

## **SUPPLEMENTARY PROCLAMATION**

WHEREAS, the Primary Election for the State of Hawai'i is scheduled for August 11, 2018; and

WHEREAS, on May 3, 2018, the Governor of the State of Hawai'i and the Acting Mayor of the County of Hawai'i each issued emergency proclamations relating to the volcanic activity in the East Rift Zone of Kilauea volcano; and

WHEREAS, on May 9, 2018, the Governor of the State of Hawai'i issued a supplementary proclamation expanding the scope and application of his Proclamation; and

WHEREAS, on May 22, 2018, the Mayor of the County of Hawai'i issued a Supplementary Emergency Proclamation suspending Hawai'i County Code, Chapter 19, Section 19-47, related to real property tax assessments to those parcels that suffered uninhabitability or isolation due to this eruptive event in those areas described as Leilani Estates, Lanipuna Gardens, Pohoiki Bay Estates and Kapoho Estates; and

WHEREAS, on May 30, 2018, the Mayor of the County of Hawai'i issued a Second Supplementary Emergency Proclamation suspending several County Code provisions related to the preparation, set-up, construction, or installation of temporary emergency shelters for residents displaced or voluntarily evacuated due to the active lava eruption; and

WHEREAS, on May 30, 2018, the Mayor of the County of Hawai'i issued Mayor's Emergency Rule #1 restricting access to the area containing Kapoho Beach Lots, Vacationland and Kapoho Farm Lots; and

WHEREAS, on May 31, 2018, the Mayor of the County of Hawai'i issued a Mandatory Evacuation Order for identified areas within the Leilani Estates subdivision; and

WHEREAS, on June 7, 2018, the Chief Election Officer and the Hawai'i County Clerk, issued a joint proclamation determining that a natural disaster exists that substantially impairs the ability of voters to exercise their right to vote in District Precincts 04-03 and 04-04 in the Primary Election scheduled on August 11, 2018; and

WHEREAS, the joint proclamation declared the election in District Precincts 04-03 and 04-04 to be conducted by absentee mail ballot and that absentee ballots would be mailed to all registered voters in the affected precincts sufficiently in advance to permit the voters to return the ballots by 6:00 p.m. on election day; and

WHEREAS, it was declared in the joint proclamation that absentee ballots would be mailed during the week of June 25, 2018 and that occurred; and

WHEREAS, the joint proclamation stated that election officials must make judgments based on the information available at the time and the unique circumstances of the occasion; and

WHEREAS, on July 2, 2018, the Mayor of the County of Hawai'i issued a Third Supplementary Emergency Proclamation declaring that a continued state of emergency exists and that certain sections of the Hawai'i County Code be suspended.

WHEREAS, Chapter 127A, Hawai'i Revised Statutes (HRS) and Chapter 7, Articles 1 and 2 of the Hawai'i County Code, establishes a Civil Defense Agency within the County of Hawai'i and prescribes its powers, duties, and responsibilities; and

WHEREAS, election officials have continued to monitor and assess the developing situation and the Civil Defense Agency's constant updates to the public have been a critical part of that monitoring and assessment; and

WHEREAS, the County Civil Defense Administrator has represented to County Election Officials that the current eruption is stable. There continues to be a channelized flow from Fissure 8 to the Kapoho coastline which results in periodic overflows along the channel. No new areas are being threatened. Ground inflation and cracking which resulted in the closure of highway 130 to local traffic only was reopened to the public by the State Department of Transportation on July 3, 2018; and

WHEREAS, the County of Hawai'i Civil Defense Administrator has represented to County Election Officials that a polling place can currently be operated safely in Pahoa; and

WHEREAS, Section 11-15.2, HRS, provides a person who is eligible to vote but is not registered to vote may register by appearing in person on the day of the election, at the polling place in the precinct associated with the person's residence; and

WHEREAS, the Attorney General has opined that the previous mailing of absentee ballots does not prevent election officials from continuing to make

decisions based on the information available and the unique circumstances of the occasion and that these decisions can include the opening of a polling place; and

NOW, THEREFORE, the Chief Election Officer and the Hawai'i County Clerk hereby determine that a dual polling place will be operated at Pahoia Community Center on the day of the Primary Election, to allow voters in District Precincts 04-03 and 04-04, who have not already voted by absentee mail ballot or at an absentee polling place, to vote. A person who is eligible to vote but is not registered to vote may register by appearing in person, on the day of the election, at the polling place in the precinct associated with the person's residence. HRS § 11-15.2. As such, those whose residence is in District Precinct 04-03 or 04-04 will be eligible to register to vote and vote in person on election day at the Pahoia Community Center, Pahoia, Hawai'i.

DONE at the Office of Elections in Pearl City, Hawai'i, this 6th day of July, 2018.



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SCOTT T. NAGO  
Chief Election Officer

DONE at the Office of the County Clerk in Hilo, Hawai'i, this 6th day of July, 2018.



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STEWART MAEDA  
County Clerk