
A BILL FOR AN ACT

RELATING TO MONEYS FOR DISASTER PREPAREDNESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART 1

2 SECTION 1. Natural disasters appear to be increasing in
3 frequency and intensity. Costs of response and recovery efforts
4 have significantly increased. The major disaster fund was
5 established in 1957 authorizing the Governor to expend up to
6 \$500,000 for immediate relief of any single major disaster.
7 This amount was increased to \$750,000 in 1981 and \$1,000,000 in
8 1989. The purpose of this part is to raise the ceiling and
9 authorization for the use of the major disaster fund from
10 \$1,000,000 to \$2,000,000 and to bring it in conformity with the
11 amendments provided in the preceding part.

12 SECTION 2. Section 127-11, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§127-11 Major disaster fund.** The director shall submit
15 requests to the legislature to appropriate from the general
16 revenues of the State sufficient moneys as may be necessary for
17 expenditure by or under the direction of the governor for

1 immediate relief in the event of the occurrence of any major
2 disaster or emergency in any part of the State; provided that:

3 (1) The governor may not expend in excess of [~~\$1,000,000~~]
4 \$2,000,000 for immediate relief of any single major
5 disaster or emergency; and

6 (2) [~~Provided further that in~~] In addition to the funds in
7 paragraph (1), an additional [~~\$1,000,000~~] \$2,000,000
8 shall be available solely for the purpose of matching
9 federal disaster or emergency relief funds when these
10 funds become available following a presidential
11 disaster or emergency declaration.

12 In expending the moneys, the governor may allot any portion
13 thereof to any agency, office, or employee, federal, state, or
14 county, for the more speedy and efficient relief of the
15 conditions created by the disasters. The governor may determine
16 whether a major disaster or emergency contemplated by this
17 section has occurred[, ~~and any determination shall be~~
18 ~~conclusive~~]."

19 PART 2

20 SECTION 3. Chapter 128, Hawaii Revised Statutes, is
21 amended by adding a new section to be appropriately designated
22 and to read as follows:



1 "§128- Civil defense disaster preparedness special fund.

2 (a) There is established in the state treasury the civil
3 defense disaster preparedness special fund, into which shall be
4 deposited:

5 (1) The moneys provided by the hurricane reserve trust
6 fund under section 431P-16; and

7 (2) Appropriations made by the legislature to the civil
8 defense disaster preparedness special fund.

9 (b) The civil defense disaster preparedness special fund
10 shall be administered by the department of defense and may be
11 used for any of the following purposes:

12 (1) Constructing, improving, and retrofitting buildings
13 that could serve as public shelters;

14 (2) Purchasing or improving early warning systems;

15 (3) Public education programs on disaster preparedness;

16 (4) Loss mitigation or reduction efforts or programs,
17 including but not limited to deposits to the loss
18 mitigation grant fund under section 431P:22-102;

19 (5) Providing around-the-clock alert staff for the civil
20 defense division of the department of defense;

21 (6) Updating evacuation maps in phone books;



- 1 (7) Developing statewide residential safe room design
- 2 standards;
- 3 (8) Disaster or emergency response programs including, but
- 4 not limited to, deposits to the major disaster fund
- 5 under section 127-11;
- 6 (9) Establishing and maintaining emergency supplies to
- 7 provide immediate relief in the case of a disaster or
- 8 emergency; or
- 9 (10) Improving the readiness of the State or its citizens
- 10 to respond to a disaster."

11 SECTION 4. Section 431:22-102, Hawaii Revised Statutes, is
 12 amended by amending subsection (a) to read as follows:

13 "(a) There is established a special fund to be designated
 14 as the loss mitigation grant fund. Moneys [~~transferred~~]
 15 deposited to the loss mitigation grant fund may be expended by
 16 the commissioner to carry out the commissioner's duties and
 17 obligations under this article. Disbursements from the loss
 18 mitigation grant fund shall not be subject to chapter 42F or
 19 91."

20 SECTION 5. Section 431P-16, Hawaii Revised Statutes, is
 21 amended by amending subsection (i) to read as follows:

22 "(i) Moneys in the hurricane reserve trust fund may be:

1 (1) Deposited into the civil defense disaster preparedness
2 special fund under section 128- ;

3 [~~(1)~~] (2) Disbursed upon dissolution of the Hawaii
4 hurricane relief fund; provided that [+
5 ~~(A) The~~] upon dissolution the net moneys in the
6 hurricane reserve trust fund shall revert to the
7 state general fund [~~after payments by the fund on~~
8 ~~behalf of licensed property and casualty insurers~~
9 ~~or the State that are required to be made~~
10 ~~pursuant to any federal disaster insurance~~
11 ~~program enacted to provide insurance or~~
12 ~~reinsurance for hurricane risks are completed;~~
13 and

14 ~~(B) If such moneys are paid on behalf of licensed~~
15 ~~property and casualty insurers, payment shall be~~
16 ~~made in proportion to the premiums from policies~~
17 ~~of hurricane property insurance serviced by the~~
18 ~~insurers in the twelve months prior to~~
19 ~~dissolution of the fund]; or~~

20 [~~(2)~~] (3) Deposited to the loss mitigation grant fund
21 established under section 431:22-102 [∓



1 ~~provided that all interest earned from the principal in the~~
2 ~~hurricane reserve trust fund shall be transferred and deposited~~
3 ~~into the general fund each year that the hurricane reserve trust~~
4 ~~fund remains in existence.] pursuant to appropriation.~~

5 Prior to dissolution of the Hawaii hurricane relief fund
6 and in the event that the Hawaii hurricane relief fund has no
7 policyholders, the annual net investment income earned from the
8 principal in the hurricane reserve trust fund shall be deposited
9 to the credit of the civil defense disaster preparedness special
10 fund under section 128- ; provided that the first \$2,000,000
11 of the annual net investment income in fiscal years 2006-2007
12 and 2007-2008 shall be deposited into the loss mitigation grant
13 fund under section 431:22-102."

14 SECTION 6. Act 5, Special Session Laws of Hawaii 2005, is
15 amended by amending section 4 to read as follows:

16 "SECTION 4. There is appropriated out of the hurricane
17 reserve trust fund the sum of \$2,000,000 or so much thereof as
18 may be necessary for fiscal year 2005-2006, [~~and the sum of~~
19 ~~\$2,000,000 or so much thereof as may be necessary for fiscal~~
20 ~~year 2006-2007]~~ for tsunami and hurricane preparedness efforts,
21 including installing and maintaining new siren systems, updating
22 evacuation maps in telephone books, constructing additional



1 shelter space and retrofitting existing public buildings that
2 could serve as emergency shelters, developing statewide
3 residential safe room design standards by January 1, 2006,
4 providing around-the-clock alert staff for the civil defense
5 division of the department of defense, and expanding public
6 education campaigns emphasizing the need for tsunami and
7 hurricane preparedness.

8 The sum appropriated in this part shall be expended by the
9 department of defense for the purposes of this part."

10 SECTION 7. Act 5, Special Session Laws of Hawaii 2005, is
11 amended by amending section 12 to read as follows:

12 "SECTION 12. There is appropriated out of the hurricane
13 reserve trust fund of the State of Hawaii the sum of \$2,000,000,
14 or so much thereof as may be necessary for fiscal year 2005-
15 2006, [~~and the sum of \$2,000,000, or so much thereof as may be~~
16 ~~necessary for fiscal year 2006-2007,~~] for the deposit into the
17 loss mitigation grant fund."

18 SECTION 8. There is appropriated out of the civil defense
19 disaster preparedness special fund created by section 3 of this
20 Act the sum of \$4,000,000, or so much thereof as may be
21 necessary, for fiscal year 2006-2007 for the purposes of the



1 civil defense disaster preparedness special fund. The sum
2 appropriated shall be expended by the department of defense.

3 SECTION 9. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

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



Report Title:

Civil Defense; Disaster Preparedness

Description:

Raises the ceiling on expenditures from the major disaster fund from \$1 million to \$2 million to provide for additional disaster relief; returns the interest earned on the hurricane reserve trust fund to the hurricane reserve trust fund when the Hawaii hurricane relief fund has policyholders; creates a civil defense disaster preparedness special fund to build or improve public shelters, improve early warning systems, conduct public education on disaster preparedness, promote loss mitigation efforts, provide around the clock alert staff, update evacuation maps in phone books, develop statewide residential safe room design standards, fund disaster or emergency response programs, establish and maintain emergency supplies. (SD1)

