
A BILL FOR AN ACT

RELATING TO THE STATE BUDGET.

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

1 PART I

2 SECTION 1. Notwithstanding the provisions of chapter 328L,
3 Hawaii Revised Statutes, all non-participating manufacturer
4 adjustment moneys received by the State in calendar year 2018
5 that relate to compliance with the tobacco master settlement
6 agreement from calendar years 2004 to 2017 and have been
7 withheld from the State during any disputed years shall be
8 deposited into the emergency and budget reserve fund established
9 pursuant to section 328L-3, Hawaii Revised Statutes.

10 SECTION 2. The legislature enacted Act 84, Session Laws of
11 Hawaii 2015, which converted funding for department of land and
12 natural resources programs from special funds to general funds.
13 The legislature finds that there is \$15,307,518 unencumbered in
14 the natural area reserve fund, established under section 195-9,
15 Hawaii Revised Statutes. On July 1, 2018, the director of
16 finance shall transfer from the natural area reserve fund to the
17 general fund the sum of \$15,307,518 or so much thereof as may be
18 necessary for fiscal year 2018-2019.



1 SECTION 3. The legislature finds that there is at least
2 \$18,929,462 in excess of the requirements of the tobacco
3 settlement special fund. Notwithstanding the provisions of
4 chapter 328L, Hawaii Revised Statutes, this sum shall be
5 utilized to provide revenue to the Hawaii tobacco prevention and
6 control trust fund, established under section 328L-5, Hawaii
7 Revised Statutes, and the university revenue-undertakings fund,
8 established under section 304A-2167.5, Hawaii Revised Statutes,
9 to supplant any losses that result from any discount or
10 reduction taken against regular master settlement agreement
11 payments received by the State between calendar year 2018 and
12 calendar year 2022; provided that the Hawaii tobacco prevention
13 and control trust fund shall have priority over other programs
14 in the event that any remaining sums are insufficient to
15 supplant reductions.

16 PART II

17 SECTION 4. The legislature finds that the county of Kauai
18 and portions of the city and county of Honolulu suffered a
19 disastrous occurrence of heavy rains and flooding in April 2018,
20 that caused extensive damage to the slopes adjacent to Kuhio
21 Highway and impacted the communities of Wainiha, Haena, and



1 other regions in the county of Kauai, as well as other areas of
2 the State, thereby endangering the health, safety, and welfare
3 of the people. This severe, sudden, and extraordinary weather
4 event of heavy rains and flooding has caused damage, losses, and
5 suffering, which has affected the health, welfare, and living
6 conditions of a substantial number of persons, and is of such a
7 serious nature as to warrant rehabilitative assistance from the
8 State.

9 The purpose of this part is to appropriate funds to the
10 department of defense for disaster relief efforts in the county
11 of Kauai and other areas of the State that have been adversely
12 impacted by the extraordinary weather event that occurred in
13 April 2018.

14 SECTION 5. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$100,000,000 or so
16 much thereof as may be necessary for fiscal year 2017-2018 to
17 protect the health, safety, and welfare of the people, and
18 provide relief from disaster damages, losses, and suffering
19 caused by the extraordinary weather event that produced
20 torrential rains and resultant flooding in the county of Kauai
21 in April 2018.



1 The sum appropriated shall be allotted to the department of
2 defense and expended by the adjutant general solely for the
3 express stated purposes of this part; provided that the moneys
4 appropriated pursuant to this section shall not lapse at the end
5 of the fiscal year for which the moneys have been appropriated;
6 provided further that any moneys appropriated pursuant to this
7 section that are unencumbered as of June 30, 2019, shall lapse
8 on that date.

9 SECTION 6. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$25,000,000 or so
11 much thereof as may be necessary for fiscal year 2017-2018 to
12 protect the health, safety, and welfare of the people, and
13 provide relief from disaster damages, losses, and suffering
14 caused by the extraordinary weather event that produced
15 torrential rains and resultant flooding in areas of the State
16 other than the county of Kauai in April 2018.

17 The sum appropriated shall be allotted to the department of
18 defense and expended by the adjutant general solely for the
19 express stated purposes of this part; provided that the moneys
20 appropriated pursuant to this section shall not lapse at the end
21 of the fiscal year for which the moneys have been appropriated;



1 provided further that any moneys appropriated pursuant to this
2 section that are unencumbered as of June 30, 2019, shall lapse
3 on that date.

4 SECTION 7. (a) Moneys appropriated pursuant to this part
5 shall be expended in accordance with section 127A-12(b), Hawaii
6 Revised Statutes, as the adjutant general and governor deem
7 appropriate.

8 (b) The appropriations and expenditures made pursuant to
9 this part shall not be subject to the expenditure limitations
10 established in section 127A-16, Hawaii Revised Statutes.

11 PART III

12 SECTION 8. This Act shall take effect upon its approval.



Report Title:

State Budget; Natural Area Reserve Fund; Tobacco Master Settlement Agreement; Tobacco Settlement Special Fund; Hawaii Tobacco Prevention and Control Trust Fund; University Revenue-Undertakings Fund; Disaster Relief Appropriation; DOD; County of Kauai Flooding and Flooding in Other Areas of the State

Description:

Deposits moneys received in 2018 pursuant to the Tobacco Master Settlement Agreement into the Emergency and Budget Reserve Fund. Specifies that Tobacco Settlement Special Fund excess moneys shall be used to supplant any losses that result from any discount or reduction taken against regular Master Settlement Agreement payments received by the State between calendar years 2018 and 2022. Authorizes the Director of Finance to transfer excess balances from the Natural Area Reserve Fund into the general fund. Appropriates moneys in fiscal year 2017-2018 to the Department of Defense for disaster and flood relief for the County of Kauai and other areas of the State. (CD1)

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

