
A BILL FOR AN ACT

RELATING TO STATE BUDGET.

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

1 SECTION 1. This Act is recommended by the governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Hawaii State Constitution.

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

10 The legislature further finds that to support response and
11 recovery efforts and address immediate 2023 wildfire funding
12 needs, the governor, through the seventh emergency proclamation
13 relating to wildfires, dated September 8, 2023, and executive
14 memorandum no. 23-08, redirected \$164,100,000, after
15 adjustments, from selected general fund operating appropriations
16 from Act 164, Session Laws of Hawaii 2023 (Act 164), originally
17 intended for specific purposes and capital improvement projects,



1 to the department of budget and finance. The department of
2 budget and finance subsequently transferred the \$164,100,000 to
3 the major disaster fund along with another \$30,000,000 that the
4 governor authorized pursuant to section 5 of Act 164. With the
5 existing \$5,000,000 major disaster fund appropriation, a total
6 of \$199,100,000 has been allocated to the major disaster fund
7 for initial wildfire response and recovery, including the
8 expected State's share of noncongregate housing and debris
9 clean-up costs initially being paid by the Federal Emergency
10 Management Agency (FEMA). These steps provided what was thought
11 to be sufficient funding for the State to address the expected
12 fiscal year 2023-2024 response and recovery expenses as of the
13 beginning of January 2024.

14 The legislature further finds that FEMA executed the
15 contract for debris clean-up costs, and the State executed the
16 contracts for noncongregate housing and related expenses for
17 room and board of wildfire victims displaced from their homes.
18 The State's expenses for noncongregate housing and other
19 expenses, including expenses for individuals impacted by the
20 wildfires who have been classified as not eligible for FEMA
21 assistance, is expected to exceed the amounts previously



1 transferred to the major disaster fund. Because the State
2 executed these contracts, the State is responsible for making
3 payment and will seek reimbursement from FEMA for eligible
4 costs. Issues have recently arisen over what costs are eligible
5 and the timeline in which the State will be reimbursed for
6 eligible costs is currently not clear. The State will require
7 additional funds to cover these immediate expenses in fiscal
8 year 2024-2025.

9 Accordingly, the purpose of this Act is to:

- 10 (1) Make an emergency appropriation to cover the State's
11 immediate expenses incurred in the Hawaii wildfires
12 disaster response efforts; and
- 13 (2) Transfer excess balances from non-general fund sources
14 to the general fund to offset the costs to the general
15 fund.

16 SECTION 3. In accordance with section 9 of article VII of
17 the Hawaii State Constitution and sections 37-91 and 37-93,
18 Hawaii Revised Statutes, the legislature has determined that the
19 general fund expenditure ceiling for fiscal year 2023-2024 has
20 already been exceeded by \$1,005,342,735 or 9.4 per cent. The
21 appropriations contained in this Act will cause the State



1 general fund expenditure ceiling for fiscal year 2023-2024 to be
2 further exceeded by \$ or per cent. This
3 declaration takes into account the additional general fund
4 appropriations authorized for fiscal year 2023-2024 in this Act
5 only. The reasons for exceeding the general fund expenditure
6 ceiling are that:

- 7 (1) The appropriation made in this Act is necessary to
8 serve the public interest; and
- 9 (2) The appropriation made in this Act meets the needs
10 addressed by this Act.

11 SECTION 4. The legislature determines that there are
12 amounts in excess of the requirements of the various funds
13 listed in this Act. The director of finance is authorized to
14 transfer the following amounts or so much thereof as may be
15 necessary for fiscal year 2023-2024 from the following funds to
16 the general fund:



	Account Code - Fund Name	Amount in excess of the requirements of the fund as determined by the legislature (\$)	Amount authorized to be transferred to the general fund by the director of finance (\$)
Department of Agriculture (AGR)			
1	S-303-A-AGRICULTURAL LOAN REVOLVING FUND	2,000,000	2,000,000
2	S-305-A NON-AGRICULTURAL PARK LANDS SPECIAL FUND	45,000	45,000
3	S-310-A AQUACULTURE LOAN RESERVE FUND	408,135	408,135
4	S-315-A-MILK CONTROL SPECIAL FUND	11,881	11,881
5	S-317-A AGRICULTURAL PARKS SPECIAL FUND	45,000	45,000
6	S-320-A-IRRIGATION SYSTEM REVOLVING FUND	87,000	87,000
7	S-322-A INDUSTRIAL HEMP PROGRAM SPECIAL FUND	90,374	90,374
Department of the Attorney General (ATG)			
8	S-305-N-DNA REGISTRY SPECIAL FUND	79,996	79,996
9	S-350-N-INTERNET CRIMES AGAINST CHILD SPECIAL FUND	181,386	181,386
Department of Business, Economic Development, and Tourism (BED)			
10	S-305-B-ENERGY SECURITY FUND	463,555	463,555
11	S-342-B-STRATEGIC DEVELOPMENT PROGRAMS REVOLVING FUND	5,000,000	5,000,000
12	S-348-B-TOURISM SPECIAL FUND	1,325,891	1,325,891
13	S-361-B-CONVENTION CENTER ENTERPRISE SPECIAL FUND	11,000,000	11,000,000
14	S-376-B-HOUSING FINANCE REVOLVING FUND	2,000,000	2,000,000
Department of Defense (DEF)			
15	S-352-G-HAZARD MITIGATION SPECIAL FUND	390,320	390,320
16	S-353-G-RESILIENT HI REVOLVING LOAN FUND	435,622	435,622
Department of Human Services (HMS)			
17	S-317-K-GENERAL ASSISTANCE PAYMENTS	901,783	901,783
Department of Human Resources Development (HRD)			
18	S-310-P-HUMAN RESOURCES DEVELOPMENT SPECIAL FUND	149,760	149,760
Department of Health (HTH)			
19	S-331-H-EARLY INTERVENTION SPECIAL FUND	204,329	204,329



20	S-338-H-VITAL STATISTICS IMPROVEMENT SPECIAL FUND	11,074	11,074
21	T-981-H-STATE HOSPITAL - DONATIONS (NOT IN S/T)	50,407	50,407
Department of Labor and Industrial Relations (LBR)			
22	T-904-L-WAGE CLAIM FUND	2,000,000	2,000,000
Department of Land and Natural Resources (LNR)			
23	S-302-C-CONSERVATION & RESOURCES ENFORCEMENT	650,858	650,858
24	S-303-C-WATER AND LAND DEVELOPMENT	509,063	509,063
25	S-309-C-BUREAU OF CONVEYANCES SPECIAL FUND	250,000	250,000
26	S-316-C-SPECIAL LAND DEVELOPMENT FUND	1,000,000	1,000,000
27	S-325-C-BEACH RESTORATION SPECIAL FUND	2,166,442	2,166,442
28	S-326-C-WATER RESOURCE MANAGEMENT FUND	65,740	65,740
29	S-342-C-NATURAL AREA RESERVE & WATERSHED MANAGEMENT	174,853	174,853
30	S-349-C-CONSERVATION AND RESOURCES ENFORCEMENT	841,237	841,237
31	S-359-C-OCEAN-BASED RECREATION SPECIAL FUND	2,000,000	2,000,000
Department of Transportation (TRN)			
32	S-318-D-SAFE ROUTES TO SCHOOL PROGRAM	1,814,826	1,814,826
33	S-329-D-MOTORCYCLE/MOTOR SCOOTER OPERATORS EDUCATIONAL FUND	723,725	723,725

1 SECTION 5. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2023-2024 for
4 expenses related to noncongregate housing and other costs
5 relating to the provision of food, housing, or other assistance
6 for individuals affected by the Hawaii wildfires disaster that
7 began on August 8, 2023; provided that all moneys that are
8 unencumbered as of June 30, 2026, shall lapse as of that date;
9 provided further that any law to the contrary notwithstanding,
10 the governor may authorize the transfer of these funds to the



1 major disaster fund established by section 127A-16, Hawaii
2 Revised Statutes.

3 The sum appropriated shall be expended by the department of
4 budget and finance, departmental administration and budget
5 division (BUF101) for the purposes of this Act.

6 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Wildfires; General Fund Expenditure Ceiling Exceeded; Emergency Appropriation

Description:

Transfers to the general fund the excess balances of various non-general funds from various state departments and agencies. Appropriates funds to support the State's response to the August 2023 wildfires that affected the county of Maui. Declares that the general fund expenditure ceiling is exceeded. Effective 7/1/2050. (SD2)

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

