

**"CHAPTER 130**  
**EMERGENCY SEAT OF GOVERNMENT**

Section

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" **§130-1 Emergency seat of state government.** Whenever, due to an emergency resulting from the effects of enemy attack, or the anticipated effects of a threatened enemy attack, it becomes imprudent, inexpedient, or impossible to conduct the affairs of state government at the normal location of the seat thereof in Honolulu, city and county of Honolulu, the governor shall, as often as the exigencies of the situation require, by proclamation, declare an emergency temporary location, or locations, for the seat of government at such place, or places, within or without the State as the governor may deem advisable under the circumstances, and shall take such action and issue such orders as may be necessary for an orderly transition of the affairs of state government to the emergency temporary location, or locations. The emergency temporary location, or locations, shall remain as the seat of government until the legislature shall by law establish a new location, or locations, or until the emergency is declared to be ended by the governor and the seat of government is returned to its normal location. [L 1959, c 16, §1; Supp, §359A-1; HRS §130-1; gen ch 1985]

" **§130-2 Effect of official state acts.** During such time as the seat of government remains at an emergency temporary location, or locations, all official acts required by law to be performed at the seat of government by any officer, agency, department, or authority of the State, including the convening and meeting of the legislature in any kind of session, shall be as valid and binding when performed at the emergency temporary location, or locations, as if performed at the normal location of the seat of government. [L 1959, c 16, §2; Supp, §359A-2; HRS §130-2]

" **§130-3 Emergency seat of county government.** Whenever, due to an emergency resulting from the effects of enemy attack, or the anticipated effects of a threatened enemy attack, it becomes imprudent, inexpedient, or impossible to conduct the affairs of county government at the regular or usual place or places thereof, the governing body of each county may meet at any place within or without the territorial limits of the county on the call of the presiding officer or any two members of the governing body, and shall proceed to establish and designate by ordinance, resolution, or other manner, alternate or substitute sites or places as the emergency temporary location, or locations, of government where all, or any part, of the public business may be transacted and conducted during the emergency situation. The sites or places may be within or without the territorial limits of the county and may be within or without the State. [L 1959, c 16, §3; Supp, §359A-3; HRS §130-3]

" **§130-4 Effect of official county acts.** During the period when the public business is being conducted at the emergency temporary location, or locations, the governing body and other officers of a county shall have and possess and shall exercise, at the location, or locations, all of the executive, legislative, and judicial powers and functions conferred upon the body and officers by or under the laws of the State. The powers and functions may be exercised in the light of the exigencies of the emergency situation without regard to or compliance with time-consuming procedures and formalities prescribed by law and pertaining thereto, and all acts of such body and officers shall be as valid and binding as if performed within the territorial limits of their county. [L 1959, c 16, §4; Supp, §359A-4; HRS §130-4]

" **§130-5 Applicability.** This chapter shall control and be supreme in the event it shall be employed notwithstanding any statutory, charter, or ordinance provision to the contrary or in conflict herewith. [L 1959, c 16, §5; Supp, §359A-5; HRS §130-5]