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# A BILL FOR AN ACT

RELATING TO DISASTER RELIEF.

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

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PART I

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



1 the primary impediments to the complete and efficient use of  
2 hazard mitigation grant program funding and warrants assistance  
3 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 (FEMA-  
 6 DR-4742-HI) for projects that implement mitigation measures to  
 7 prevent and minimize the impacts the natural hazards affecting  
 8 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 any law to the contrary notwithstanding, the governor may  
10 authorize the transfer of up to \$186,160,000 in general funds to  
11 other state agencies for recovery costs for the Maui wildfires  
12 disaster that began on August 8, 2023; provided further that the  
13 governor shall submit a report to the legislature within five  
14 days of each use of this authority; provided further that the  
15 report shall include the date of transfer, the amount of the  
16 transfer, the program ID to which funds were transferred, and an  
17 explanation of the purpose of the transfer of resources; and  
18 provided further that the governor shall submit to the  
19 legislature a summary report containing the aforementioned  
20 information for each use of this authority for the previous  
21 twelve month period from December 1 to November 30 no later than



1 thirty days prior to the convening of the regular sessions of  
2 2025 and 2026.

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

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

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

13 (b) There is appropriated out of the general revenues of  
14 the State of Hawaii the sum of \$13,370,000 or so much thereof as  
15 may be necessary for fiscal year 2024-2025, and the sum of  
16 \$12,751,554 or so much thereof as may be necessary for fiscal  
17 year 2024-2025 in federal funds for emergency management related  
18 to the Maui wildfires that began on August 8, 2023.

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





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

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

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

16 The sum appropriated shall be expended by the Hawaii  
17 emergency management agency (DEF 118) for the purposes of this  
18 section.

19 SECTION 12. There is appropriated out of the public  
20 utilities commission special fund established by section 269-33,  
21 Hawaii Revised Statutes, the sum of \$1,000,000 or so much



1 thereof as may be necessary for fiscal year 2024-2025 for  
2 consultant contracts for utility dockets.

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

5 SECTION 13. There is appropriated or authorized for  
6 expenditure out of federal moneys received by the State of  
7 Hawaii the sum of \$20,000,000 or so much thereof as may be  
8 necessary for fiscal year 2024-2025 for wildfire response,  
9 recovery, and prevention measures.

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

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



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

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

11 SECTION 16. There is appropriated out of the public  
12 utilities commission special fund established under section  
13 269-33, Hawaii Revised Statutes, the sum of \$900,000 or so much  
14 thereof as may be necessary for fiscal year 2024-2025 for  
15 consultant contracts for utility dockets.

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

18 SECTION 17. The director of finance is authorized to issue  
19 general obligation bonds in the sum of \$2,360,000 and the same  
20 sum or so much thereof as may be necessary is appropriated for  
21 fiscal year 2024-2025 for the purpose of West Maui and Upcountry



1 Maui fire prevention, erosion control, and fire suppression dip  
2 tanks.

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

6 SECTION 18. The director of finance is authorized to issue  
7 reimbursable general obligation bonds in the sum of \$63,560,000  
8 and the same sum or so much thereof as may be necessary is  
9 appropriated for fiscal year 2024-2025 as follows:

- 10 (1) \$4,560,000 for a final disposition site;
- 11 (2) \$11,000,000 for wastewater collection system repairs;
- 12 (3) \$9,000,000 for wastewater collection system laterals  
13 and cleanouts;
- 14 (4) \$3,000,000 for traffic signal replacement;
- 15 (5) \$10,000,000 for fire flow improvements to water  
16 systems;
- 17 (6) \$10,000,000 for water supply infrastructure repairs  
18 and replacements;
- 19 (7) \$8,000,000 for storm drainage, flood control, and  
20 water quality improvements; and



1 (8) \$8,000,000 for roadway connectivity for disaster  
2 evacuation.

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

5 SECTION 19. The following sums or so much thereof as may  
6 be necessary for fiscal year 2024-2025 are appropriated or  
7 authorized, as the case may be, from moneys in the treasury  
8 received from revenue bond funds and federal grants to finance  
9 the project listed below. The letter symbols used after the  
10 specific project appropriations indicate the source of financing  
11 and have the following meaning: (E) revenue bond funds, (N)  
12 federal funds.

13	LAHAINA REPAIR; REHABILITATION,		
14	AND/OR REINSTALLATION, MAUI		
15			
16	DESIGN AND CONSTRUCTION.		
17	TOTAL FUNDING	TRN	\$ 6,600,000E
18			26,400,000N
19			

20 The bonds authorized shall be issued, and the sums  
21 appropriated shall be expended, by the department of  
22 transportation, Maui highways (TRN 531), for the purposes of  
23 this section.

24 SECTION 20. Part II of Act 164, Session Laws of Hawaii  
25 2023, is amended by amending section 3 as follows:



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

2	"24. BED160 - HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION			
3	OPERATING	BED	150,000,000A	<del>[230,000,000A]</del>
4				<u>A</u>
5		BED	3,100,000N	3,100,000N
6			23.00*	23.00*
7			45.00#	45.00#
8		BED	13,533,889W	14,046,265W
9		BED	3,000,000P	3,000,000P
10	INVESTMENT CAPITAL	BED	45,000,000C	<u>230,000,000C"</u>

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

13	"22. UOH800 - UNIVERSITY OF HAWAII, COMMUNITY COLLEGES			
14			1,812.50*	1,812.50*
15			46.00#	46.00#
16	OPERATING	UOH	177,676,803A	182,428,030A
17		UOH	75,630,837B	75,630,837B
18			0.50*	0.50*
19		UOH	4,428,296N	4,428,296N
20			34.00*	34.00*
21		UOH	31,824,086W	31,824,086W
22	INVESTMENT CAPITAL	UOH	50,250,000A	<del>[50,000,000A]</del>
23				<u>25,000,000A</u>
24		UOH	80,625,000C	<del>[13,000,000C]</del>
25				<u>38,000,000C"</u>

26 and

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

28	"23. UOH900 - UNIVERSITY OF HAWAII, SYSTEMWIDE SUPPORT			
29			416.00*	416.00*
30			1.00#	1.00#
31	OPERATING	UOH	62,925,512A	59,963,501A
32			20.00*	20.00*
33		UOH	22,648,946B	23,826,197B
34			4.00*	4.00*
35			4.00#	4.00#
36		UOH	1,094,875N	1,094,875N
37			15.00*	15.00*
38		UOH	18,486,475W	18,501,237W
39	INVESTMENT CAPITAL	UOH	30,000,000A	<del>[30,000,000A]</del>
40				<u>A</u>
41		C		<u>30,000,000C"</u>



1 SECTION 21. Part V of Act 164, Session Laws of Hawaii  
2 2023, is amended by amending section 7 as follows:

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

4 "138. CCS, CAPITAL RENEWAL AND DEFERRED  
5 MAINTENANCE, STATEWIDE  
6  
7 PLANS, DESIGN, CONSTRUCTION, AND  
8 EQUIPMENT FOR IMPROVEMENTS TO UH  
9 COMMUNITY COLLEGES SYSTEM FACILITIES.  
10 PROJECTS TO INCLUDE CAPITAL RENEWAL,  
11 REDUCTION OF MAINTENANCE BACKLOG, MAJOR  
12 AND MINOR RENOVATIONS, MODERNIZATION OF  
13 FACILITIES, RE-ROOFING, MECHANICAL AND  
14 ELECTRICAL SYSTEMS, RESURFACING,  
15 INFRASTRUCTURE, DEMOLITION OF EXISTING  
16 FACILITIES, AND OTHER REPAIRS AND PROJECT  
17 COSTS FOR UPGRADES.  
18 TOTAL FUNDING UOH 25,000 A [~~25,000 A~~]  
19 25,000 C"  
20

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

22 "147. SYSTEM, RENEW, IMPROVE, AND  
23 MODERNIZE, STATEWIDE  
24  
25 PLANS, DESIGN, CONSTRUCTION, AND  
26 EQUIPMENT FOR IMPROVEMENTS TO THE  
27 UNIVERSITY OF HAWAII SYSTEM FACILITIES.  
28 PROJECT TO INCLUDE RENEWAL, IMPROVEMENTS  
29 AND MODERNIZATION OF INTERIOR AND  
30 EXTERIOR STRUCTURES, ROOFS, MECHANICAL  
31 AND ELECTRICAL SYSTEMS, PEDESTRIAN  
32 PATHWAYS, ROADWAYS, GROUNDS AND OTHER  
33 PROJECT COSTS TO UPGRADE EXISTING  
34 TEMPORARY AND NEW FACILITIES.  
35 TOTAL FUNDING UOH 30,000 A [~~30,000 A~~]  
36 30,000 C"  
37

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

39 "XX. DWELLING UNIT REVOLVING FUND  
40 INFUSION, STATEWIDE



1					
2		<u>CONSTRUCTION TO PROVIDE AN INFUSION OF</u>			
3		<u>FUNDS TO FINANCE ADDITIONAL AFFORDABLE</u>			
4		<u>HOUSING, STATEWIDE</u>			
5		<u>TOTAL FUNDING</u>	<u>BED</u>	<u>C</u>	<u>50,000 C</u>
6	XX.	<u>RENTAL HOUSING REVOLVING FUND</u>			
7		<u>REVOLVING FUND INFUSION, STATEWIDE</u>			
8					
9		<u>CONSTRUCTION TO PROVIDE AN INFUSION OF</u>			
10		<u>FUNDS TO FINANCE ADDITIONAL AFFORDABLE</u>			
11		<u>RENTAL HOUSING, STATEWIDE</u>			
12		<u>TOTAL FUNDING</u>	<u>BED</u>	<u>C</u>	<u>180,000 C</u>
13	XX.	<u>TEMPORARY HOUSING, MAUI</u>			
14					
15		<u>PLANS, DESIGN, CONSTRUCTION,</u>			
16		<u>ACQUISITION, AND EQUIPMENT FOR</u>			
17		<u>INFRASTRUCTURE FOR TEMPORARY HOUSING IN</u>			
18		<u>WEST MAUI</u>			
19		<u>TOTAL FUNDING</u>	<u>BED</u>	<u>D</u>	<u>40,000,000 D</u>
20	XX.	<u>MODULAR HOUSING FOR TEMPORARY</u>			
21		<u>UNITS, MAUI</u>			
22					
23		<u>PLANS, DESIGN, CONSTRUCTION,</u>			
24		<u>ACQUISITION, AND EQUIPMENT FOR</u>			
25		<u>INFRASTRUCTURE FOR MODULAR HOUSING FOR</u>			
26		<u>TEMPORARY UNITS IN WEST MAUI</u>			
27		<u>TOTAL FUNDING</u>	<u>BED</u>	<u>D</u>	<u>75,000,000 D"</u>

28 SECTION 22. The appropriations made for the capital  
 29 improvement projects authorized by this Act shall not lapse at  
 30 the end of the fiscal biennium for which the appropriations are  
 31 made; provided that all moneys from the appropriations  
 32 unencumbered as of June 30, 2026, shall lapse as of that date.

33 PART III

34 SECTION 23. In accordance with section 9 of article VII of  
 35 the Hawaii State Constitution and sections 37-91 and 37-93,





1 Hawaii Revised Statutes, the legislature has determined that the  
 2 appropriations contained in H.B. No. , will cause the state  
 3 general fund expenditure ceiling for fiscal year 2024-2025 to be  
 4 exceeded by \$ or per cent. In addition, the  
 5 appropriation contained in this Act will cause the general fund  
 6 expenditure ceiling for fiscal year 2024-2025 to be further  
 7 exceeded by \$ or per cent. The combined total  
 8 amount of general fund appropriations contained in only these  
 9 two Acts will cause the state general fund expenditure ceiling  
 10 for fiscal year 2024-2025 to be exceeded by  
 11 \$ or per cent. The reasons for exceeding the  
 12 general fund expenditure ceiling are that:

- 13 (1) The appropriation made in this Act is necessary to
- 14 serve the public interest; and
- 15 (2) The appropriation made in this Act meets the needs
- 16 addressed by this Act.

17 SECTION 24. Statutory material to be repealed is bracketed  
 18 and stricken. New statutory material is underscored.

19 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 PROPOSED)

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

