



EXECUTIVE CHAMBERS
HONOLULU

GOV. MSG. NO. 312

LINDA LINGLE
GOVERNOR

March 17, 2006

The Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
State Capitol
Honolulu, Hawaii 96813

Dear Mr. President:

I am writing to ask for your consideration of various appropriations in order to address the immediate emergency costs being incurred by various departments as a result of the recent devastation on Kauai following of three weeks of rain that is predicted to continue for the next few days.

After conducting an aerial reconnaissance with Adjutant General Lee and several members of the County Council and Legislature, I became convinced that it is not enough to only meet emergency expenses of the current situation. In addition, we need to do an immediate statewide structural assessment of reservoirs/dams and review various options for their continued usage, including their impact on agriculture.

In accordance with Section 9, Article VII of the Constitution of the State of Hawaii, I am requesting your immediate consideration and passage of House Bill. No. 970, Relating to Emergency Relief for Natural Disasters, to appropriate emergency funding totaling \$14,334,000. This amount includes \$ 11,134,000 in state funds and \$ 3,200,000 in federal funds.

Emergency funding is requested for the Departments of Agriculture, Attorney General, Defense, Land and Natural Resources, and Transportation as follows:

- Department of Agriculture – \$50,000 in general funds for staff expenses and to hire consultants to assess the impact existing dams and reservoirs have on agricultural operations and the impact if existing dams and reservoirs were removed.
- Department of the Attorney General – \$1,000,000 in general funds for overtime, travel and other expenses for existing staff, and to hire outside consultants and experts to review legal issues related to dam and reservoir failures and issues relating to the safety of existing dams and reservoirs. Funds may also be used for expenses related to possible litigation concerning dam and reservoir failures.

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- Department of Defense – \$2,000,000 in general funds for the Major Disaster Fund to cover operational expenses associated with storm recovery efforts, including State Civil Defense 24-hour emergency operations center overtime costs expended by civil defense workers, contractors that are helping to pump reservoirs to maintain safer water levels, National Guard personnel on State Active Duty status, and Blackhawk helicopter operating expenses.
- Department of Land and Natural Resources – \$5,000,000 in general funds for staff expenses and to hire consultants to conduct surveys, studies and assessments of private and government owned dams and reservoirs statewide to determine their current physical integrity. Assessments will include recommendations for future structural needs and identification of potential impacts or threat to areas around and downstream of the dams and reservoirs.
- Department of Land and Natural Resources – \$284,000 in general funds for staff expenses and to hire consultants to respond to and assess flood damage at state parks and on state lands.
- Department of Transportation – \$2,000,000 in State Highway Funds for staff and other expenses including equipment rentals, and to hire contractors and consultants for repair of road damage and stabilization of road embankments on Kuhio Highway, Kauai.
- Department of Transportation – \$4,000,000 (\$800,000 in State Highway Funds and \$3,200,000 in federal funds) for a capital improvement project to design and construct emergency roadway erosion remediation at various locations on Kauai damaged by the recent storms. Work includes: install temporary and permanent erosion control measures; restore roadways, shoulders and utility improvements; install guardrails and shoulder stabilization measures; install retaining walls; upgrade drainage structures; and install other miscellaneous improvements.

Attached is a proposed H.D. 1 of House Bill No. 970 that sets forth the above mentioned appropriation requirements in the emergency appropriation bill format.

We appreciate your prompt attention to this matter. The Departments of Agriculture, Attorney General, Defense, Land and Natural Resources, and Transportation will be available to answer any questions you may have on this request.

Sincerely,



LINDA LINGLE

Attachment

c: Honorable Brian T. Taniguchi

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 Constitution of the State of Hawaii.

4 SECTION 2. The purpose of this Act is to appropriate funds
5 to: 1) cover the costs of recovery efforts as a result of
6 storms that have occurred over the past three weeks and that are
7 forecast to continue; and 2) hire consultants to determine the
8 structural integrity of dams and reservoirs statewide, to assess
9 potential immediate risks, and to recommend long-term plans to
10 ensure dam safety.

11 SECTION 3. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$50,000, or so much
13 thereof as may be necessary, for fiscal year 2005-2006 for staff
14 expenses and to hire consultants to assess the impact existing
15 dams and reservoirs have on agricultural operations and the
16 impact if existing dams and reservoirs were removed.

H.B. NO. 970

Proposed H.D. 1

1 The sum appropriated shall be expended by the department of
2 agriculture.

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

12 The sum appropriated shall be expended by the department of
13 the attorney general.

14 SECTION 5. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$2,000,000, or so
16 much there of as may be necessary, for fiscal year 2005-2006 to
17 cover operational expenses associated with storm recovery
18 efforts, including, but not limited to, State Civil Defense
19 24-hour emergency operations center overtime costs expended by
20 civil defense workers, contractors that are helping to pump
21 reservoirs to maintain safer water levels, National Guard

1 personnel on State Active Duty status, and Blackhawk helicopter
2 operating expenses.

3 The sum appropriated shall be expended by the department of
4 defense.

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

15 The sum appropriated shall be expended by the department of
16 land and natural resources.

17 SECTION 7. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$284,000, or so much
19 there of as may be necessary, for fiscal year 2005-2006 for
20 staff expenses and to hire consultants to respond to and assess
21 flood damage at state parks and on state lands.

1 The sum appropriated shall be expended by the department of
2 land and natural resources.

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

9 The sum appropriated shall be expended by the department of
10 transportation.

11 SECTION 9. There is appropriated out of the state highway
12 fund the sum of \$800,000, or so much there of as may be
13 necessary, for fiscal year 2005-2006, and out of federal funds
14 the sum of \$3,200,000, or so much there of as may be necessary,
15 for fiscal year 2005-2006, for a capital improvement project to
16 design and construct emergency roadway erosion remediation at
17 various locations on Kauai damaged by the recent storms. Work
18 includes: install temporary and permanent erosion control
19 measures; restore roadways, shoulders and utility improvements;
20 install guardrails and shoulder stabilization measures; install
21 retaining walls; upgrade drainage structures; and install other
22 miscellaneous improvements.

1 The sums appropriated shall be expended by the department
2 of transportation.

3 SECTION 10. Any provision of this Act to the contrary
4 notwithstanding, the appropriations authorized under this Act
5 shall not lapse at the end of the fiscal year for which the
6 appropriations were made. All unexpended and unencumbered
7 balances of the appropriations made in this Act as of the close
8 of business on June 30, 2007, shall lapse.

9 SECTION 11. This Act shall take effect upon its approval.