OFFICE OF THE GOVERNOR
STATE OF HAWAII

SUPPLEMENTARY PROCLAMATION

By the authority vested in me as Governor by the Constitution and laws of the State of Hawaii, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, NEIL ABERCROMBIE, Governor of the State of Hawaii, hereby determine, designate and proclaim as follows:

WHEREAS, pursuant to section 2 of Act 111, Session Laws of Hawaii 2014, emergency powers are conferred on the Governor of the State of Hawaii to deal with disasters or emergencies, to maintain the strength, resources, and economic life of the community, and to protect the public health, safety, and welfare; and

WHEREAS, it has become necessary to supplement my Proclamation of August 6, 2014, relating to high winds, heavy rains, high surf, storm surge, and flooding as a result of Hurricane Iselle which impacted the State of Hawaii beginning Thursday August 7, 2014, and caused extensive damage in the county of Hawaii, State of Hawaii, and storm surge damage in the county of Maui, State of Hawaii, in order to provide additional assistance; and

WHEREAS, state and county agencies have acted to ensure the protection of the public health and safety in anticipation of Hurricane Iselle, during the impact of the storm and during the aftermath of the storm; and

WHEREAS, actions by state or county agencies have been made while balancing the immediate needs to protect and preserve vital facilities to ensure the long-term operation and long-term protection of the public health and safety; and

WHEREAS, damage assessments have identified extensive damage and areas that need assistance or rehabilitation in the counties of Hawaii and Maui, State of Hawaii;

NOW, THEREFORE, I, NEIL ABERCROMBIE, Governor of the State of Hawaii, hereby further determine that a disaster contemplated by sections 14 and 16 in section 2 of Act 111, Session Laws of Hawaii 2014, has occurred on the above dates in the

counties of Hawaii and Maui, State of Hawaii, and do hereby proclaim these areas to be disaster areas for the purpose of authorizing the expenditure of State monies as appropriated for the speedy and efficient relief of the damages, losses, and suffering resulting from the disaster, and hereby authorize and invoke the following measures under the Hawaii Revised Statutes:

1. Sections 12(b)(8), 13(a)(2), and 13(a)(3) in section 2 of Act 111, Session Laws of Hawaii 2014, and in order to provide emergency disaster relief and to repair, restore, rebuild, with any necessary improvements, any public structures, facilities, roadways or bridges damaged by this event, I hereby suspend as allowed by federal law, the following additional statutes:

    a. Chapter 6E, Hawaii Revised Statutes, **historic preservation** except for those provisions relating to burial sites.

    b. Section 37-41, **appropriations to revert to state treasury.**

    c. Section 37-74(d), **program execution**, except for sub-sections 37-74(d)(2) and 37-74(d)(3), Hawaii Revised Statutes, and any such transfers or changes shall be considered authorized transfers or changes for purposes of section 34-74(d)(1) for legislative reporting requirements.

    d. Section 40-66, **lapsing of appropriations.**

    e. Chapter 46, **county organization and Administration** as any county ordinance, rule, regulation, law, or provision in any form applies to any county permitting, licensing, zoning, variance, processes, procedures, fees, or any other requirements that hinder, delay, or impede the purpose of this Supplementary Proclamation or my March 11, 2011 Proclamation.

    f. Section 103-2, **general fund.**

    g. Chapter 104, **wage and hours of employees on public works.**

    h. Chapter 171, **public lands, management and disposition of.**

i. Chapter 174C, **state water code.**

j. Chapter 180, **soil and water conservation districts.**

k. Chapter 180C, **soil erosion and sediment control.**

l. Chapter 183, **forest reserves, water development, zoning.**

m. Chapter 183C, **conservation district.**

n. Chapter 183D, **wildlife.**

o. Chapter 184, **state parks and recreation areas.**

p. Chapter 195, **natural areas reserves system.**

q. Chapter 195D, **conservation of aquatic life, wildlife, and land plants**.

r. Chapter 198D, **hawaii statewide trail and access system.**

s. Chapter 200, **ocean recreation and coastal areas programs.**

t. Chapter 205, **land use commission.**

u. Chapter 205A, **coastal zone management.**

v. Chapter 264, **highways.**

w. Chapter 269, **public utilities commission.**

x. Chapter 286, **highway safety.**

y. Chapter 341, **environmental quality control.**

z. Chapter 342B, **air pollution.**

aa. Chapter 342D, **water pollution.**

ab. Chapter 342E, **non-point source pollution management and control.**

ac. Chapter 342F, **noise pollution.**

ad. Chapter 342H, **solid waste pollution.**

ae. Chapter 343, **environmental impact statements.**

af. Chapter 343D, **environmental disclosure.**

ag. Chapter 344, **state environmental policy.**

2. The provisions of section 30 in section 2 of Act 111, Session Laws of Hawaii 2014, relating to any prohibited increase in the selling price of any commodity, whether at the retail or wholesale level, in the area that is the subject of my August 6, 2014 disaster Proclamation or this Supplementary Proclamation shall continue for a period of thirty additional days for all:

   a. Food, water, or ice; and

   b. Any building or construction materials, merchandise, supplies, equipment, resources, or products that the seller or contractor knows or should know are intended for use on any road, structure, facility, improvement, or property damaged by Hurricane Iselle and any related tropical storm after Hurricane Iselle was downgraded from a hurricane to a tropical storm.

I FURTHER DECLARE that all provisions and requirements of my Proclamation of August 6, 2014, unless amended herein, remain in full force and effect and are made applicable for this Supplementary Proclamation and that the disaster emergency relief period shall continue through October 17, 2014, except for any projects initiated under this emergency in which case the provisions shall continue until project acceptance and any final accounting or payment obligations have been completed, whichever is later.

Done at the State Capitol, State of Hawaii, this 14th day of August, 2014.

NEIL ABERCROMBIE
Governor of Hawaii

APPROVED:

DAVID M. LOUIE
Attorney General
State of Hawaii