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# A BILL FOR AN ACT

RELATING TO STATE DISASTER RELIEF.

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

1           SECTION 1. Section 127-10, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "~~§127-10 Disaster relief [during suspension of preceding~~  
4 ~~sections.]~~; proclamation of disaster emergency; report. (a)  
5 For purposes of this chapter, the governor shall have the  
6 authority to proclaim a disaster emergency to implement disaster  
7 relief under subsection (c).  
8           (b) The vice-director of civil defense shall issue a  
9 preliminary report within ninety days from the date of issuance  
10 of the disaster proclamation. The preliminary report shall be  
11 issued to the governor, mayor of each county, and the  
12 legislature, detailing the nature of the disaster, loss  
13 projections, and an assessment of the cause of the disaster;  
14 provided that there shall be a follow-up report within one  
15 hundred eighty days from the date of issuance of the disaster  
16 proclamation to evaluate the response of the State to the  
17 proclamation of disaster emergency.



1       (c) During any period in which [~~sections 127-1 to 127-9~~  
2 ~~are not in effect,~~] disaster relief is in effect, the governor  
3 and political subdivisions may exercise any and all of [~~their~~]  
4 the same powers that relate to disasters resulting from enemy  
5 attacks[~~, in order~~] under chapter 128, to provide [~~other~~]  
6 disaster relief. All provisions [~~of law~~] that relate to  
7 disasters resulting from enemy attacks [~~during such period~~]  
8 under chapter 128 are made applicable to [~~other~~] disaster  
9 relief, including without limitation, provisions making or  
10 authorizing appropriations or expenditures.

11       (d) As used in this section [~~"other disaster relief"~~]  
12 "disaster relief" means the preparation for and the carrying out  
13 of all functions[~~]~~ under this chapter and applicable provisions  
14 of chapter 128, other than functions for which United States  
15 military forces are primarily responsible, to minimize and  
16 repair injury and damage resulting from disasters caused by  
17 fire, flood, tidal wave, volcanic eruption, earthquake, or other  
18 natural causes and major disasters caused by acts of man,  
19 including but not limited to[~~]~~ massive oil spills, nuclear  
20 accidents, airplane crashes and civil disturbances."

21       SECTION 2. Act 78, Session Laws of Hawaii 2007, is amended  
22 by amending section 6 to read as follows:



1 "SECTION 6. Any provision of the Act to the contrary  
2 notwithstanding, the appropriations under this Act shall not  
3 lapse at the end of the fiscal year for which the appropriations  
4 were made. All unexpended and unencumbered balances of the  
5 appropriations made in this Act as of the close of business on  
6 June 30, [~~2009,~~] 2010, shall lapse.

7 Should any projects paid for by state funds under this Act  
8 later become eligible for federal reimbursement the federal  
9 reimbursement funds shall be deposited in the emergency and  
10 budget reserve fund; provided that moneys expended by  
11 departments and agencies of the state or counties for projects  
12 under this Act that later become eligible for federal  
13 reimbursements shall be reimbursed to the department or agency."

14 SECTION 3. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Civil Defense; Disaster; Governor's Declaration

**Description:**

Clarifies that the governor has the authority to declare a disaster emergency. Requires the state civil defense division after the governor has proclaimed a disaster emergency, to report to the governor, legislature, and each county mayor on the disaster, including specified information. Extends the time by which general funds appropriated for specific earthquake disaster recovery projects by Act 78, Session Laws of Hawaii 2007, will lapse by one year to June 30, 2010. (SB1147 HD1)

