
A BILL FOR AN ACT

RELATING TO DISASTER RELIEF.

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

1 PART I

2 SECTION 1. The legislature finds that on August 8, 2023,
3 wildfires devastated Lahaina and parts of upcountry Maui.
4 Assistance from Hawaii and the mainland rushed to support Maui
5 and has continued into recovery. In particular, the Federal
6 Emergency Management Agency provided response support and offers
7 recovery assistance via several programs, including the hazard
8 mitigation grant program. This grant program funds projects
9 that assist communities to build back better and stronger as
10 well as reduce future damage from natural hazards statewide.
11 However, the grant program requires a match from non-federal
12 funds, and the current estimate of hazard mitigation grant
13 program funding under the Maui wildfire disaster
14 (FEMA-DR-4742-HI) is in excess of \$150,000,000. In previous
15 disasters, many potential applicants have faced difficulty
16 planning for and identifying funds for the local match and will
17 face similar difficulty in this instance. This difficulty has



1 been one of the primary impediments to the complete and
2 efficient use of hazard mitigation grant program funding and
3 warrants assistance from the State.

4 The purpose of this part is to establish a disaster relief
5 match special fund and appropriate funds to provide the local
6 match requirements of the Maui wildfires hazard mitigation grant
7 program.

8 SECTION 2. Chapter 127A, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§127A- Disaster relief match special fund;
12 established. (a) There is established the disaster relief
13 match special fund into which shall be deposited appropriations
14 by the legislature to the special fund.

15 (b) The disaster relief match special fund shall be
16 administered and expended by the department of defense to
17 provide the local match requirements of the Federal Emergency
18 Management Agency's Maui wildfires hazard mitigation grant
19 program (FEMA-DR-4742-HI).

20 (c) The department of defense:



- 1 (1) Shall evaluate applications for funding from the
- 2 special fund;
- 3 (2) Shall recommend priority applications to the Federal
- 4 Emergency Management Agency for review, approval, and
- 5 award; and
- 6 (3) May establish criteria for evaluating requests from
- 7 potential applicants for matching support out of the
- 8 special fund; provided that:
- 9 (A) The default level of matching support between the
- 10 special fund and any other local source shall be
- 11 fifty-fifty; and
- 12 (B) If the department of defense identifies
- 13 applicants as small, economically disadvantaged
- 14 communities or groups, the department may provide
- 15 the entire local match requirement from the
- 16 special fund."

17 SECTION 3. There is appropriated out of the general

18 revenues of the State of Hawaii the sum of \$ or so much

19 thereof as may be necessary for fiscal year 2024-2025 to be

20 deposited into the disaster relief match special fund.

1 SECTION 4. There is appropriated out of the disaster
2 relief match special fund the sum of \$ or so much
3 thereof as may be necessary for fiscal year 2024-2025 to provide
4 the local match requirements of the Federal Emergency Management
5 Agency's Maui wildfires hazard mitigation grant program
6 (FEMA-DR-4742-HI) for projects that implement mitigation
7 measures to prevent and minimize the impacts the natural hazards
8 affecting the State.

9 The sum appropriated shall be expended by the department of
10 defense for the purposes of this part.

11 PART II

12 SECTION 5. The legislature finds that the devastating
13 wildfires brought on by winds from Hurricane Dora on August 8,
14 2023, resulted in one of the worst natural disasters in the
15 State's history. The wildfires caused loss of life and
16 displacement of thousands on the island of Maui. The disaster
17 also destroyed nearly all of Lahaina.

18 The people of Hawaii and the world responded
19 compassionately by coming together with donation drives and
20 relief efforts to support those on Maui who had survived the
21 devastation. Federal, state, and county agencies worked



1 together with nonprofit organizations, including the American
2 Red Cross, Hawaii Community Foundation, Maui United Way, and
3 many others, on the emergency response and recovery efforts.

4 The legislature further finds that to support response and
5 recovery efforts and address immediate 2023 wildfire funding
6 needs, the governor, through the seventh emergency proclamation
7 relating to wildfires, dated September 8, 2023, and executive
8 memorandum no. 23-08, redirected \$164,100,000, after
9 adjustments, from selected general fund operating appropriations
10 from Act 164, Session Laws of Hawaii 2023, originally intended
11 for specific purposes and capital improvement projects, to the
12 department of budget and finance. The department of budget and
13 finance subsequently transferred \$65,000,000 to the major
14 disaster fund and set aside the remaining \$99,100,000 for the
15 State's share of noncongregate housing and debris clean-up costs
16 initially being paid by the Federal Emergency Management Agency.
17 These steps, among others, allowed the State to address response
18 and recovery expenses incurred thus far without cutting
19 positions and departmental base budgets.

20 The purpose of this part is to continue the Maui wildfires
21 disaster response and recovery efforts by:



- 1 (1) Appropriating \$452,900,000 relating to the State's
- 2 response to the Maui wildfires and statewide wildfire
- 3 mitigation and response;
- 4 (2) Reauthorizing \$160,200,000 of general funded capital
- 5 improvement project operating appropriations as
- 6 general obligation bond funded appropriations; and
- 7 (3) Authorizing the issuance of reimbursable general
- 8 obligation bonds and appropriating the bond proceeds
- 9 for certain capital improvement projects in the county
- 10 of Maui.

11 SECTION 6. There is appropriated out of the state risk
12 management revolving fund established by section 41D-4, Hawaii
13 Revised Statutes, the sum of \$200,000,000 or so much thereof as
14 may be necessary for fiscal year 2024-2025 for insurance claim
15 payments related to the Maui wildfires disaster that began on
16 August 8, 2023.

17 The sum appropriated shall be expended by the department of
18 accounting and general services, state risk management and
19 insurance administration (AGS 203), for the purposes of this
20 section, with the approval of the comptroller.

1 SECTION 7. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$186,160,000 or so
3 much thereof as may be necessary for fiscal year 2024-2025 as a
4 set-aside for recovery costs for the Maui wildfires disaster
5 that began on August 8, 2023.

6 The sum appropriated shall be expended by the department of
7 budget and finance, departmental administration and budget
8 division (BUF 101), for the purposes of this section; provided
9 that:

10 (1) Any law to the contrary notwithstanding, the governor
11 may authorize the transfer of up to \$186,160,000 in
12 general funds to other state agencies for recovery
13 costs for the Maui wildfires disaster that began on
14 August 8, 2023; provided further that:

15 (A) The governor shall provide notice to the
16 legislature no less than fourteen days prior to
17 the date of any transfer;

18 (B) The governor shall submit a report to the
19 legislature within five days of each use of this
20 authority; provided further that the report shall
21 include the date of transfer, the amount of the



1 transfer, the program ID to which funds were
2 transferred, and an explanation of the purpose of
3 the transfer of resources; and

4 (C) The governor shall submit to the legislature a
5 summary report containing the information
6 described in subparagraph (B) for each use of
7 this authority for the previous twelve month
8 period from December 1 to November 30 no later
9 than thirty days prior to the convening of the
10 regular sessions of 2025 and 2026; and

11 (2) The auditor shall conduct annual audits of all
12 contracts procured using moneys appropriated under
13 this section; provided further that the auditor shall
14 submit a report of its findings and recommendations,
15 including any proposed legislation, to the legislature
16 no later than twenty days prior the convening of the
17 regular sessions of 2026 and 2027.

18 SECTION 8. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$125,000 or so much
20 thereof as may be necessary for fiscal year 2024-2025 for
21 temporary libraries located in Makawao and Lahaina, Maui.



1 The sum appropriated shall be expended by the Hawaii state
2 public library system, public libraries (EDN 407) for the
3 purposes of this section.

4 SECTION 9. (a) The department of human services is
5 authorized to fund six full-time equivalent (6.0 FTE) temporary
6 positions to be funded by federal funds.

7 (b) There is appropriated out of the general revenues of
8 the State of Hawaii the sum of \$13,370,000 or so much thereof as
9 may be necessary for fiscal year 2024-2025, and the sum of
10 \$12,751,554 or so much thereof as may be necessary for fiscal
11 year 2024-2025 in federal funds for emergency management related
12 to the Maui wildfires that began on August 8, 2023.

13 (c) The sums appropriated shall be expended by the
14 department of human services, general administration - DHS
15 (HMS 904), for the purposes of this section.

16 SECTION 10. There is appropriated out of the conservation
17 and resources enforcement special fund established by
18 section 199-1.5, Hawaii Revised Statutes, the sum of \$521,473 or
19 so much thereof as may be necessary for fiscal year 2024-2025
20 for the department of land and natural resources, conservation
21 and resources enforcement, for Maui wildfire recovery efforts.



1 The sum appropriated shall be expended by the department of
2 land and natural resources, conservation and resources
3 enforcement (LNR 405), for the purposes of this section.

4 SECTION 11. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$653,082 or so much
6 thereof as may be necessary for fiscal year 2024-2025 to the
7 Hawaii emergency management agency to establish twenty full-time
8 equivalent (20.0 FTE) permanent positions for Maui wildfire
9 recovery.

10 The sum appropriated shall be expended by the Hawaii
11 emergency management agency (DEF 118) for the purposes of this
12 section.

13 SECTION 12. There is appropriated out of the public
14 utilities commission special fund established by section 269-33,
15 Hawaii Revised Statutes, the sum of \$1,000,000 or so much
16 thereof as may be necessary for fiscal year 2024-2025 for
17 consultant contracts for utility dockets.

18 The sum appropriated shall be expended by the public
19 utilities commission (CCA 901) for the purposes of this section.

20 SECTION 13. There is appropriated or authorized for
21 expenditure out of federal moneys received by the State of



1 Hawaii the sum of \$20,000,000 or so much thereof as may be
2 necessary for fiscal year 2024-2025 for wildfire response,
3 recovery, and prevention measures.

4 The sum appropriated shall be expended by the department of
5 Hawaiian home lands, administration and operating support
6 (HHL 625), for the purposes of this section.

7 SECTION 14. There is appropriated or authorized for
8 expenditure out of federal moneys received by the State of
9 Hawaii the sum of \$7,425,000 or so much thereof as may be
10 necessary for fiscal year 2024-2025 for fire response and
11 rehabilitation and wildfire fuels reduction contracts for the
12 department of land and natural resources, division of forestry
13 and wildlife.

14 The sum appropriated shall be expended by the department of
15 land and natural resources, native resources and fire protection
16 program (LNR 402), for the purposes of this section.

17 SECTION 15. There is appropriated or authorized for
18 expenditure out of federal moneys received by the State of
19 Hawaii the sum of \$10,000,000 or so much thereof as may be
20 necessary for fire and emergency response equipment.



1 The sum appropriated shall be expended by the department of
2 land and natural resources, native resources and fire protection
3 program (LNR 402), for the purposes of this section.

4 SECTION 16. There is appropriated out of the public
5 utilities commission special fund established under section
6 269-33, Hawaii Revised Statutes, the sum of \$900,000 or so much
7 thereof as may be necessary for fiscal year 2024-2025 for
8 consultant contracts for utility dockets.

9 The sum appropriated shall be expended by the division of
10 consumer advocacy (CCA 103) for the purposes of this section.

11 SECTION 17. The director of finance is authorized to issue
12 general obligation bonds in the sum of \$2,360,000 and the same
13 sum or so much thereof as may be necessary is appropriated for
14 fiscal year 2024-2025 for the purpose of West Maui and Upcountry
15 Maui fire prevention, erosion control, and fire suppression dip
16 tanks.

17 The sum appropriated shall be expended by the department of
18 land and natural resources, native resources and fire protection
19 program (LNR 402), for the purposes of this section.

20 SECTION 18. The director of finance is authorized to issue
21 reimbursable general obligation bonds in the sum of \$63,560,000



1 and the same sum or so much thereof as may be necessary is
2 appropriated for fiscal year 2024-2025 as follows:

- 3 (1) \$4,560,000 for a final disposition site;
- 4 (2) \$11,000,000 for wastewater collection system repairs;
- 5 (3) \$9,000,000 for wastewater collection system laterals
6 and cleanouts;
- 7 (4) \$3,000,000 for traffic signal replacement;
- 8 (5) \$10,000,000 for fire flow improvements to water
9 systems;
- 10 (6) \$10,000,000 for water supply infrastructure repairs
11 and replacements;
- 12 (7) \$8,000,000 for storm drainage, flood control, and
13 water quality improvements; and
- 14 (8) \$8,000,000 for roadway connectivity for disaster
15 evacuation.

16 The sum appropriated shall be expended by the county of
17 Maui through (SUB 401) for the purposes of this section.

18 SECTION 19. The following sums or so much thereof as may
19 be necessary for fiscal year 2024-2025 are appropriated or
20 authorized, as the case may be, from moneys in the treasury
21 received from revenue bond funds and federal grants to finance



1 the project listed below. The letter symbols used after the
2 specific project appropriations indicate the source of financing
3 and have the following meaning: (E) revenue bond funds, (N)
4 federal funds.

5	LAHAINA REPAIR, REHABILITATION,		
6	AND/OR REINSTALLATION, MAUI		
7			
8	DESIGN AND CONSTRUCTION.		
9	TOTAL FUNDING	TRN	\$ 6,600,000E
10			26,400,000N

11
12 The bonds authorized shall be issued, and the sums
13 appropriated shall be expended, by the department of
14 transportation, Maui highways (TRN 531), for the purposes of
15 this section.

16 SECTION 20. Part II of Act 164, Session Laws of Hawaii
17 2023, is amended by amending section 3 as follows:

18 1. By amending item A-24 to read as follows:

19	"24. BED160 - HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION		
20	OPERATING	BED	150,000,000A [230,000,000A]
21			<u>A</u>
22		BED	3,100,000N 3,100,000N
23			23.00* 23.00*
24			45.00# 45.00#
25		BED	13,533,889W [14,046,265W]
26			<u>16,022,225W</u>
27		BED	3,000,000P 3,000,000P
28	INVESTMENT CAPITAL	BED	45,000,000C <u>230,000,000C"</u>

29
30 2. By amending item G-22 to read as follows:

31	"22. UOH800 - UNIVERSITY OF HAWAII, COMMUNITY COLLEGES		
32			1,812.50* 1,812.50*
33			46.00# 46.00#



1	OPERATING	UOH	177,676,803A	182,428,030A
2		UOH	75,630,837B	75,630,837B
3			0.50*	0.50*
4		UOH	4,428,296N	4,428,296N
5			34.00*	34.00*
6		UOH	31,824,086W	31,824,086W
7	INVESTMENT CAPITAL	UOH	50,250,000A	50,000,000A
8				<u>25,000,000A</u>
9		UOH	80,625,000C	13,000,000C
10				<u>38,000,000C"</u>

11 and

12 3. By amending item G-23 to read as follows:

13	"23. UOH900 - UNIVERSITY OF HAWAII, SYSTEMWIDE SUPPORT		416.00*	416.00*
14			1.00#	1.00#
15				
16	OPERATING	UOH	62,925,512A	59,963,501A
17			20.00*	20.00*
18		UOH	22,648,946B	23,826,197B
19			4.00*	4.00*
20			4.00#	4.00#
21		UOH	1,094,875N	1,094,875N
22			15.00*	15.00*
23		UOH	18,486,475W	18,501,237W
24	INVESTMENT CAPITAL	UOH	30,000,000A	30,000,000A
25				<u>A</u>
26		C		<u>30,000,000C"</u>

27 SECTION 21. Part V of Act 164, Session Laws of Hawaii

28 2023, is amended by amending section 7 as follows:

29 1. By amending item G-138 to read as follows:

30 "138. CCS, CAPITAL RENEWAL AND DEFERRED
31 MAINTENANCE, STATEWIDE
32
33 PLANS, DESIGN, CONSTRUCTION, AND
34 EQUIPMENT FOR IMPROVEMENTS TO UH
35 COMMUNITY COLLEGES SYSTEM FACILITIES.
36 PROJECTS TO INCLUDE CAPITAL RENEWAL,
37 REDUCTION OF MAINTENANCE BACKLOG, MAJOR
38 AND MINOR RENOVATIONS, MODERNIZATION OF
39 FACILITIES, RE-ROOFING, MECHANICAL AND
40 ELECTRICAL SYSTEMS, RESURFACING,
41 INFRASTRUCTURE, DEMOLITION OF EXISTING



1 FACILITIES, AND OTHER REPAIRS AND PROJECT
 2 COSTS FOR UPGRADES.
 3 TOTAL FUNDING UOH 25,000 A [~~25,000 A~~]
 4 25,000 C"
 5

6 2. By amending item G-147 to read as follows:

7 "147. SYSTEM, RENEW, IMPROVE, AND
 8 MODERNIZE, STATEWIDE
 9
 10 PLANS, DESIGN, CONSTRUCTION, AND
 11 EQUIPMENT FOR IMPROVEMENTS TO THE
 12 UNIVERSITY OF HAWAII SYSTEM FACILITIES.
 13 PROJECT TO INCLUDE RENEWAL, IMPROVEMENTS
 14 AND MODERNIZATION OF INTERIOR AND
 15 EXTERIOR STRUCTURES, ROOFS, MECHANICAL
 16 AND ELECTRICAL SYSTEMS, PEDESTRIAN
 17 PATHWAYS, ROADWAYS, GROUNDS AND OTHER
 18 PROJECT COSTS TO UPGRADE EXISTING
 19 TEMPORARY AND NEW FACILITIES.
 20 TOTAL FUNDING UOH 30,000 A [~~30,000 A~~]
 21 30,000 C"
 22

23 3. By adding four new items to read as follows:

24 "BED160 - HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
 25
 26 XX. DWELLING UNIT REVOLVING FUND
 27 INFUSION, STATEWIDE
 28
 29 CONSTRUCTION TO PROVIDE AN INFUSION OF
 30 FUNDS TO FINANCE ADDITIONAL AFFORDABLE
 31 HOUSING, STATEWIDE
 32 TOTAL FUNDING BED C 50,000 C
 33
 34 XX. RENTAL HOUSING REVOLVING FUND
 35 REVOLVING FUND INFUSION, STATEWIDE
 36
 37 CONSTRUCTION TO PROVIDE AN INFUSION OF
 38 FUNDS TO FINANCE ADDITIONAL AFFORDABLE
 39 RENTAL HOUSING, STATEWIDE
 40 TOTAL FUNDING BED C 180,000 C
 41
 42 XX. TEMPORARY HOUSING, MAUI
 43



1 PLANS, DESIGN, CONSTRUCTION,
 2 ACQUISITION, AND EQUIPMENT FOR
 3 INFRASTRUCTURE FOR TEMPORARY HOUSING IN
 4 WEST MAUI

<u>TOTAL FUNDING</u>	<u>BED</u>	<u>D</u>	<u>40,000 D</u>
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5
 6
 7 XX. MODULAR HOUSING FOR TEMPORARY
 8 UNITS, MAUI

9
 10 PLANS, DESIGN, CONSTRUCTION,
 11 ACQUISITION, AND EQUIPMENT FOR
 12 INFRASTRUCTURE FOR MODULAR HOUSING FOR
 13 TEMPORARY UNITS IN WEST MAUI

<u>TOTAL FUNDING</u>	<u>BED</u>	<u>D</u>	<u>75,000 D"</u>
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14
 15 SECTION 22. The appropriations made for the capital
 16 improvement projects authorized by this Act shall not lapse at
 17 the end of the fiscal biennium for which the appropriations are
 18 made; provided that all moneys from the appropriations
 19 unencumbered as of June 30, 2026, shall lapse as of that date.

20 PART III

21 SECTION 23. In accordance with section 9 of article VII of
 22 the Hawaii State Constitution and sections 37-91 and 37-93,
 23 Hawaii Revised Statutes, the legislature has determined that the
 24 appropriations contained in H.B. No. , will cause the state
 25 general fund expenditure ceiling for fiscal year 2024-2025 to be
 26 exceeded by \$ or per cent. In addition, the
 27 appropriation contained in this Act will cause the general fund
 28 expenditure ceiling for fiscal year 2024-2025 to be further
 29 exceeded by \$ or per cent. The combined total



1 amount of general fund appropriations contained in only these
2 two Acts will cause the state general fund expenditure ceiling
3 for fiscal year 2024-2025 to be exceeded by
4 \$ or per cent. The reasons for exceeding the
5 general fund expenditure ceiling are that:

- 6 (1) The appropriation made in this Act is necessary to
7 serve the public interest; and
- 8 (2) The appropriation made in this Act meets the needs
9 addressed by this Act.

10 SECTION 24. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 25. This Act shall take effect on July 1, 2042.



Report Title:

FEMA; Department of Defense; Maui Wildfires; Hazard Mitigation Grant Program; Disaster Relief Match Special Fund; Appropriations; General Fund Expenditure Ceiling Exceeded

Description:

Establishes a Disaster Relief Match Special Fund to support the local match requirements of the Federal Emergency Management Agency Maui Wildfires Hazard Mitigation Grant Program for projects that implement mitigation measures to prevent and minimize the impacts of natural hazards affecting the State. Appropriates moneys into the Disaster Relief Match Special Fund. Makes appropriations to support the State's continued response to the August 2023 wildfires that affected the counties of Hawaii and Maui. Declares that the appropriations exceed the state general fund expenditure ceiling for 2024-2025. Effective 7/1/2042. (SD2)

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

