

OFFICE OF THE GOVERNOR
STATE OF HAWAII

**FIFTH PROCLAMATION RELATING TO
MARCH 2026 KONA LOW WEATHER EVENT**

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, JOSH GREEN, M.D., Governor of the State of Hawai'i, proclaim as follows:

WHEREAS, beginning around the evening of March 10, 2026, a strong Kona Low weather system brought heavy rains and damaging winds throughout the State. The storm caused significant damage to, and impaired the operation of, transportation, energy, and other critical infrastructure, including the H-power waste facility on Oahu;

WHEREAS, the initial Kona Low storm caused extensive damage to infrastructure and property, and saturated the ground with rainwater, leaving the State susceptible to threats from additional heavy rain and storm events during the emergency period;

WHEREAS, a second Kona Low storm impacted the State later in the week of March 15, 2026, through March 23, 2026. This system brought heavy rains that caused catastrophic flooding to many parts of the State, including North Shore communities on Oahu. Roads and highways, public infrastructure and buildings, and homes and other private property suffered extensive damage from the rains and flooding;

WHEREAS, it is critical that the State and counties have sufficient resources to secure infrastructure and recover from the impacts the system has brought to the State, and to prepare for, respond to, and recover from additional severe weather that may occur in the State during the emergency period;

WHEREAS, since March 9, 2026, I issued four proclamations related to this emergency. The current Fourth Proclamation issued on March 19, 2026, must be supplemented to allow additional preparation, response, damage assessment, and recovery related to the Kona Low storms and any additional severe weather during the emergency period;

NOW, THEREFORE, I, JOSH GREEN, M.D., 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 forecast severe weather event 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 and supersedes all earlier proclamations related to this emergency. 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:

Chapter 6E, HRS, **historic preservation**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

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 allow government agencies to prepare for, respond to, and recover from 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 103F, HRS, **purchases of health and human services**, 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.

Section 127A-30, HRS, **rental or sale of essential commodities during a state of emergency; prohibition against price increases** as it relates to this Proclamation and emergency. The invocations and suspensions of section 127A-30, HRS, contained in any other emergency proclamations are not affected by this Proclamation.

Paragraph (3) only of section 174C-71, HRS, **protection of instream uses – limited to stream channel alterations**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 179, HRS, **flood control and flood water conservation**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 179D, HRS, **dams and reservoirs**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 183C, HRS, **conservation district**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 195D, HRS, **conservation of aquatic life, wildlife, and land plants**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 205A, HRS, **coastal zone management**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 279A, HRS, **transportation control**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 342B, HRS, **air pollution control**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 342D, HRS, **water pollution**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 342E, HRS, **nonpoint source pollution management**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 342F, HRS, **noise pollution**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 342H, HRS, **solid waste pollution**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from the emergency.

Chapter 343, HRS, **environmental impact statements**, to the extent necessary to allow government agencies to prepare for, respond to, and recover from 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.

I FURTHER DECLARE that the disaster emergency relief period shall commence immediately and continue through Wednesday, April 13, 2026, unless terminated or superseded by separate proclamation, whichever shall occur first. Following the termination of a disaster emergency relief period, any contracts, agreements, procurements, programs, or employment of personnel entered into,

started, amended, or continued by reason of the provisions of the proclamation relating to this emergency shall continue in full force and effect to the extent allowed by law.

Done at the State Capitol, this
24th day of March 2026



JOSH GREEN M.D.,
Governor of Hawai'i

APPROVED:

Anne E. Lopez

ANNE E. LOPEZ
Attorney General
State of Hawai'i