

ACT 129

S.B. NO. 1211

A Bill for an Act Relating to the Major Disaster Fund.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that the State is vulnerable to a wide range of natural and man-made hazards, which may result in emergencies or disasters that: threaten the life, health, and safety of its people; damage and destroy property; disrupt everyday services, business, and recreational activities; and impede economic development. Last year, tropical storm Iselle alone cost the State \$1,300,000 in response costs and has a reported \$13,200,000 in damage and debris expenses. According to county officials, as of October 2014, the Puna lava flow on the island of Hawaii has caused \$14,500,000 in damages, primarily because of construction costs for emergency access roads. The latest project, reopening Chain of Craters road, could cost between \$12,000,000 and \$15,500,000.

The purpose of this Act is to adequately prepare Hawaii for the next major disaster by increasing the expenditure ceiling on major disaster fund moneys.

SECTION 2. Section 127A-16, Hawaii Revised Statutes, is amended to read as follows:

~~“[§127A-16]~~ **Major disaster fund.** (a) The director shall submit requests to the legislature to appropriate from the general revenues of the State sufficient moneys as may be necessary for expenditure by or under the direction of the governor for immediate relief in response to an emergency or disaster in any part of the State; provided that:

- (1) The governor has issued a proclamation of a state of emergency;
- (2) The governor may not expend in excess of ~~[\$2,000,000]~~ \$5,000,000 for immediate relief as a result of any single emergency or disaster; and
- (3) In addition to the funds in paragraph (2), an additional ~~[\$2,000,000]~~ \$5,000,000 may be made available solely for the purpose of matching federal disaster relief funds when these funds become available to the State following a presidential disaster declaration.

In expending the moneys, the governor may allot any portion thereof to any agency, office, or employee of the State or a county for the most efficient relief for the population. Notwithstanding this subsection, the only exception to ~~[§] paragraphs (1), [§] (2), and (3)~~ is that the director may use up to \$100,000 per year to support emergency reserve corps training.

(b) No later than one month after any allotment by the governor or the expenditure of any fund moneys, the director shall report to the legislature on the purpose of the allotment or expenditure.

~~[(b)]~~ (c) Federal reimbursement moneys for disaster relief shall be deemed to be trust moneys and may be deposited into a trust account with and under the control of the department of defense. These moneys and any interest earned thereon shall be used for the purpose identified in subsection (a) and shall not lapse to the general fund.”

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2015-2016 for deposit into the major disaster fund.

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The sum appropriated shall be expended by the Governor for the purposes of this Act.

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

SECTION 5. This Act shall take effect on July 1, 2015.
(Approved June 19, 2015.)