

OFFICE OF THE GOVERNOR
STATE OF HAWAII

**PROCLAMATION RELATING TO
JANUARY 2025 LOW-PRESSURE WEATHER SYSTEM**

By the authority vested in me by the Constitution and laws of the State of Hawai'i, to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, SYLVIA LUKE, Acting Governor of the State of Hawai'i, proclaim as follows:

WHEREAS, the National Weather Service has forecast that a potent winter low-pressure weather system will develop west of the State starting the night of Wednesday, January 29, 2025, and pass just north of the State on Thursday, January 30, 2025, through Friday, January 31, 2025. The system is forecast to bring a threat of flash flooding, damaging southerly winds, and strong to severe thunderstorms Wednesday night through Friday;

WHEREAS, heavy rains over the weekend of January 25 to 26, 2025, caused flooding and widespread debris that need to be cleared to mitigate the effects of the approaching low-pressure system;

WHEREAS, it is critical that the State and counties have sufficient resources to clear debris, secure infrastructure, and take other measures to prepare for the approaching system, as well as to respond to and recover from any impacts the system might bring to the State;

NOW, THEREFORE, I, SYLVIA LUKE, Acting Governor of the State of Hawai'i, hereby declare the existence of a state of emergency under section 127A-14, Hawaii Revised Statutes (HRS), because the approaching winter low-pressure weather system poses an imminent danger or threat of an emergency or disaster in the State of Hawai'i. This Proclamation covers the entire State of Hawai'i. I further authorize and invoke the following emergency provisions, if not already in effect upon this declaration of an emergency:

I. Invocation of Laws

Section 121-30, HRS. I authorize and direct the Adjutant General to activate such units of the Hawai'i 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 the compliance with the civil laws of the State of Hawai'i.

Subsection 127A-12(b)(16), HRS. I direct all state agencies and officers to cooperate and extend their services, materials, and facilities as may be required to assist in emergency response efforts.

Section 127A-16, HRS. I activate the Major Disaster Fund.

II. Suspension of Laws

I suspend the following specific provisions of law, as allowed by federal law, under subsections 127A-12(b)(8) and 127A-13(a)(3), HRS, to the extent that the law impedes or tends to impede or is detrimental to the expeditious and efficient execution of, or conflicts with, emergency functions, including laws which by this chapter specifically are made applicable to emergency personnel:

Section 37-41, HRS, **appropriations to revert to state treasury; exceptions**, to the extent that appropriations lapse at the end of the fiscal year before completion of the emergency actions.

Subsection 37-74(d), HRS, **program execution**, except for subsections 37-74(d)(2) and 37-74(d)(3), HRS, and any such transfers or changes considered to be authorized transfers or changes for purposes of section 34-74(d)(1) for legislative reporting requirements, to the extent that legislative authorization would likely delay appropriation transfers or changes between programs to provide necessary funding to complete the emergency actions.

Section 40-66, HRS, **lapsing of appropriations**, to the extent that the timing of the procurement of the construction of the emergency permanent repairs may occur the fiscal year following the original emergency proclamation.

Chapter 46, HRS, **county organization and administration, provisions applicable to all counties, general provisions**, to the extent necessary to respond to the emergency.

Chapter 89, HRS, **collective bargaining in public employment**, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Chapter 89C, HRS, **public officers and employees excluded from collective bargaining**, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Section 103-2, HRS, **general fund**, to the extent that compliance results in any additional delays.

Section 103-53, HRS, **contracts with the State or counties; tax clearances, assignments**, only to the extent necessary to waive the Internal Revenue Service tax clearance requirement.

Section 103-55, HRS, **wages, hours, and working conditions of employees of contractors performing services**, to the extent that compliance results in any additional delays.

Chapter 103D, HRS, **Hawaii public procurement code**, to the extent that compliance results in any additional delays involved in meeting procurement requirements for selecting contractors in a timely manner to respond to emergency situations.

Chapter 104, HRS, **wages and hours of employees on public works**, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Sections 105-1 to 105-10, HRS, **use of government vehicles, limitations**, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions.

Chapter 179, HRS, **flood control and flood water conservation**, to the extent necessary for County and State agencies to respond to the emergency.

Chapter 179D, HRS, **dams and reservoirs**, to the extent necessary for County and State agencies to respond to the emergency.

Chapter 205A, HRS, **coastal zone management**, to the extent necessary for County and State agencies to respond to the emergency.

Chapter 279A, HRS, **transportation control**, to the extent necessary for County and State agencies to respond to the emergency.

Chapter 342D, HRS, **water pollution**, to the extent necessary for County and State agencies to respond to the emergency.

Chapter 342E, HRS, **nonpoint source pollution management**, to the extent necessary for County and State agencies to respond to the emergency.

Chapter 343, HRS, **environmental impact statements**, to the extent necessary for County and State agencies to respond to the emergency.

III. Severability

If any provision of this Proclamation is rendered or declared illegal for any reason, or shall be invalid or unenforceable, such provision shall be modified or deleted, and the remainder of this Proclamation and the application of such provision to other persons or circumstances shall not be affected thereby but shall be enforced to the greatest extent permitted by applicable law.

IV. Enforcement

No provision of this Proclamation, or any rule or regulation hereunder, shall be construed as authorizing any private right of action to enforce any requirement of this Proclamation, or of any rule or regulation. Unless the Governor, Director of Emergency Management, or their designee issues an express order to a non-judicial public officer, no provision of this Proclamation, or any rule or regulation hereunder, shall be construed as imposing any ministerial duty upon any non-judicial public officer and shall not bind the officer to any specific course of action or planning in response to the emergency or interfere with the officer's authority to utilize his or her discretion.

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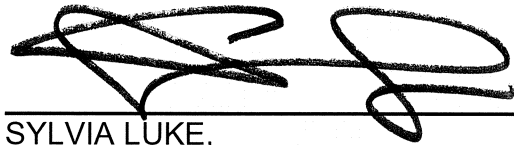
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I FURTHER DECLARE that the disaster emergency relief period shall commence immediately and continue through Monday, February 3, 2025, unless terminated or superseded by separate proclamation, whichever shall occur first.

Done at the State Capitol, this
28th day of January 2025



SYLVIA LUKE,
Acting Governor of Hawai'i

APPROVED:

Anne E. Lopez

ANNE E. LOPEZ
*Attorney General
State of Hawai'i*