

1 "Hurricane" means a storm that has been declared and
2 defined by the Central Pacific Hurricane Center of the National
3 Weather Service to be a hurricane.

4 "Plan of operation" means the plan for providing
5 reinsurance as adopted by the board, and any amendments thereto,
6 under section -5.

7 "Tsunami" means one or a series of huge sea waves caused by
8 an earthquake, volcanic activity, or other large-scale
9 disturbance of the ocean floor.

10 "Volcanic eruption" means a geologic event in which lava,
11 ash, rocks, gases, and other materials explode, issue, or are
12 extruded from fissures in the earth.

13 **§ -2 Establishment of Hawaii catastrophic relief fund.**

14 There shall be established a Hawaii catastrophic relief fund to
15 be placed within the department of commerce and consumer affairs
16 for administrative purposes. The fund shall be a public body
17 and a body corporate and politic. The fund shall provide
18 reinsurance for the risks of catastrophic events in Hawaii.

19 **§ -3 Board of directors.** (a) The board shall consist
20 of the insurance commissioner as an ex officio voting member and
21 six members appointed by the governor in accordance with section
22 26-34 and as follows:



- 1 (1) Two members shall be appointed by the governor, by and
2 with the advice and consent of the senate, for a term
3 of four years; provided that, of the initial
4 appointees, one shall be appointed for a two-year
5 term. The vacancy of a seat subject to this paragraph
6 shall be filled in accordance with article V, section
7 6, of the Constitution of the State of Hawaii;
- 8 (2) Two members shall be appointed by the governor, by and
9 with the advice and consent of the senate, from a list
10 of nominations submitted by the president of the
11 senate. The members appointed from a list of
12 nominations of the president of the senate shall serve
13 for a term of four years; provided that, of the
14 initial appointees, one shall be appointed for a two-
15 year term; and
- 16 (3) Two members shall be appointed by the governor, by and
17 with the advice and consent of the senate, from a list
18 of nominations submitted by the speaker of the house
19 of representatives for a term of four years; provided
20 that, of the initial appointees, one shall be
21 appointed for a two-year term.



1 The governor shall select a chairperson and vice-chairperson
2 from among the members.

3 (b) The board shall be the policy-making body of the fund,
4 responsible for establishing policies for the administration and
5 operation of the fund and the performance of other duties and
6 functions assigned to the fund. The board shall meet as often
7 as necessary to formulate and implement strategies and plans of
8 operation in furtherance of this chapter. Upon its appointment,
9 the board shall adopt an interim plan of operation within ninety
10 days.

11 (c) The members of the board shall receive no compensation
12 for services, but shall be entitled to reimbursement of
13 necessary expenses, including travel expenses, incurred in the
14 performance of their duties.

15 (d) The board may select, not subject to chapter 76, an
16 executive director of the fund whose salary shall be set by the
17 board. The board may employ, not subject to chapter 76,
18 technical experts and officers, agents, and employees, permanent
19 or temporary, as required. The board may also contract with
20 persons, not subject to chapters 76, 78 and 89 when, in the
21 determination of the board, the services to be performed are



1 unique and essential to the execution of the functions of the
2 fund.

3 **§ -4 Powers, duties, and functions.** (a) The fund shall
4 have the power to:

5 (1) Sue and be sued;

6 (2) Make and alter policies for its organization and
7 internal administration;

8 (3) Adopt rules in accordance with chapter 91 to
9 effectuate the purposes of this chapter;

10 (4) Borrow moneys, including but not limited to moneys
11 from state or federal sources, and issue notes or
12 other obligations of the fund for the purposes of
13 providing funds for any of its purposes as authorized
14 by the legislature from time to time;

15 (5) Pledge, assign, or grant a security interest in all or
16 any part of the moneys of the fund, including rents,
17 charges, assessments, or other revenue, and any
18 proceeds thereof derived by the fund; provided that
19 any pledge, assignment, or grant of security interest
20 shall constitute a lien and security interest on such
21 money, rents, charges, assessments, or other revenue,
22 and any proceeds thereof to the extent and with the



1 priority set forth in the document establishing the
2 pledge, assignment, or security interest, without the
3 necessity for physical delivery, recording, or further
4 act; and provided further that in effectuating any
5 pledge, assignment, or grant of security interest, the
6 fund may do either or both of the following:

7 (A) Transfer possession of collateral to its secured
8 parties; or

9 (B) Execute and cause to be filed at the bureau of
10 conveyances of the State of Hawaii, Uniform
11 Commercial Code financing statements for the
12 purpose of providing notice to third parties of a
13 pledge, assignment, or grant of security
14 interest; provided that any failure to file a
15 financing statement or the filing of a financing
16 statement that contains incomplete or inaccurate
17 information shall not affect the perfected lien
18 and security interest of the pledge, assignment,
19 or grant of security interest;

20 (6) Enter into contracts as necessary to effectuate the
21 purposes of this chapter;



1 (7) Establish business and corporate entities or
2 organizations pursuant to the purposes of this
3 chapter; and

4 (8) Perform any and all acts reasonably necessary to carry
5 out the purposes of this chapter.

6 (b) In addition to the general powers under subsection
7 (a), the fund shall have the specific power to adopt and
8 administer a plan of operation and a manual of rules in
9 accordance with section -5 to provide reinsurance for the
10 risks of catastrophic events in Hawaii.

11 **§ -5 Plan of operation.** (a) The fund shall adopt a
12 plan of operation and a manual of rules necessary or suitable to
13 ensure both the solvency and the reasonable and equitable
14 administration of the fund. The adoption of or amendments to
15 the plan of operation and manual of rules shall not be subject
16 to chapter 91.

17 (b) If the fund fails to adopt a plan of operation, or the
18 fund fails to adopt amendments to the plan of operation, the
19 commissioner shall adopt a plan of operation or make amendments
20 necessary to carry out the purposes of this chapter. Any plan
21 of operation or amendment adopted by rule of the commissioner
22 shall continue in full force and effect until the rule is



1 superseded by a plan of operation or amendment adopted by a
2 majority vote of all members of board and approved by the
3 commissioner.

4 (c) The plan of operation shall:

5 (1) Establish procedures for performance of all powers and
6 duties of the board;

7 (2) Provide for and adopt all necessary forms for use by
8 the board;

9 (3) Establish procedures for processing and maintaining
10 records of the board relating to its financial
11 transactions, its agents, its employees, and its
12 operations; and

13 (4) Develop a plan for the investment of moneys held by
14 the fund subject to the limitations in article 6 of
15 chapter 431.

16 § -6 **Annual statements.** (a) The fund shall submit to
17 the commissioner each year, not later than one hundred twenty
18 days after the end of the fund's fiscal year, a financial report
19 in a form approved by the commissioner.

20 (b) The commissioner may require other reports concerning
21 the fund as the commissioner deems appropriate.



1 **§ -7 Powers of the commissioner.** (a) To ascertain the
2 fund's condition and the board's compliance with this chapter,
3 the commissioner shall examine the accounts, records, documents,
4 and transactions of the fund at least once every three years or
5 more often if the commissioner deems advisable. The fund shall
6 pay all reasonable and actually incurred expenses of the
7 examination in accordance with section 431:2-306(b); provided
8 that a detailed estimate of the expenses to be incurred shall be
9 approved by the board prior to the examination. In the event
10 the actual expenses incurred are in excess of ten per cent of
11 the estimate, the commissioner shall communicate in writing to
12 the board the reason for the excess expenses.

13 (b) The commissioner may exercise all of the
14 commissioner's powers provided by law in the supervision and
15 regulation of the fund and any other person or entity subject to
16 the jurisdiction of the commissioner.

17 **§ -8 Immunity and limitation on liability.** There shall
18 be no liability on the part of, and no cause of action against,
19 the fund or its agents, employees, or board, the State or the
20 commissioner or the commissioner's representatives for any
21 action taken by them in the performance of their powers and
22 duties under this chapter; provided that this section shall not



1 be construed to prohibit any exercise of the commissioner's
2 power pursuant to this chapter or any other law or rule adopted
3 pursuant to law or chapters 661 and 662, any other law to the
4 contrary notwithstanding.

5 Nothing in this chapter shall create an obligation, debt,
6 claim, cause of action, claim for relief, charge, or any other
7 liability of any kind whatsoever in favor of any person or
8 entity, without regard to whether that person or entity received
9 any benefits under this chapter, against the State, or its
10 officers and employees. The State and its officers and
11 employees shall not be liable for the results of any
12 application, denial of application, claim, loss, or other
13 benefits provided by the fund pursuant to this chapter. Nothing
14 in this chapter shall be construed as authorizing any claim
15 against the State whatsoever, nor shall this chapter be
16 construed as authorizing any claim against the fund in excess of
17 any note, loan, liability, or other obligation incurred by the
18 fund. Nothing in this section shall be construed to alter any
19 obligation to pay assessments or charges authorized to be
20 imposed or levied by the fund pursuant to this chapter. The
21 fund shall be subject to chapter 431 only as provided for in
22 this chapter.



1 **§ -9 Establishment of trust funds.** (a) The board shall
2 establish outside the state treasury a Hawaii catastrophic
3 relief fund and any accounts thereunder and any other trust fund
4 or account necessary to carry out the purposes of this chapter.
5 Moneys deposited in the fund and any accounts thereunder or any
6 other trust fund or account shall be held by the fund, as
7 trustee, in a depository as defined in section 38-1 or according
8 to a similar arrangement at the discretion of the board,
9 including but not limited to trust or custodial accounts created
10 for the benefit of the fund's secured parties under contractual
11 claims financing arrangements. These moneys may be invested and
12 reinvested in accordance with the plan of operation.
13 Disbursements from the trust funds shall not be subject to
14 chapter 103D and shall be made in accordance with procedures
15 adopted by the board.

16 (b) Any proceeds, interest, or other earnings on moneys in
17 the fund, legislative appropriations, and other moneys as the
18 State may make available from time to time shall be deposited
19 into the fund.

20 (c) Moneys in the Hawaii catastrophic relief fund or in
21 trust or custodial accounts, created for the benefit of the
22 fund's secured parties, shall be expended by the fund or its



1 authorized designee and used solely for the purposes of this
2 chapter; provided that moneys in the fund not held for the
3 benefit of the fund's secured parties may be expended upon
4 legislative appropriation to mitigate the impact caused by a
5 catastrophic condition and assist the recovery, repair, and
6 rehabilitation of property, persons, businesses, or institutions
7 affected by the catastrophe."

8 SECTION 2. Section 36-27, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§36-27 Transfers from special funds for central service**
11 **expenses.** Except as provided in this section, and
12 notwithstanding any other law to the contrary, from time to
13 time, the director of finance, for the purpose of defraying the
14 prorated estimate of central service expenses of government in
15 relation to all special funds, except the:

- 16 (1) Special out-of-school time instructional program fund
17 under section 302A-1310;
- 18 (2) School cafeteria special funds of the department of
19 education;
- 20 (3) Special funds of the University of Hawaii;
- 21 (4) State educational facilities improvement special fund;



- 1 (5) Convention center enterprise special fund under
- 2 section 201B-8;
- 3 (6) Special funds established by section 206E-6;
- 4 (7) Housing loan program revenue bond special fund;
- 5 (8) Housing project bond special fund;
- 6 (9) Aloha Tower fund created by section 206J-17;
- 7 (10) Funds of the employees' retirement system created by
- 8 section 88-109;
- 9 (11) Unemployment compensation fund established under
- 10 section 383-121;
- 11 (12) Hawaii [~~hurricane~~] catastrophic relief fund
- 12 established under chapter [~~431P+~~] _____;
- 13 (13) Hawaii health systems corporation special funds;
- 14 (14) Tourism special fund established under section
- 15 201B-11;
- 16 (15) Universal service fund established under chapter 269;
- 17 (16) Integrated tax information management systems special
- 18 fund under section 231-3.2;
- 19 (17) Emergency and budget reserve fund under section
- 20 328L-3;
- 21 (18) Public schools special fees and charges fund under
- 22 section 302A-1130(f);



- 1 (19) Sport fish special fund under section 187A-9.5;
- 2 (20) Neurotrauma special fund under section 321H-4;
- 3 (21) Deposit beverage container deposit special fund under
- 4 section 342G-104;
- 5 (22) Glass advance disposal fee special fund established by
- 6 section 342G-82;
- 7 (23) Center for nursing special fund under section 304D-5;
- 8 (24) Passenger facility charge special fund established by
- 9 section 261-5.5;
- 10 (25) Solicitation of funds for charitable purposes special
- 11 fund established by section 467B-15;
- 12 (26) Land conservation fund established by section 173A-5;
- 13 [+]and[+]
- 14 [+](27)[+]Court interpreting services revolving fund [+]section
- 15 607-1.5[+],
- 16 shall deduct five per cent of all receipts of all other special
- 17 funds, which deduction shall be transferred to the general fund
- 18 of the State and become general realizations of the State. All
- 19 officers of the State and other persons having power to allocate
- 20 or disburse any special funds shall cooperate with the director
- 21 in effecting these transfers. To determine the proper revenue
- 22 base upon which the central service assessment is to be



1 calculated, the director shall adopt rules pursuant to chapter
2 91 for the purpose of suspending or limiting the application of
3 the central service assessment of any fund. No later than
4 twenty days prior to the convening of each regular session of
5 the legislature, the director shall report all central service
6 assessments made during the preceding fiscal year."

7 SECTION 3. Section 36-30, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) Each special fund, except the:

- 10 (1) Transportation use special fund established by section
11 261D-1;
- 12 (2) Special out-of-school time instructional program fund
13 under section 302A-1310;
- 14 (3) School cafeteria special funds of the department of
15 education;
- 16 (4) Special funds of the University of Hawaii;
- 17 (5) State educational facilities improvement special fund;
- 18 (6) Special funds established by section 206E-6;
- 19 (7) Aloha Tower fund created by section 206J-17;
- 20 (8) Funds of the employees' retirement system created by
21 section 88-109;



- 1 (9) Unemployment compensation fund established under
2 section 383-121;
- 3 (10) Hawaii [~~hurricane~~] catastrophic relief fund
4 established under chapter [~~431P;~~] ____;
- 5 (11) Convention center enterprise special fund established
6 under section 201B-8;
- 7 (12) Hawaii health systems corporation special funds;
- 8 (13) Tourism special fund established under section
9 201B-11;
- 10 (14) Universal service fund established under chapter 269;
- 11 (15) Integrated tax information management systems special
12 fund under section 231-3.2;
- 13 (16) Emergency and budget reserve fund under section
14 328L-3;
- 15 (17) Public schools special fees and charges fund under
16 section 302A-1130(f);
- 17 (18) Sport fish special fund under section 187A-9.5;
- 18 (19) Neurotrauma special fund under section 321H-4;
- 19 (20) Center for nursing special fund under section 304D-5;
- 20 (21) Passenger facility charge special fund established by
21 section 261-5.5; and



1 (22) Court interpreting services revolving fund [†]section
2 607-1.5[†];
3 shall be responsible for its pro rata share of the
4 administrative expenses incurred by the department responsible
5 for the operations supported by the special fund concerned."

6 SECTION 4. Section 39-51, Hawaii Revised Statutes, is
7 amended as follows:

8 1. By amending the definitions of "revenue" and "revenue
9 bonds" to read:

10 ""Revenue" means the moneys collected, including any moneys
11 collected from the State or any department, or any county or
12 board, agency, or instrumentality thereof, from the rates,
13 rentals, fees, and charges prescribed for the use and services
14 of, and the facilities and commodities furnished by, an
15 undertaking or the use and services and benefits of a loan
16 program[~~; provided that the term shall include all insurance~~
17 ~~premium payments, assessments, surcharges, investment earnings,~~
18 ~~and all other income of the Hawaii hurricane relief fund].~~

19 "Revenue bonds" means all bonds payable solely from and
20 secured by the revenue, or user taxes, or any combination of
21 both, of an undertaking or loan program or any loan made
22 thereunder for which bonds are issued and as otherwise provided



1 in this part [~~; provided that the term shall include all bonds~~
2 ~~issued by the director of finance under the authority of section~~
3 ~~10(a), Act 339, Session Laws of Hawaii 1993, as amended, for the~~
4 ~~purposes of the hurricane bond loan fund]."~~

5 2. By deleting the definition of "policy of hurricane
6 property insurance."

7 [~~"Policy of hurricane property insurance" means a policy~~
8 ~~or endorsement of insurance issued by the Hawaii hurricane~~
9 ~~relief fund under section 431P-10."]~~

10 SECTION 5. Section 39-52, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§39-52 Declaration of policy.** It is declared to be the
13 policy of the State that any department acquiring, purchasing,
14 constructing, reconstructing, improving, bettering, or extending
15 an undertaking or establishing or administering a loan program
16 pursuant to this chapter [~~or providing policies of hurricane~~
17 ~~property insurance to the general public,~~] shall manage the
18 undertaking[~~7~~] or loan program[~~7, or the Hawaii hurricane relief~~
19 ~~fund]~~ in the most efficient manner consistent with sound economy
20 and public advantage, and consistent with the protection of
21 bondholders."



1 SECTION 6. Section 39-54, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The issuance of revenue bonds for the acquisition,
4 purchase, construction, reconstruction, improvement, betterment,
5 or extension of any undertaking[+] or the establishment and
6 administration of any loan program authorized by law[; ~~or the~~
7 ~~coverage of policies of hurricane property insurance issued by~~
8 ~~the Hawaii hurricane relief fund]~~ shall be authorized:

9 (1) By a resolution or resolutions of the governing body
10 of the department, which may be adopted at the same
11 meeting at which the same are introduced by a majority
12 of all the members of the governing body of the
13 department then in office, and shall take effect
14 immediately upon filing with the director of finance;
15 or

16 (2) By a certificate or certificates of a department head,
17 which shall take effect immediately upon filing with
18 the director of finance."

19 SECTION 7. Section 39-60, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§39-60 Covenants in resolution or certificate authorizing**
22 **issuance of revenue bonds.** Any resolution or certificate



1 authorizing the issuance of revenue bonds pursuant to this part
2 may contain covenants as to:

3 (1) The purpose or purposes to which the proceeds of sale
4 of the revenue bonds shall be applied and the use and
5 disposition thereof;

6 (2) The use and disposition of the revenue of the
7 undertaking[~~, the Hawaii hurricane relief fund,~~] or
8 the loan program for which the revenue bonds are to be
9 issued, or the user taxes derived therefrom, or both
10 revenue and user taxes, to the extent pledged to the
11 payment of the revenue bonds, including the priority
12 of payments from the revenue and the creation and
13 maintenance of reserves and the investment thereof;

14 (3) The issuance of other or additional revenue bonds
15 payable from the revenue of the loan program[~~, the~~
16 ~~Hawaii hurricane relief fund,~~] or of the undertaking,
17 or the user taxes derived therefrom, or both revenue
18 and user taxes, to the extent pledged to the payment
19 of the revenue bonds;

20 (4) The operation, maintenance, and repair of the
21 undertaking or the administration, operation, and



1 maintenance of the loan program[~~, or the Hawaii~~
2 ~~hurricane relief fund~~];

3 (5) The insurance to be carried on an undertaking [~~or on~~
4 ~~the security for the Hawaii hurricane relief fund,~~] or
5 a loan program and the use and disposition of
6 insurance proceeds, the insurance policies being by
7 this section authorized to be carried, and no
8 undertaking shall have recourse to the state insurance
9 fund for the repair or replacement of any property in
10 the undertaking, or for payment of claims under
11 chapter 386 (relating to workers' compensation);

12 (6) Books of account and the inspection and audit thereof;
13 and

14 (7) The terms and conditions upon which the holders of the
15 revenue bonds or any proportion of them or any trustee
16 therefor shall be entitled to the appointment of a
17 receiver by any court of competent jurisdiction, which
18 court shall have jurisdiction in the proceedings, and
19 which receiver may enter and take possession of the
20 undertaking, operate, maintain, and repair the same,
21 enforce or foreclose loans made under a loan program,
22 impose and prescribe rates, rentals, fees, or charges,



1 collect, receive, and apply all revenue, and receive
2 and apply all user taxes, thereafter arising therefrom
3 in the same manner and to the same extent as the
4 department itself might do;

5 provided that all covenants shall be subject to review by the
6 governor; and provided further that the provisions of this
7 section with respect to user taxes shall be applicable only if
8 the legislature in the specific act or acts authorizing the
9 issuance of the revenue bonds has provided that the revenue
10 bonds may be paid from and secured by the user taxes derived
11 from an undertaking.

12 The provisions of this part and any resolution or
13 certificate shall be a contract with the holder or holders of
14 the revenue bonds. The duties of the department, its governing
15 body and department head, pursuant to this part, and any
16 resolution or certificate shall be enforceable by any
17 bondholder, by mandamus or other appropriate suit, action, or
18 proceeding in any court of competent jurisdiction."

19 SECTION 8. Section 39-62, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§39-62 Use of revenue and user taxes by any**
22 **undertaking[7] or loan program[7, ~~or the Hawaii hurricane relief~~**



1 ~~fund~~]. Whenever any revenue bonds have been issued pursuant to
2 this part for an undertaking[~~7~~] or a loan program, [~~or the~~
3 ~~Hawaii hurricane relief fund,~~] the revenue, or the user taxes,
4 or combination of both, of the undertaking, loan program, or
5 fund from which the revenue bonds are payable and by which they
6 are secured shall be deposited in a special fund and shall be
7 appropriated, applied, or expended in the amount necessary
8 therefor for the following purposes and in the order of priority
9 as the department shall provide in the resolution or certificate
10 authorizing the issuance of revenue bonds pursuant to this part:

11 (1) To pay when due all revenue bonds and interest thereon
12 issued for the undertaking[~~7~~] or loan program[~~7~~, ~~or the~~
13 ~~Hawaii hurricane relief fund~~] for the payment of which
14 the revenue, or user taxes, or combination of both, is
15 or shall have been pledged, charged, or otherwise
16 encumbered, including reserves therefor;

17 (2) To pay or provide for the payment of the cost of
18 operation, maintenance, and repair of the undertaking,
19 or to pay or provide for the payment of administering,
20 operating, and maintaining the loan program, including
21 reserves therefor;



- 1 (3) For such purposes, within the jurisdiction, powers,
2 duties, and functions of the department, including the
3 creation and maintenance of reserves, as shall have
4 been covenanted in any resolution or resolutions or
5 certificate or certificates of the department
6 providing for the issuance of revenue bonds;
- 7 (4) To reimburse the general fund of the State for all
8 bond requirements for general obligation bonds which
9 are or shall have been issued for the undertaking[~~7~~]
10 or loan program, [~~or the Hawaii hurricane relief~~
11 ~~fund,~~] or to refund any general obligation bonds,
12 except insofar as the obligation of reimbursement has
13 been or shall be canceled by the legislature, the bond
14 requirements being the interest on term and serial
15 bonds, sinking fund for term bonds, and principal of
16 serial bonds maturing the following year;
- 17 (5) To provide for betterments and improvements to the
18 undertaking or expansion of the loan program [~~or the~~
19 ~~Hawaii hurricane relief fund~~], including reserves
20 therefor; and
- 21 (6) To provide special reserve funds and other special
22 funds as are or may be created by law.



1 The appropriation, application, or expenditure of amounts
2 deposited in the special fund pursuant to this section shall be
3 accounted for on a fiscal year basis. Unless and until adequate
4 provision has been made for the foregoing purposes, the State
5 shall not have the right to transfer to its general fund or any
6 special fund or to apply to any other purposes any part of the
7 revenue or user taxes pledged to the payment of revenue bonds of
8 the undertaking or loan program."

9 SECTION 9. Section 431:13-104, Hawaii Revised Statutes, is
10 amended by amending subsection (g) to read as follows:

11 "(g) Nothing in this section shall prevent a person who
12 lends money or extends credit from assisting a mortgagor,
13 borrower, or purchaser in obtaining homeowners insurance where
14 the borrower requests such assistance in writing. [~~Nothing in
15 this section shall prevent a person who lends money or extends
16 credit from referring a mortgagor, borrower, or purchaser to the
17 Hawaii hurricane relief fund.]"~~

18 SECTION 10. Section 431:14A-103, Hawaii Revised Statutes,
19 is amended by amending subsection (e) to read as follows:

20 "(e) Notwithstanding any other law to the contrary, the
21 company shall be excluded from the surplus requirements of
22 domestic mutual insurers from January 1, 1997, through December



1 31, 2007. [~~The company is also excluded during this time period~~
2 ~~from any assessments by the Hawaii hurricane relief fund~~
3 ~~otherwise required by section 431P-5(b)(8); provided that the~~
4 ~~exclusion shall apply to the first \$25,000,000 of written~~
5 ~~premiums in each calendar year; and provided further that annual~~
6 ~~written premiums in excess of \$25,000,000 shall be assessed in~~
7 ~~accordance with section 431P-5(b)(8).]~~

8 SECTION 11. Chapter 431P, Hawaii Revised Statutes, is
9 repealed.

10 SECTION 12. Upon the establishment of the Hawaii
11 catastrophic relief fund by the board of directors of the fund
12 pursuant to section -9, Hawaii Revised Statutes, as
13 established pursuant to section 1 of this Act, the net funds of
14 the Hawaii hurricane relief fund shall be deposited into the
15 Hawaii catastrophic relief fund.

16 SECTION 13. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 14. This Act shall take effect July 1, 2006;
19 provided that section 11 shall take effect upon the
20 establishment of the Hawaii catastrophic relief fund by the
21 board of directors of the fund pursuant to section -9, Hawaii



1 Revised Statutes, as established pursuant to section 1 of this
2 Act.

3 Bertha Kawakami

Alison INTRODUCED BY: DW

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Report Title:

Hawaii Catastrophic Relief Fund; Established

Description:

Establishes a Hawaii catastrophic relief fund to provide reinsurance for the risks of catastrophic events in Hawaii and to mitigate the impact of a catastrophic or emergency condition in Hawaii. Repeals the Hawaii hurricane relief fund. Transfers moneys from Hawaii hurricane relief fund to Hawaii catastrophic relief fund.

