:

12          (1) Compensation to any individual or personal  
13 representative of the deceased individual who suffered  
14 serious physical injury or died as a result of the  
15 Maui wildfires; and

16          (2) Administrative costs of the fund.

17          (c) The department of the attorney general shall oversee  
18 the implementation and oversight of the one ohana fund.

19          (d) The one ohana fund shall be administered by an  
20 administrator selected by the governor and shall not be subject  
21 to the advice and consent of the senate.

**S.B. NO. 582**  
PROPOSED SD 2

- 1        (1) The term of the administrator shall not be subject to  
2        term limits;
- 3        (2) If the administrator is or becomes unable or unwilling  
4        to serve as administrator, the governor shall appoint  
5        a new administrator; and
- 6        (3) The administrator shall establish procedures for the  
7        assessment and distribution of compensation to  
8        eligible individuals or their personal  
9        representatives.
- 10       (e) Claims paid from the one ohana fund shall be exempt  
11 from the legislative review provisions of section 37-77.
- 12       (f) The one ohana fund will terminate when the  
13 administration of the Maui wildfires compensation program is  
14 complete, as determined by the fund's administrator, with the  
15 concurrence of the attorney general. If there are any assets  
16 remaining in the one ohana fund at the time of its termination,  
17 then the fund's administrator, with the concurrence of the  
18 attorney general, will distribute the remainder of the fund's  
19 assets according to the procedures established by the  
20 administrator.

1        (g) The department shall submit a report to the  
2 legislature no later than twenty days prior to the convening of  
3 each regular session on:

4        (1) A listing of claims and the amounts paid by the one  
5 ohana fund for the calendar year;

6        (2) A listing of the administrative costs incurred one  
7 ohana fund for the calendar year; and

8        (3) A listing of contributors and their contribution  
9 amounts to the one ohana fund received during the  
10 calendar year."

11        SECTION 6. In accordance with section 9 of article VII of  
12 the Constitution of the State of Hawaii and sections 37-91 and  
13 37-93, Hawaii Revised Statutes, the legislature has determined  
14 that the general fund expenditure ceiling for fiscal year 2023-  
15 2024 has already been exceeded by \$1,005,342,735 or 9.4 per  
16 cent. The appropriations contained in this Act will cause the  
17 state general fund expenditure ceiling for fiscal year 2023-2024  
18 to be further exceeded by \$            or            per cent. This  
19 declaration takes into account the additional general fund  
20 appropriation(s) authorized for fiscal year 2023-2024 in this

**S.B. NO. 582**  
**PROPOSED SD 2**

1 Act only. The reasons for exceeding the general fund  
2 expenditure ceiling are that:

3 (1) The appropriations made in this Act are necessary to  
4 serve the public interest; and

5 (2) The appropriations made in this Act meet the needs  
6 addressed by this Act.

7 SECTION 7. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$65,000,000, or so  
9 much thereof as may be necessary for fiscal year 2023-2024, to  
10 fund the State's contribution to the one ohana fund to  
11 compensate individuals or personal representatives affected by  
12 serious physical injury or death caused by the Maui wildfires.

13 SECTION 8. The sum appropriated shall be expended by the  
14 department of the attorney general for the purposes of this Act.

15 SECTION 9. New statutory material is underscored.

16 SECTION 10. This Act shall take effect upon its approval.

**S.B. NO. 582**  
PROPOSED SD 2

**Report Title:**

Wildfires; Expenditure Ceiling; Emergency Appropriation

**Description:**

Establishes the One Ohana Fund to compensate victims of the Maui wildfires who suffered serious physical injury or death.

Requests an emergency appropriation. Declares that the general fund expenditure ceiling is exceeded. (SD2 Proposed)

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

Council Chair  
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Vice-Chair  
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore  
Tasha Kama

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Nohelani U'u-Hodgins



Director of Council Services  
David M. Raatz, Jr., Esq.

Deputy Director of Council Services  
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**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

February 19, 2024

TO: The Honorable Donovan M. Dela Cruz, Chair, and  
Members of the Senate Committee on Ways and Means

FROM: Alice L. Lee  
Council Chair 

SUBJECT: **HEARING OF FEBRUARY 21, 2024; TESTIMONY IN SUPPORT OF SB 582, SD1, RELATING TO STATE BUDGET**

I **support** this measure to appropriate funds to support the State's response to the August 2023 wildfires that affected Maui County.

This testimony is in my capacity as an individual member of the Maui County Council.

I **support** this measure for the following reasons:

1. The August 2023 Maui wildfires were the deadliest in the United States in more than 100 years, and they took a catastrophic toll on the island's residents. The recovery will take many years, and the total recovery costs could be more than \$5 billion.
2. Disaster recovery is a vital State function. The Lahaina Wildfire Interim Working Groups Final Report called for increased State funding of:
  - Air and water quality monitoring.
  - Research efforts to better understand the environmental concerns linked to urban fires.
  - Retrofitting of structures to be used as emergency shelters.
  - Natural-resource management
  - New positions with departments that provide critical services in disaster response.
  - Food banks.
  - Affordable housing.
  - Landowner wildfire education and technical support, and multipartner wildfire risk reduction planning.

3. Transient accommodations of all types are major revenue sources for the County. With tourism lagging and many vacation rentals either lost to the fires or converted to long-term use, the County's tax revenue is in substantial decline.

Thank you for your consideration and for supporting Maui County's residents to the greatest possible extent in their time of unprecedented need.

Senator Donovan M. Delacruz, Chair  
Senator Sharon Y. Moriwaki, Vice Chair  
Committee on Ways and Means

Vaikeola Richards, Rev. NHI, ICFG, BSW  
Graduate Student, University of Hawai'i Mānoa  
Kahu Hoalauna, New Hope Oahu

Wednesday, February 21, 2024

Support for S.B. No. 582, S.D. 1, Relating to State Budget

As a member of our community, and one that served as a first responder immediately after the fires in Lahaina, I support this measure along with those in my professional and faith collective. As we were based out of New Hope Maui, we were able to provide supplies, trauma care, and spiritual support in partnership with many other churches, community organizations, the Red Cross, FEMA, and various neighborhood members on Maui.

Pono support continues to be needed as they pray, plan, and rebuild as a community. The devastation that occurred can be healed by supported rebuilding efforts that are community based, collaborative, and again ... pono. I humbly asked your continued intentional support for the rebuilding of Lahaina, its people and community. We support the passing of S.B. No. 582, S.D. 1. Mahalo for this opportunity to testify.