
A BILL FOR AN ACT

MAKING APPROPRIATIONS FOR WILDFIRE RECOVERY.

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

1 SECTION 1. The legislature finds that the devastating
2 wildfires brought on by winds from Hurricane Dora on August 8,
3 2023, resulted in one of the worst natural disasters in the
4 State's history. The wildfires caused loss of life and
5 displacement of thousands on the island of Maui. The disaster
6 also destroyed nearly all of Lahaina.

7 The legislature further finds that the constitutional
8 responsibility and power to appropriate rests solely with the
9 legislature. Chapter 127A, Hawaii Revised Statutes, was enacted
10 to provide the administration with sufficient ability, during
11 disasters or emergencies of unprecedented size and
12 destructiveness, to ensure the safety of the public and recovery
13 of the State.

14 The legislature further finds that transparency,
15 communication, coordination, and collaboration between all
16 branches of government is necessary to develop and implement
17 solutions for survivors. In total, more than \$1,000,000,000, or



1 ten per cent, of the general fund budget may be necessary to
2 respond to this disaster.

3 The legislature further finds that to support response and
4 recovery efforts and address immediate 2023 wildfire funding
5 needs, the governor, through the seventh emergency proclamation
6 relating to wildfires, dated September 8, 2023, and executive
7 memorandum no. 23-08, redirected \$172,800,000 from selected
8 general fund operating appropriations from Act 164, Session Laws
9 of Hawaii 2023, originally intended for specific purposes and
10 capital improvement projects, to the department of budget and
11 finance. The department of budget and finance subsequently
12 transferred the \$172,800,000 to the major disaster fund and
13 other purposes, along with another \$30,000,000 that the governor
14 authorized pursuant to section 5 of Act 164, Session Laws of
15 Hawaii 2023. With the existing \$5,000,000 major disaster fund
16 appropriation, a total of \$199,100,000 has been allocated to the
17 major disaster fund for initial wildfire response and recovery,
18 including the expected State's share of noncongregate housing
19 and debris clean-up costs initially being paid by the Federal
20 Emergency Management Agency.



1 The legislature further finds that the federal government
2 has allocated \$2,000,000,000 to address recovery efforts in
3 Hawaii. This allocation requires Federal Emergency Management
4 Agency approval before it can be spent.

5 The legislature notes that this Act is a vital component to
6 funding wildfire recovery. Just as critical is longer term,
7 permanent, comprehensive base budget funding for programs and
8 initiatives that will better prepare the State for future
9 disasters in terms of prevention and planning, which can be
10 found in the Supplemental Appropriations Act of 2024 for fiscal
11 year 2024-2025. The supplemental executive budget appropriates
12 \$69,538,898 that includes:

- 13 (1) \$364,000 for 3.0 positions in the department of
14 business, economic development, and tourism;
- 15 (2) \$125,000 for temporary libraries in Makawao and
16 Lahaina;
- 17 (3) \$12,751,554 for emergency management purposes in the
18 department of human services;
- 19 (4) \$424,344 for 6.0 positions in the Hawaii emergency
20 management agency;



- 1 (5) \$1,900,000 for consultant contracts for utility
- 2 dockets at the public utilities commission;
- 3 (6) \$20,974,000 for wildfire response, rehabilitation,
- 4 fuel reduction, and fire and emergency response
- 5 equipment at the department of land and natural
- 6 resources; and
- 7 (7) \$33,000,000 for the repair and rehabilitation of
- 8 highways in Lahaina.

9 The legislature further finds that uncertainty with the
10 status of Federal Emergency Management Agency eligible and
11 ineligible expenses remain, making accurate appropriations an
12 extreme challenge.

13 The purpose of this Act is to make appropriations to cover
14 the State's expenses incurred in the Hawaii wildfires disaster
15 response efforts, ensuring that critical state programs retain
16 funding appropriated by the legislature that is necessary for
17 their continued operation, and to continue the Hawaii wildfires
18 disaster response and recovery efforts by allocating
19 \$459,720,000 as follows:

- 20 (1) Appropriating \$200,000,000 to ensure that insurance
- 21 proceeds are allocated as needed;



1 (2) Appropriating \$186,160,000 relating to the State's
2 response to the Maui wildfires and statewide wildfire
3 mitigation and response;

4 (3) Appropriating \$10,000,000 to the department of land
5 and natural resources for fire and emergency response
6 equipment; and

7 (4) Authorizing \$63,560,000 of reimbursable general
8 obligation funded capital improvement projects.

9 SECTION 2. There is appropriated out of the state risk
10 management revolving fund established by section 41D-4, Hawaii
11 Revised Statutes, the sum of \$200,000,000 or so much thereof as
12 may be necessary for fiscal year 2024-2025 for disbursement of
13 insurance claim payments related to the Hawaii wildfires
14 disaster that began on August 8, 2023; provided that the
15 department of accounting and general services shall submit the
16 following information associated with the Hawaii wildfires
17 disaster that began on August 8, 2023, to the legislature on the
18 seventh day of each month:

19 (1) The date of insurance proceeds allocation;

20 (2) The amount of proceeds allocated;

21 (3) The date of any expenditures;



- 1 (4) The amount of expenditures made;
- 2 (5) The purpose of expenditures;
- 3 (6) Any contracts executed for the expenditure of funds;
- 4 (7) The liquidation date for all contracts or liabilities;
- 5 and
- 6 (8) A detailed explanation of the public purposes served
- 7 by the expenditure of resources.

8 Notwithstanding any law to the contrary, the governor shall
9 submit to the legislature a summary report containing the
10 aforementioned information for the previous twelve-month period
11 from December 1 to November 30 no later than thirty days prior
12 to the convening of the regular session of 2025.

13 The sum appropriated shall be expended by the department of
14 accounting and general services, state risk management and
15 insurance administration (AGS 203), for the purposes of this
16 Act, with the approval of the comptroller.

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$186,160,000 or so
19 much thereof as may be necessary for fiscal year 2024-2025 as a
20 set-aside for recovery costs for the Hawaii wildfires disaster
21 that began on August 8, 2023; provided that notwithstanding any



1 law to the contrary, the governor may authorize the transfer of
2 up to \$186,160,000 in general funds to other state agencies for
3 recovery costs for the Hawaii wildfires disaster that began on
4 August 8, 2023; provided further that the governor shall provide
5 notice to the legislature fourteen days prior to the date of any
6 transfer and submit a report to the legislature within five days
7 of each use of this authority; provided further that the report
8 shall include the date of transfer, the amount of the transfer,
9 the program ID to which funds were transferred, and an
10 explanation of the purpose of the transfer of resources.

11 Notwithstanding any law to the contrary, the governor shall
12 submit to the legislature a summary report containing the
13 aforementioned information for each use of this authority for
14 the previous twelve-month period from December 1 to November 30
15 no later than thirty days prior to the convening of the regular
16 sessions of 2025 and 2026.

17 The sum appropriated shall be expended by the department of
18 budget and finance, departmental administration and budget
19 division (BUF 101), for the purposes of this Act.

20 SECTION 4. Notwithstanding any law to the contrary, the
21 department of budget and finance or any department or agency



1 receiving funds transferred by the governor shall submit the
2 following information associated with the Hawaii wildfires
3 disaster that began on August 8, 2023, to the legislature on the
4 seventh day of each month:

- 5 (1) The date of expenditures;
- 6 (2) The amount of expenditures made, separately for
7 Federal Emergency Management Agency eligible and
8 Federal Emergency Management Agency ineligible
9 expenses;
- 10 (3) The purpose of expenditures;
- 11 (4) Any contracts executed for the expenditure of funds;
- 12 (5) The liquidation date for all contracts or liabilities;
13 and
- 14 (6) A detailed explanation of the public purposes served
15 by the expenditure of resources.

16 Notwithstanding any law to the contrary, the governor shall
17 submit to the legislature a summary report containing the
18 aforementioned information for the previous twelve-month period
19 from December 1 to November 30 no later than thirty days prior
20 to the convening of the regular session of 2025.



1 SECTION 5. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$10,000,000 or so
3 much thereof as may be necessary for fiscal year 2024-2025 for
4 fire and emergency response equipment.

5 The sum appropriated shall be expended by the department of
6 land and natural resources, native resources and fire protection
7 program (LNR 402), for the purposes of this Act.

8 SECTION 6. The director of finance is authorized to issue
9 reimbursable general obligation bonds in the sum of \$63,560,000
10 and the same sum or so much thereof as may be necessary is
11 appropriated for fiscal year 2024-2025 as follows:

- 12 (1) \$4,560,000 for a final disposition site;
- 13 (2) \$11,000,000 for wastewater collection system repairs;
- 14 (3) \$9,000,000 for wastewater collection system laterals
15 and cleanouts;
- 16 (4) \$3,000,000 for traffic signal replacement;
- 17 (5) \$10,000,000 for fire flow improvements to water
18 systems;
- 19 (6) \$10,000,000 for water supply infrastructure repairs
20 and replacements;



1 (7) \$8,000,000 for storm drainage, flood control, and
2 water quality improvements; and

3 (8) \$8,000,000 for roadway connectivity for disaster
4 evacuation.

5 The sum appropriated shall be expended by the county of
6 Maui through (SUB 401) for the purposes of this Act; provided
7 that the county of Maui shall reimburse the State for all
8 interest payments made on the debt service of the reimbursable
9 general obligation bonds; provided further that any
10 reimbursements received by the State from the Federal Emergency
11 Management Agency shall be credited towards any principal
12 payments made by the state treasury for the reimbursable general
13 obligation bonds issued.

14 SECTION 7. The appropriations made for the capital
15 improvement projects authorized by this Act shall not lapse at
16 the end of the fiscal biennium for which the appropriations are
17 made; provided that all moneys from the appropriations
18 unencumbered as of June 30, 2026, shall lapse as of that date.

19 SECTION 8. In accordance with section 9 of article VII of
20 the Hawaii State Constitution and sections 37-91 and 37-93,
21 Hawaii Revised Statutes, the legislature has determined that the



1 appropriations contained in H.B. No. , will cause the state
 2 general fund expenditure ceiling for fiscal year 2024-2025 to be
 3 exceeded by \$ or per cent. In addition, the
 4 appropriations contained in this Act will cause the general fund
 5 expenditure ceiling for fiscal year 2024-2025 to be further
 6 exceeded by \$ or per cent. The combined total
 7 amount of general fund appropriations contained in only these
 8 two Acts will cause the state general fund expenditure ceiling
 9 for fiscal year 2024-2025 to be exceeded by

10 \$ or per cent. The reasons for exceeding the
 11 general fund expenditure ceiling are that:

- 12 (1) The appropriations made in this Act are necessary to
- 13 serve the public interest; and
- 14 (2) The appropriations made in this Act meet the needs
- 15 addressed by this Act.

16 SECTION 9. This Act shall take effect on July 1, 3000.



Report Title:

Wildfires; General Obligation Bonds; Appropriations; Expenditure Ceiling

Description:

Appropriates funds to support the State's continued response to the August 2023 wildfires that affected the counties of Hawaii and Maui. Effective 7/1/3000. (HD1)

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

