

STAND. COM. REP. NO.

999

Honolulu, Hawaii

MAR 18, 2021

RE: S.B. No. 134
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Pandemic & Disaster Preparedness, to which was referred S.B. No. 134, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY POWERS,"

begs leave to report as follows:

The purpose of this measure is to prohibit the Governor or mayors from suspending requests for public or vital statistics records during a declared state of emergency.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, All Hawaii News, Society of Professional Journalists Hawaii Chapter, Big Island Press Club, Civil Beat Law Center for the Public Interest, and three individuals. Your Committee received comments on this measure from the Department of Health, Office of Planning, Office of Information Practices, and Grassroot Institute of Hawaii.

Your Committee finds that access to information is critical to ensure transparency and allow citizens to hold government accountable. Your Committee further finds that existing law authorizes the Governor or a mayor to suspend any law, including the Uniform Information Practices Act, during a declared state of emergency. Your Committee recognizes that while it is important

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for the government to have flexibility during a state of emergency, there needs to be guardrails in place to prevent the overreach of those powers.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 134, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 134, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Pandemic &
Disaster Preparedness,


LINDA ICHIYAMA, Chair



