

JAN 24 2024

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 people of Hawaii and the world responded
8 compassionately by coming together to support those on Maui who
9 had survived the devastation with donation drives and relief
10 efforts. Federal, state, and county agencies worked together
11 with nonprofit organizations, including the American Red Cross,
12 Hawaii Community Foundation, Maui United Way, and many others,
13 on the emergency response and recovery efforts.

14 The legislature further finds that to support response and
15 recovery efforts and address immediate 2023 wildfire funding
16 needs, the governor, through the seventh emergency proclamation
17 relating to wildfires, dated September 8, 2023, and executive
18 memorandum no. 23-08, redirected \$164.1 million, after

S.B. NO. 3068

1 adjustments, from selected general fund operating appropriations
2 from Act 164, Session Laws of Hawaii 2023, originally intended
3 for specific purposes and capital improvement projects, to the
4 department of budget and finance. The department of budget and
5 finance subsequently transferred \$65 million to the major
6 disaster fund and set aside the remaining \$99.1 million for the
7 State's share of noncongregate housing and debris clean-up costs
8 initially being paid by the Federal Emergency Management Agency.
9 These steps, among others, allowed the State to address response
10 and recovery expenses incurred thus far without cutting
11 positions and departmental base budgets.

12 The purpose of this Act is to continue the Hawaii wildfires
13 disaster response and recovery efforts by:

- 14 (1) Appropriating \$452.2 million relating to the State's
15 response to the Maui wildfires and statewide wildfire
16 mitigation and response; and
17 (2) Reauthorizing \$160.2 million of general funded capital
18 improvement project operating appropriations as
19 general obligation bond funded appropriations.

20 SECTION 2. There is appropriated out of the risk
21 management revolving fund established by section 41D-4, Hawaii
22 Revised Statutes, the sum of \$200,000,000 or so much thereof as

S.B. NO. 3068

1 may be necessary for fiscal year 2024-2025 for insurance claim
2 payments related to the Hawaii wildfires disaster that began on
3 August 8, 2023.

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

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

13 The sum appropriated shall be expended by the department of
14 budget and finance, departmental administration and budget
15 division (BUF101), for the purposes of this Act; provided that,
16 any law to the contrary notwithstanding, the governor may
17 authorize the transfer of up to \$186,160,000 in general funds to
18 other state agencies for recovery costs for the Hawaii wildfires
19 disaster that began on August 8, 2023; provided further that the
20 governor shall submit a report to the legislature within five
21 days of each use of this authority; provided further that the
22 report shall include the date of transfer, the amount of the

S.B. NO. 3068

1 transfer, the program ID to which funds were transferred, and an
2 explanation of the purpose of the transfer of resources; and
3 provided further that the governor shall submit to the
4 legislature a summary report containing the aforementioned
5 information for each use of this authority for the previous
6 twelve month period from December 1 to November 30 no later than
7 thirty days prior to the convening of the regular sessions of
8 2025 and 2026.

9 SECTION 4. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$182,238 or so much
11 thereof as may be necessary for fiscal year 2024-2025 for three
12 full-time equivalent (3.0 FTE) positions in the department of
13 business, economic development and tourism, statewide planning
14 and coordination special plans branch, for Maui recovery
15 efforts.

16 The sum appropriated shall be expended by the department of
17 business, economic development and tourism, statewide planning
18 and coordination (BED 144), for the purposes of this Act.

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

S.B. NO. 3068

1 The sum appropriated shall be expended by the Hawaii state
2 public library system, public libraries (EDN407) for the
3 purposes of this Act.

4 SECTION 6. (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 Hawaii 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 (HMS
15 904), for the purposes of this Act.

16 SECTION 7. There is appropriated out of the conservation
17 and resources enforcement special fund established by section
18 199-1.5, Hawaii Revised Statutes, the sum of \$521,473 or so much
19 thereof as may be necessary for fiscal year 2024-2025 for the
20 department of land and natural resources, conservation and
21 resources enforcement, for Maui wildfire recovery efforts.

S.B. NO. 3068

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 Act.

4 SECTION 8. 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 Act.

13 SECTION 9. 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 Act.

20 SECTION 10. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$20,000,000 or so

S.B. NO. 3068

1 much thereof as may be necessary for fiscal year 2024-2025 for
2 wildfire response, recovery, and prevention measures.

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

6 SECTION 11. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$7,425,000 or so much
8 thereof as may be necessary for fiscal year 2024-2025 for fire
9 response and rehabilitation and fuels reduction contracts for
10 the department of land and natural resources, division of
11 forestry and wildlife.

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

15 SECTION 12. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$10,000,000 or so
17 much thereof as may be necessary for fire and emergency response
18 equipment.

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

S.B. NO. 3068

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

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

10 SECTION 14. The following sums or so much thereof as may
 11 be necessary for fiscal year 2024-2025 are appropriated or
 12 authorized, as the case may be, from moneys in the treasury
 13 received from revenue bond funds and federal grants to finance
 14 the project listed below. The letter symbols used after the
 15 specific project appropriations indicate the source of financing
 16 and have the following meaning: (E) revenue bond funds, (N)
 17 federal funds.

18	LAHAINA REPAIR, REHABILITATION,		
19	AND/OR REINSTALLATION, MAUI		
20			
21	DESIGN AND CONSTRUCTION.		
22	TOTAL FUNDING	TRN	\$ 6,600,000E
23			26,400,000N
24			

S.B. NO. 3068

1 The sums appropriated shall be expended, and the bonds
2 authorized shall be issued, by the department of transportation,
3 Maui highways (TRN 531), for the purposes of this Act.

4 SECTION 15. Part II of Act 164, Session Laws of Hawaii
5 2023, is amended by amending section 3 as follows:

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

7	"24. BED160 - HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION			
8	OPERATING	BED	150,000,000A	[230,000,000A]
9				A
10		BED	3,100,000N	3,100,000N
11			23.00*	23.00*
12			45.00#	45.00#
13		BED	13,533,889W	14,046,265W
14		BED	3,000,000P	3,000,000P
15	INVESTMENT CAPITAL	BED	45,000,000C	<u>30,000,000C</u>

16
17 2. By amending item G-22 to read as follows:

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

31 and

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

33	"23. UOH900 - UNIVERSITY OF HAWAII, SYSTEMWIDE SUPPORT			
34			416.00*	416.00*
35			1.00#	1.00#
36	OPERATING	UOH	62,925,512A	59,963,501A
37			20.00*	20.00*
38		UOH	22,648,946B	23,826,197B
39			4.00*	4.00*

S.B. NO. 3068

1		4.00#	4.00#
2	UOH	1,094,875N	1,094,875N
3		15.00*	15.00*
4	UOH	18,486,475W	18,501,237W
5	INVESTMENT CAPITAL	UOH 30,000,000A	[30,000,000]A
6		C	<u>30,000,000C</u> "

7 SECTION 16. Part V of Act 164, Session Laws of Hawaii

8 2023, is amended by amending section 7 as follows:

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

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

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

28 "147. SYSTEM, RENEW, IMPROVE, AND
 29 MODERNIZE, STATEWIDE
 30
 31 PLANS, DESIGN, CONSTRUCTION, AND
 32 EQUIPMENT FOR IMPROVEMENTS TO THE
 33 UNIVERSITY OF HAWAII SYSTEM FACILITIES.
 34 PROJECT TO INCLUDE RENEWAL, IMPROVEMENTS
 35 AND MODERNIZATION OF INTERIOR AND
 36 EXTERIOR STRUCTURES, ROOFS, MECHANICAL
 37 AND ELECTRICAL SYSTEMS, PEDESTRIAN
 38 PATHWAYS, ROADWAYS, GROUNDS AND OTHER
 39 PROJECT COSTS TO UPGRADE EXISTING
 40 TEMPORARY AND NEW FACILITIES.
 41 TOTAL FUNDING UOH 30,000 A [~~30,000~~ A]
 42 30,000 C"

44 3. By adding a new item to read as follows:

S.B. NO. 3068

1 "XX. DWELLING UNIT REVOLVING FUND
 2 INFUSION, STATEWIDE
 3
 4 CONSTRUCTION TO PROVIDE AN
 5 INFUSION OF FUNDS TO FINANCE
 6 ADDITIONAL AFFORDABLE HOUSING, STATEWIDE
 7 TOTAL FUNDING BED C 50,000 C"
 8

9 and

10 4. By adding a new item to read as follows:

11 "XX. RENTAL HOUSING REVOLVING FUND
 12 REVOLVING FUND INFUSION, STATEWIDE
 13
 14 CONSTRUCTION TO PROVIDE AN INFUSION
 15 OF FUNDS TO FINANCE ADDITIONAL AFFORDABLE
 16 RENTAL HOUSING, STATEWIDE
 17 TOTAL FUNDING BED C 180,000 C"
 18

19 SECTION 17. The appropriations made for the capital
 20 improvement projects authorized by this Act shall not lapse at
 21 the end of the fiscal biennium for which the appropriations are
 22 made; provided that all moneys from the appropriations
 23 unencumbered as of June 30, 2026, shall lapse as of that date.

24 SECTION 18. Statutory material being amended is bracketed
 25 and stricken. New statutory material is underscored.

26 SECTION 19. This Act shall take effect on July 1, 2024.
 27

28 INTRODUCED BY: *Ann H. Miller*

29 BY REQUEST

S.B. NO. 3068

Report Title:

Wildfires; Appropriations

Description:

Appropriates funds to support the State's continued response to the August 2023 wildfires that affected the counties of Hawaii and Maui.

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: Budget and Finance

TITLE: A BILL FOR AN ACT MAKING APPROPRIATIONS FOR WILDFIRE RECOVERY.

PURPOSE: To appropriate funds to address the Hawaii Counties Wildfires Disasters.

MEANS: Appropriate funds; amend Act 164, Session Laws of Hawaii 2023.

JUSTIFICATION: This bill is intended to appropriate funds needed to address the State's ongoing response to the August 2023 wildfires in the counties of Hawaii and Maui.

Impact on the public: Will allow the state response to these wildfires disasters to be funded and continue.

Impact on the department and other agencies: Will allow the necessary activities of the state response to these wildfires disasters to continue.

GENERAL FUND: \$237.9 million.

OTHER FUNDS: \$12.8 million in federal funds; \$1.5 million in special funds; and \$200 million in revolving funds.

PPBS PROGRAM DESIGNATION: AGS203, BUF101, BED144, EDN407, HMS904, LNR405, DEF118, CCA901, HHL 625, LNR402, TRN531, BED160, UOH800, and UOH900.

OTHER AFFECTED AGENCIES: Department of Accounting and General Services; Department of Business, Economic Development and Tourism; Department of Education; Department of Human Services; Department of Land and Natural Resources; Department of Defense; Department of Commerce and Consumer Affairs; Department of Hawaiian Home Lands; Department of

Transportation; and the University of
Hawaii.

EFFECTIVE DATE: July 1, 2024.