
A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH
FOR HAZARD EVALUATION AND EMERGENCY RESPONSE PREPAREDNESS.

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

1 SECTION 1. This Act is recommended by the governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Constitution of the State of Hawaii.

4 SECTION 2. The department of health provides public health
5 and environmental hazard evaluation and emergency response
6 services twenty-four hours per day, seven days a week. These
7 resources have been deployed to several high profile events such
8 as Hurricane Iselle, the Puna lava flows, the Tohoku earthquake
9 and tsunami, and the Honolulu Harbor molasses spill.

10 Services are funded by the environmental response revolving
11 fund. The fund is capitalized primarily by the state
12 environmental response, energy, and food security tax. Five
13 cents are deposited in the environmental response revolving fund
14 from the \$1.05 tax assessed on each barrel of petroleum product
15 sold by a distributor to any retail dealer or end user of
16 petroleum product. However, the environmental response
17 revolving fund balance is dangerously low due to reduced

1 consumption of crude oil in the State, while demand for public
2 health and environmental hazard evaluation and emergency
3 response has increased. Without adequate capitalization, the
4 department of health will be forced to begin the process of
5 laying off program staff before the end of fiscal year 2015.

6 The purpose of this Act is to make an emergency
7 appropriation for fiscal year 2014-2015 to preserve public
8 health by continuing environmental hazard evaluation and
9 emergency response preparedness.

10 SECTION 3. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$1,050,000 or so much
12 thereof as may be necessary for fiscal year 2014-2015 to be
13 deposited in to the environmental response revolving fund
14 established under section 128D-2, Hawaii Revised Statutes, for
15 the purpose of hazard evaluation and emergency response
16 preparedness.

17 SECTION 4. There is appropriated out of the environmental
18 response revolving fund the sum of \$1,050,000 or so much thereof
19 as may be necessary for fiscal year 2014-2015 to be used for the
20 purpose of hazard evaluation and emergency response
21 preparedness.

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

H.B. NO. 949

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

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "J. M. Fuli", is written over a horizontal line.

4

BY REQUEST

5

JAN 26 2015

Report Title:

Emergency Appropriation; Hazard Evaluation and Emergency Response Preparedness.

Description:

Makes an emergency appropriation to the Department of Health to support public health and environmental hazard evaluation and emergency response preparedness.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR HAZARD EVALUATION AND EMERGENCY RESPONSE PREPAREDNESS.

PURPOSE: The purpose of this Act is to make an emergency appropriation for fiscal year 2014-2015 to sustain public and environmental health by continuing environmental hazard evaluation and emergency response capacity.

MEANS: Emergency appropriation.

JUSTIFICATION: The environmental programs at the Department of Health face an approximate \$800,000 deficit for fiscal year 2014-2015. An emergency appropriation of \$1,050,000 will fund payroll and administrative expenses totaling \$800,000, as well as \$250,000 in operational funds for responding to hazards such as oil and chemical spills, for the remainder of fiscal year 2014-2015.

The Environmental Response Revolving Fund (ERRF), which is the primary source of funds for environmental hazard evaluation and emergency response staff, is capitalized primarily by revenue from the Environmental Response, Energy, and Food Security Tax, specifically receiving five cents per taxed barrel of crude oil imported into the State.

Over the past several years, Hawaii has imported fewer barrels of oil as it relies more heavily on renewable energy, which in turn has decreased the amount of income for the ERRF at the rate of about 5 percent per year. Without an emergency appropriation, the Department of Health will be forced to

start to lay off hazard evaluation and emergency response staff this fiscal year.

The general fund appropriation included in this measure has been proposed with consideration of the statutorily defined appropriation ceiling for the Executive Branch pursuant to section 37-92, Hawaii Revised Statutes. Including appropriations made up to and including the regular session of 2014, there is still a margin of \$20,838,402 between the Executive Branch appropriation ceiling and currently authorized appropriations for fiscal year 2014-2015. However, total funding in emergency appropriation measures submitted to the Legislature will result in the appropriation ceiling for the Executive Branch to be exceeded in fiscal year 2014-2015. Because of the uncertainty in the order in which these measures will be enacted, it is being assumed that the funding requested in this measure, to sustain public and environmental health by continuing environmental hazard evaluation and emergency response capacity, will result in the appropriation ceiling for the Executive Branch to be exceeded in fiscal year 2014-2015 by \$1,050,000 .00016 percent. This current declaration takes into account additional general fund appropriations authorized for fiscal year 2014-2015 in this measure only, and does not include other general fund appropriations for fiscal year 2014-2015 that may be authorized for the Executive Branch in other legislation submitted to the Legislature during the regular session of 2015.

Impact on the public: This measure will sustain the State's ability to respond fully to public health and environmental emergencies such as hazardous materials spills through the end of fiscal year 2014-2015.

Impact on the department and other agencies:

Allow the Department to continue ongoing work that is currently supported by the ERRF and meet its financial obligations for the remainder of the fiscal year.

GENERAL FUND: \$1,050,000.
OTHER FUNDS: None.
PPBS PROGRAM DESIGNATION: None.
OTHER AFFECTED AGENCIES: None.
EFFECTIVE DATE: Upon approval.