
A BILL FOR AN ACT

RELATING TO EMERGENCY RELIEF FOR NATURAL DISASTERS.

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 Hawaii State Constitution.

4 SECTION 2. The purpose of this Act is to appropriate funds
5 to:

6 (1) Cover the costs of recovery efforts that are the
7 result of storms that occurred in February and March
8 2006; and

9 (2) Hire consultants to:

10 (A) Determine the structural integrity of dams and
11 reservoirs statewide;

12 (B) Assess potential immediate risks; and

13 (C) Recommend long-term plans to ensure dam safety.

14 SECTION 3. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$50,000 or so much
16 thereof as may be necessary for fiscal year 2005-2006 for staff
17 expenses and to hire consultants to assess the impact existing



1 dams and reservoirs have on agricultural operations and the
2 impact if existing dams and reservoirs were removed.

3 The sum appropriated shall be expended by the department of
4 agriculture for the purposes of this Act.

5 SECTION 4. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$1,000,000 or so much
7 thereof as may be necessary for fiscal year 2005-2006 for
8 overtime, travel and other staff expenses, and to hire
9 consultants and experts to review legal issues related to dam
10 and reservoir failures and issues relating to the safety of
11 existing dams and reservoirs. Funds may also be used for
12 expenses related to possible litigation concerning dam and
13 reservoir failures.

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

16 SECTION 5. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$2,000,000 or so much
18 thereof as may be necessary for fiscal year 2005-2006 to cover
19 operational expenses associated with storm recovery efforts,
20 including but not limited to state civil defense twenty-
21 four-hour emergency operations center overtime costs expended by
22 civil defense workers, contractors that are helping to pump



1 reservoirs to maintain safer water levels, National Guard
2 personnel on state active-duty status, and Blackhawk helicopter
3 operating expenses.

4 The sum appropriated shall be expended by the department of
5 defense for the purposes of this Act.

6 SECTION 6. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$5,000,000 or so much
8 thereof as may be necessary for fiscal year 2005-2006 for staff
9 expenses and to hire consultants to conduct surveys, studies and
10 assessments of private and government owned dams and reservoirs
11 statewide to determine their current physical integrity.
12 Assessments shall include recommendations for future structural
13 needs and identification of potential effects or threats to
14 areas around and downstream of the dams and reservoirs.

15 The sum appropriated shall be expended by the department of
16 land and natural resources for the purposes of this Act;
17 provided that of the \$5,000,000 appropriated, \$ or so
18 much thereof as may be necessary shall be used to repair the
19 breach at Ka Loko reservoir on Kauai and relocate the spillway.

20 SECTION 7. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$284,000 or so much
22 thereof as may be necessary for fiscal year 2005-2006 for staff



1 expenses and to hire consultants to respond to and assess flood
2 damage at state parks and on state lands.

3 The sum appropriated shall be expended by the department of
4 land and natural resources for the purposes of this Act.

5 SECTION 8. There is appropriated out of the state highway
6 fund the sum of \$2,000,000 or so much thereof as may be
7 necessary for fiscal year 2005-2006 for staff and other
8 expenses, including equipment rentals, and to hire contractors
9 and consultants for repair of road damage and stabilization of
10 road embankments on Kuhio Highway, Kauai.

11 The sum appropriated shall be expended by the department of
12 transportation for the purposes of this Act.

13 SECTION 9. There is appropriated out of the state highway
14 fund the sum of \$800,000 or so much thereof as may be necessary,
15 for fiscal year 2005-2006 and out of federal funds the sum of
16 \$3,200,000 or so much thereof as may be necessary for fiscal
17 year 2005-2006 for a capital improvement project to design and
18 construct emergency roadway erosion remediation at various
19 locations on Kauai damaged by the storms in February and March
20 2006. Work shall include:

21 (1) Installing temporary and permanent erosion control
22 measures;



- 1 (2) Restoring roadways, shoulders, and utility
- 2 improvements;
- 3 (3) Installing guardrails and shoulder stabilization
- 4 measures;
- 5 (4) Installing retaining walls;
- 6 (5) Upgrading drainage structures; and
- 7 (6) Installing other miscellaneous improvements.

8 The sums appropriated shall be expended by the department
9 of transportation for the purposes of this Act.

10 SECTION 10. Each department or agency expending funds
11 authorized by this Act shall submit reports to the legislature
12 no later than July 15, 2006; January 15, 2007; and July 15,
13 2007. The information contained in the reports shall:

- 14 (1) Be organized by county;
- 15 (2) Provide summaries of expenditure data on a statewide
- 16 basis; and
- 17 (3) Include but not be limited to:
 - 18 (A) The date of each expenditure;
 - 19 (B) The purpose and a description of each
 - 20 expenditure;
 - 21 (C) The identification of any recipient of payments
 - 22 from each expenditure; and



1 (D) If funds not authorized by this Act are used by
2 any department or agency for the purposes of this
3 Act:

4 (i) The source of those funds, by specific
5 program;

6 (ii) The impact to the programs originally funded
7 by those funds; and

8 (iii) The need for any emergency appropriations
9 that resulted from the diversion of those
10 funds.

11 SECTION 11. The reports required from the department of
12 land and natural resources under section 10 of this Act shall
13 also contain progress reports that include:

14 (1) A list of dams for which inspections have been
15 completed;

16 (2) A list of dams that are currently in the process of
17 being inspected; and

18 (3) A list of dams that have not yet been inspected.

19 SECTION 12. Any provision of this Act to the contrary
20 notwithstanding, the appropriations authorized under this Act
21 shall not lapse at the end of the fiscal year for which the
22 appropriations were made. All unexpended and unencumbered



1 balances of the appropriations made in this Act as of the close
2 of business on June 30, 2007, shall lapse.

3 SECTION 13. This Act shall take effect upon its approval.



Report Title:

Emergency Relief for Natural Disasters

HB970
HD1

Description:

Emergency appropriations for the damage and destruction caused by heavy rains and flooding in February and March 2006. (HB970 HD1)

