
A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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 other applicable federal law
4 for drinking water and 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
9 of 2009 funds and other federal moneys. (a) The director may
10 provide financial assistance to public water systems for the
11 construction of necessary drinking water infrastructure
12 projects, through the drinking water fund established under
13 section 340E-36, using moneys from the American Recovery and
14 Reinvestment Act of 2009 and other 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

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

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

16 (d) Among eligible projects, the director may also give
17 priority to projects that advance Hawaii's clean energy,
18 greenhouse gas emission reduction, and solid waste management
19 goals, to the extent allowed by federal law. Clean energy shall
20 include conservation and efficiency measures and renewable
21 energy.

1 (e) Each project receiving financial assistance shall be
2 in conformance with the conditions for drinking water project
3 financial assistance under section 340E-37(a)."

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

7 "§342D- Use of American Recovery and Reinvestment Act
8 of 2009 funds and other federal moneys. (a) The director may
9 provide financial assistance for publicly owned wastewater
10 treatment works for the construction of necessary wastewater
11 infrastructure projects, through the water pollution control
12 revolving fund established by section 342D-83, using moneys from
13 the 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 water pollution control revolving fund and assign to that
17 account federal moneys appropriated under federal laws that
18 authorize principal forgiveness, zero and negative interest
19 loans, and grants, including without limitation the American
20 Recovery and Reinvestment Act of 2009 and other applicable
21 federal acts. The director may use those moneys and in so doing
22 may include additional requirements and subsidization not

1 applicable to the remainder of the revolving fund, including
2 forgiveness of principal, zero and negative interest loans, and
3 grants to publicly-owned wastewater treatment works that meet
4 eligibility requirements for the revolving fund.

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

11 (d) Among eligible projects, the director may also give
12 priority to projects that advance Hawaii's clean energy,
13 greenhouse gas emission reduction, and solid waste management
14 goals, to the extent allowed by federal law. Clean energy shall
15 include conservation and efficiency measures and renewable
16 energy.

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

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

4 "American Recovery and Reinvestment Act of 2009" means the
5 federal law, P.L. 111-5, that appropriates funds for various
6 purposes, including job preservation and creation,
7 infrastructure investment, energy efficiency and science,
8 assistance to the unemployed, and state and local fiscal
9 stabilization purposes."

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

13 "American Recovery and Reinvestment Act of 2009" means the
14 federal law, P.L. 111-5, that appropriates funds for various
15 purposes, including job preservation and creation,
16 infrastructure investment, energy efficiency and science,
17 assistance to the unemployed, and state and local fiscal
18 stabilization purposes."

19 SECTION 6. New statutory material is underscored.

20 SECTION 7. This Act shall take effect on January 1, 2050.

Report Title:

Drinking Water; Wastewater Infrastructure; American Recovery and Reinvestment Act of 2009

Description:

Enables the receipt and use of moneys from the American Recovery and Reinvestment Act of 2009 for drinking water and wastewater infrastructure. (SD2)