



GOV. MSG. NO. **545**

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

May 10, 2010

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 10, 2010, the following bill was signed into law:

SB2702 SD2 HD1 CD1

A BILL FOR AN ACT
RELATING TO A MAJOR DISASTER TRUST
ACCOUNT.

ACT 087 (10)

Sincerely,



LINDA LINGLE

Approved by the Governor
on MAY 10 2010

THE SENATE
TWENTY-FIFTH LEGISLATURE, 2010
STATE OF HAWAII

ACT 087

S.B. NO. 2702
S.D. 2
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO A MAJOR DISASTER TRUST ACCOUNT.

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

1 SECTION 1. During a disaster, the state civil defense
2 division of the department of defense advances payments for
3 disaster relief out of the major disaster fund, which is usually
4 supplemented by department of defense operating funds and
5 general fund moneys, until the moneys are reimbursed by the
6 Federal Emergency Management Agency. However, reimbursements
7 can take up to a year or more. Moreover, federal reimbursements
8 received after June 30 are lapsed into the general fund of the
9 State, which places further strain on the department's already
10 tight budget.

11 Allowing federal reimbursements to be held in a trust
12 account would ensure that those funds do not lapse at the end of
13 the fiscal year, which means the department would no longer have
14 to use operating funds for emergency disaster relief.

15 The purpose of this Act is to allow federal reimbursement
16 moneys for disaster relief to be deposited into a trust account
17 for disaster relief.



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

3 "**§127-11 Major disaster fund.** (a) The director shall
4 submit requests to the legislature to appropriate from the
5 general revenues of the State sufficient moneys as may be
6 necessary for expenditure by or under the direction of the
7 governor for immediate relief in the event of the occurrence of
8 any major disaster in any part of the State; provided that:

9 (1) The governor may not expend in excess of \$2,000,000
10 for immediate relief of any single major disaster or
11 emergency; and

12 (2) In addition to the funds in paragraph (1), an
13 additional \$2,000,000 shall be available solely for
14 the purpose of matching federal disaster relief funds
15 when these funds become available following a
16 presidential disaster declaration.

17 In expending the moneys, the governor may allot any portion
18 thereof to any agency, office, or employee, federal, state, or
19 county, for the more speedy and efficient relief of the
20 conditions created by the disasters. The governor may determine
21 whether a major disaster contemplated by this section has
22 occurred.



1 (b) Federal reimbursement moneys for disaster relief shall
2 be deemed to be trust moneys and may be deposited into a trust
3 account with and under the control of the department of
4 defense. These moneys and any interest earned thereon shall be
5 used for the purpose identified in subsection (a) and shall not
6 lapse into the general fund."

7 SECTION 3. New statutory material is underscored.

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

9 APPROVED this **10** day of **MAY** , 2010



GOVERNOR OF THE STATE OF HAWAII