
A BILL FOR AN ACT

RELATING TO WATER QUALITY.

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

1 SECTION 1. The purpose of this Act is to enable Hawaii to
2 receive and use moneys under the federal American Recovery and
3 Reinvestment Act of 2009 and any later federal laws for drinking
4 water or wastewater infrastructure

5 SECTION 2. Chapter 340E, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§340E- Use of American Recovery and Reinvestment Act of
9 2009 and other federal moneys. (a) The director may provide
10 financial assistance to public water systems for the
11 construction of necessary drinking water infrastructure
12 projects, through the drinking water fund, using moneys from the
13 American Recovery and Reinvestment Act of 2009 and other
14 applicable federal acts.

15 (b) The director may establish a separate account within
16 the drinking water fund and assign to that account federal
17 moneys appropriated under federal laws that authorize principal
18 forgiveness, zero and negative interest loans, and grants,



1 including without limitation the American Recovery and
2 Reinvestment Act of 2009 and other applicable federal acts. The
3 director may use those moneys and in so doing may include
4 additional requirements and subsidization not applicable to the
5 remainder of the drinking water fund, including forgiveness of
6 principal, zero and negative interest loans, and grants to
7 public water systems that meet eligibility requirements for the
8 drinking water fund.

9 (c) The director shall certify that a project is entitled
10 to priority over other eligible projects on the basis of
11 drinking water quality and financial needs as well as a
12 preference to those projects that can be started and completed
13 expeditiously as stipulated under the American Recovery and
14 Reinvestment Act of 2009.

15 (d) Among eligible projects, the director may also give
16 priority to projects that incorporate renewable energy, energy
17 efficiency, and conservation measures in drinking water
18 infrastructure, to the extent allowed by federal law.

19 (e) Each project receiving financial assistance shall
20 conform with the conditions for drinking water project financial
21 assistance under section 340E-37(a)."



1 SECTION 3. Chapter 342D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§342D- Use of American Recovery and Reinvestment Act of
5 2009 and other federal moneys. (a) The director may provide
6 financial assistance for publicly owned wastewater treatment
7 works for the construction of necessary wastewater
8 infrastructure projects, through the revolving fund, using
9 moneys from the American Recovery and Reinvestment Act of 2009
10 and other applicable federal acts.

11 (b) The director may establish a separate account within
12 the revolving fund and assign to that account federal moneys
13 appropriated under federal laws that authorize principal
14 forgiveness, zero and negative interest loans, and grants,
15 including without limitation the American Recovery and
16 Reinvestment Act of 2009 and other applicable federal acts. The
17 director may use those moneys and in so doing may include
18 additional requirements and subsidization not applicable to the
19 remainder of the revolving fund, including forgiveness of
20 principal, zero and negative interest loans, and grants to
21 publicly-owned wastewater treatment works that meet eligibility
22 requirements for the revolving fund.



1 (c) The director shall certify that a project receiving
2 financial assistance is entitled to priority over other eligible
3 projects on the basis of water pollution and financial needs as
4 well as a preference to those projects that can be started and
5 completed expeditiously as stipulated under the American
6 Recovery and Reinvestment Act of 2009.

7 (d) Among eligible projects, the director may also give
8 priority to projects that incorporate renewable energy, energy
9 efficiency, and conservation measures in wastewater
10 infrastructure, to the extent allowed by federal law.

11 (e) Each project receiving financial assistance shall be
12 in conformance with the conditions for water pollution control
13 financing under section 342D-87(a) (1), (2), (4) and (5) and
14 (b)."

15 SECTION 4. Section 340E-31, Hawaii Revised Statutes, is
16 amended by adding a new definition to be appropriately inserted
17 and to read as follows:

18 "American Recovery and Reinvestment Act of 2009" means the
19 federal law, P.L. , making appropriations for various
20 purposes, including job preservation and creation,
21 infrastructure investment, energy efficiency and science,



1 assistance to the unemployed, and state and local fiscal
2 stabilization purposes."

3 SECTION 5. Section 342D-80, Hawaii Revised Statutes, is
4 amended by adding a new definition to be appropriately inserted
5 and to read as follows:

6 "American Recovery and Reinvestment Act of 2009" means the
7 federal law, P.L. , making appropriations for various
8 purposes, including job preservation and creation,
9 infrastructure investment, energy efficiency and science,
10 assistance to the unemployed, and state and local fiscal
11 stabilization purposes."

12 SECTION 6. There is appropriated out of federal funds
13 received by the State from the American Recovery and
14 Reinvestment Act of 2009 and any other applicable federal acts
15 the sum of \$ or so much thereof as may be necessary
16 for fiscal year 2009-2010 to fund drinking water and wastewater
17 infrastructure projects pursuant to this Act.

18 The sum appropriated shall be expended by the department of
19 health for the purposes of this Act.

20 SECTION 7. New statutory material is underscored.

21 SECTION 8. This Act shall take effect upon its approval.



Report Title:
Water Quality

Description:
Authorizes the director health to use federal moneys from the American Recovery and Reinvestment Act of 2009 to fund drinking water and wastewater infrastructure programs.

