

OFFICE OF THE GOVERNOR
STATE OF HAWAII

FIRST SUPPLEMENTAL 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, LINDA LINGLE, Governor of the State of Hawaii, hereby determine, designate, and proclaim as follows:

WHEREAS, it has become necessary to supplement my Proclamation of December 23, 2003, relating to the heavy rains and flooding beginning December 7, 2003, and continuing through December 8, 2003, which caused extensive damage to private and public property in the areas of Mapunapuna, Moanalua, Salt Lake, and Foster Village in the City and County of Honolulu, State of Hawaii, in order to provide additional relief and assistance; and

WHEREAS, each county within the State of Hawaii has been subjected to multiple periods of high winds, storm surge, heavy rains and flooding beginning December 7, 2003, and continuing through March 1, 2004, which have also caused extensive damage to private and public property in the State of Hawaii; and

WHEREAS, additional victims and properties damaged as a result of these multiple periods of high winds, storm surge, heavy rains and flooding have been identified outside of the areas of Mapunapuna, Moanalua, Salt Lake, and Foster Village in the City and County of Honolulu, State of Hawaii, and the State of Hawaii anticipates identifying more victims and damaged properties; and

WHEREAS, the Legislature of the State of Hawaii has appropriated from the general revenues of the State moneys as may be necessary for expenditure by or under the direction of the Governor for the immediate relief of the conditions created by the disaster; and

WHEREAS, in expending such monies, the Governor may allot any portion to any agency, office, or employee, federal, state, or county for the most expeditious and efficient relief of the conditions created by the disaster; and

WHEREAS, pursuant to section 127-11, Hawaii Revised Statutes, the Governor is authorized to determine whether a major disaster has occurred and authorize the expenditure of funds thereunder; and

WHEREAS, pursuant to section 121-30, Hawaii Revised Statutes, the Governor may order the Hawaii National Guard, or any part thereof, into active service for assistance to civil authorities in disaster relief, civil defense, averting any imminent public danger and threat, and to ensure the compliance with the civil laws of the State of Hawaii; and

WHEREAS, pursuant to section 128-10(5), Hawaii Revised Statutes, the Governor is further authorized to order and direct government agencies, officers, and employees, state or local, to take such action and employ such measures for law enforcement, medical, health, fire fighting, traffic control, warnings, and signals, engineering, rescue, construction, emergency housing, and other welfare, hospitalization, transportation, water supply, public information, training, and other civil defense and emergency functions as may be necessary, and to utilize the services, materials, and facilities of the agencies and officers; and

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, hereby determine that a major disaster, man-made disaster, and catastrophe contemplated by sections 127-11, 209-2, part III of chapter 209, and chapter 128, Hawaii Revised Statutes, has occurred during the above period and in various areas in the State of Hawaii, and do hereby proclaim these areas to be disaster areas for the purpose of authorizing the expenditure of State moneys as appropriated for the speedy and efficient relief of the damages, losses, and suffering resulting from the multiple periods of high winds, storm surge, heavy rains and flooding, and hereby authorize and invoke the following measures under the Hawaii Revised Statutes:

1. Section 127-11, Hawaii Revised Statutes, **major disaster fund**.

2. Part III of chapter 209, Hawaii Revised Statutes, **commercial and personal loans.**

Pursuant to Section 121-30, Hawaii Revised Statutes, I hereby order the National Guard into active service effective immediately, and the Adjutant General of the Hawaii National Guard is DIRECTED AND AUTHORIZED to activate such units of the Hawaii National Guard as may be necessary to assist and aid civilian authorities in disaster relief and in averting any imminent public danger and threat and to ensure compliance with the civil laws of the State of Hawaii.

Pursuant to Section 128-10(5), Hawaii Revised Statutes, and in order to provide emergency disaster relief, I hereby direct all state and county agencies and officers to cooperate with and extend their services, materials, and facilities as may be required to assist in all efforts to eliminate the danger.

I FURTHER DECLARE that the disaster emergency relief period commenced December 23, 2003 shall continue through May 1, 2004, after which no further applications for assistance under the law shall be accepted, which date I may extend for a reasonable time for good cause.

Done at the State Capitol State of Hawaii, this 15th day of March, 2004.


LINDA LINGLE
Governor of Hawaii

APPROVED:



MARK J. BENNETT
Attorney General
State of Hawaii