

1 SECTION 2. The director of finance is authorized to issue
 2 general obligation bonds in the sum of \$, or so much
 3 thereof as may be necessary, in each year of fiscal biennium
 4 2007-2009, and the same sums, or so much thereof as may be
 5 necessary, are appropriated for fiscal biennium 2007-2009, for
 6 the purpose of installing additional sirens to the state civil
 7 defense warning systems.

8 SECTION 3. The appropriation made for the capital
 9 improvement project authorized by this Act shall not lapse at
 10 the end of the fiscal biennium for which the appropriation is
 11 made; provided that all moneys from the appropriation
 12 unencumbered as of June 30, 2010, shall lapse as of that date.

13 SECTION 4. The sums appropriated in section 2 of this Act
 14 shall be expended by the department of defense for the purposes
 15 of that section.

16 SECTION 5. There is appropriated out of the general
 17 revenues of the State of Hawaii the sum of \$, or so
 18 much thereof as may be necessary for fiscal year 2007-2008, and
 19 the same sum, or so much thereof as may be necessary for fiscal
 20 year 2008-2009, for emergency supply caches to support disaster
 21 victims and communities that may become isolated due to natural
 22 disasters.



1 The sums appropriated shall be expended by the department
2 of defense for the purposes of this section.

3 SECTION 6. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$, or so
5 much thereof as may be necessary for fiscal year 2007-2008, and
6 the same sum, or so much thereof as may be necessary for fiscal
7 year 2008-2009, for the state civil defense major disaster fund
8 established pursuant to section 127-11, Hawaii Revised Statutes.

9 The sums appropriated shall be expended by the department
10 for the purposes of this section.

11 SECTION 7. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$, or so
13 much thereof as may be necessary for fiscal year 2007-2008, and
14 the same sum, or so much thereof as may be necessary for fiscal
15 year 2008-2009, for the continued funding of non-declared
16 disaster activation and response.

17 The sums appropriated by this section shall be expended by
18 the department of defense for the purposes of this section.

19 SECTION 8. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$, or so
21 much thereof as may be necessary for fiscal year 2007-2008, and
22 the same sum, or so much thereof as may be necessary for fiscal



1 year 2008-2009, for the state civil defense emergency supply
2 program to effectively equip emergency shelters in order to
3 support special needs populations and to maintain the
4 development of the emergency supply program.

5 The sums appropriated by this section shall be expended by
6 the department of defense for the purposes of this section.

7 **PART II**

8 SECTION 9. Residents and businesses of the State are often
9 twice victimized when natural disasters strike. First, the
10 damage caused by a natural disaster is often extensive and
11 repair or replacement costs are prohibitive. Second, the
12 emergency relief from governmental agencies to meet the
13 immediate needs of victims is often delayed or unavailable for
14 extended periods. For some victims of natural disasters, the
15 delay in receiving emergency assistance can mean a total loss of
16 their homes or businesses. The legislature finds that there is
17 an urgent need to provide victims with prompt emergency relief
18 during or immediately after a natural disaster.

19 The purpose of this part is to allow the governor, upon the
20 declaration of an emergency, to release up to ten per cent of
21 the interest earned on the principal of the moneys in the
22 emergency and budget reserve fund to provide assistance to



1 residents and businesses that have sustained damage during or
2 immediately after a natural disaster.

3 SECTION 10. Chapter 128, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 **"§128- Emergency and budget reserve fund expenditures.**

7 Upon the declaration by the governor of an emergency due to a
8 natural disaster, the governor, by executive order, may
9 authorize the release and expenditure of moneys from the
10 emergency and budget reserve fund to provide grants of emergency
11 assistance up to \$ _____, to residents or businesses of the
12 State for _____ per cent of uninsured damages sustained from a
13 natural disaster, during or immediately after the natural
14 disaster, pursuant to section 328L-3(e). The office of civil
15 defense shall adopt rules specifying the form and documents
16 required for receipt of a grant."

17 SECTION 11. Section 328L-3, Hawaii Revised Statutes, is
18 amended to read as follows:

19 **"§328L-3 Emergency and budget reserve fund.** (a) There is
20 established in the state treasury the emergency and budget
21 reserve fund, which shall be a special fund administered by the
22 director of finance, into which shall be deposited:



1 (1) Twenty-four and one-half per cent of the moneys
2 received from the tobacco settlement moneys under
3 section 328L-2(b)(1); and

4 (2) Appropriations made by the legislature to the fund.

5 (b) All interest earned from moneys in the emergency and
6 budget reserve fund shall be credited to the general fund[-]
7 except for moneys released pursuant to subsection (e)(1).

8 (c) Expenditures from the emergency and budget reserve
9 fund shall be a temporary supplemental source of funding for the
10 State during times of emergency, economic downturn, or
11 unforeseen reduction in revenues. No expenditures shall be made
12 from the emergency and budget reserve fund except pursuant to
13 appropriations[-] or as provided in subsection (e). The general
14 appropriations bill or the supplemental appropriations bill, as
15 defined in section 9 of article VII of the Constitution of the
16 State of Hawaii, shall not be used to appropriate moneys from
17 the emergency and budget reserve fund. The governor, through an
18 appropriations bill, may recommend expenditures from the
19 emergency and budget reserve fund by setting forth the purposes
20 of the expenditures consistent with subsection (d), the amounts,
21 and the reasons justifying the necessity for the appropriations.



1 (d) The legislature may make appropriations from the fund
2 for the following purposes:

3 (1) To maintain levels of programs determined to be
4 essential to public health, safety, welfare, and
5 education;

6 (2) To provide for counter cyclical economic and
7 employment programs in periods of economic downturn;

8 (3) To restore facilities destroyed or damaged or services
9 disrupted by disaster in any county; and

10 (4) To meet other emergencies when declared by the
11 governor or determined to be urgent by the
12 legislature.

13 Any act making appropriations from the emergency and budget
14 reserve fund shall include a declaration of findings and
15 purposes setting forth the purposes, the amounts, and the
16 reasons why the appropriations are necessary and shall require a
17 two-thirds majority vote of each house of the legislature.

18 (e) Upon the declaration by the governor of an emergency
19 due to a natural disaster, the governor, by executive order, may
20 authorize the release and expenditure of moneys from the fund to
21 provide grants of emergency assistance up to \$ _____, to
22 residents or businesses of the State for _____ per cent of



1 uninsured damages sustained from a natural disaster, during or
2 immediately after the natural disaster, subject to the following
3 requirements:

4 (1) The governor shall determine the amount of moneys to
5 be released based upon the recommendations of state
6 and county civil defense agencies; provided that the
7 amount expended shall not exceed ten per cent of the
8 interest earned on principal from moneys in the fund
9 at the time of the expenditure;

10 (2) Within seventy-two hours after issuing the executive
11 order, the governor shall provide written notice to
12 the president of the senate and the speaker of the
13 house of representatives describing the intended use
14 of the moneys; and

15 (3) The governor shall submit a report to the legislature
16 not later than twenty days prior to the convening of
17 the regular session or any special session immediately
18 following the occurrence of the natural disaster,
19 regarding the release and expenditure of moneys from
20 the fund under this subsection; provided that if the
21 natural disaster occurs in the period between thirty
22 days prior to the convening of a regular session or



1 the closing of the regular session, the governor shall
2 submit the report not later than thirty days after
3 issuing the executive order. At a minimum, the report
4 shall:

5 (A) State the amounts released;

6 (B) Describe the purposes under subsection (d) for
7 which the funds were released;

8 (C) Explain the factors that necessitated the use of
9 moneys in the fund; and

10 (D) Provide recommendations for replacing the
11 expended moneys from the fund.

12 [~~e~~] (f) Appropriations for the following purposes from
13 the emergency and budget reserve fund are specifically
14 prohibited:

15 (1) To meet expenses of the legislature;

16 (2) To provide for salary adjustments for officials
17 appointed pursuant to article V, section 6, or article
18 VI, section 3, of the Constitution of the State of
19 Hawaii and for others whose salaries are directly
20 related to salaries of these officials; and

21 (3) To fund cost items in any collective bargaining
22 contract."



1 support the State's civil defense system in the event of an
2 emergency.

3 The purpose of this part is to appropriate funds to the
4 Ethnic Education Foundation of Hawaii to assist in disseminating
5 information to a broader range of the State's population in the
6 event of a disaster or emergency.

7 SECTION 13. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$, or so
9 much thereof as may be necessary for fiscal year 2007-2008, to
10 the Ethnic Education Foundation of Hawaii, a 501(c)(3) nonprofit
11 organization, for generators to meet power capacity needs to
12 ensure service in emergency situations.

13 The sum appropriated shall be expended by the department of
14 defense for the purposes of this section.

15 SECTION 14. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$, or so
17 much thereof as may be necessary for fiscal year 2007-2008, to
18 the Ethnic Education Foundation of Hawaii, a 501(c)(3) nonprofit
19 organization, for other infrastructure improvements and
20 educational programs administered by the Hawaii state civil
21 defense to promote awareness of emergency procedures and



1 contacts to non-English speaking and English-as-a-second-
2 language populations in the State.

3 The sum appropriated shall be expended by the department of
4 defense for the purposes of this section.

5 SECTION 15. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 16. This Act shall take effect on July 1, 2007.



Report Title:

Civil Defense; Appropriations

Description:

Authorizes general obligations bonds to fund the installation of additional sirens to the state civil defense warning system and allows the governor to order the release of up to ten per cent of moneys appropriated from interest earnings in the emergency and budget reserve fund to provide grants of emergency assistance for uninsured damages after a natural disaster. Appropriates funds for emergency supply caches, the state civil defense major disaster fund, the non-declared disaster activation and response, the state civil defense emergency supply program, and funds for the Ethnic Education Foundation of Hawaii to assist them in disseminating information in the event of a disaster. (SD2)

