

STAND. COM. REP. NO.

1737

Honolulu, Hawaii

APR 08 , 2021

RE: S.C.R. No. 169
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.C.R. No. 169, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO CREATE A TASK FORCE TO DEVELOP RECOMMENDATIONS TO ENFORCE THE SUPPLEMENTAL EMERGENCY PROCLAMATIONS TO MITIGATE THE FURTHER SPREAD OF THE CORONAVIRUS DISEASE 2019 IN HAWAII,"

begs leave to report as follows:

The purpose of this measure is to urge the Governor to create a task force to develop recommendations on the roles and responsibilities of the Department of the Attorney General and law enforcement in enforcing the emergency proclamations to mitigate the spread of the coronavirus disease 2019.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Emergency Management Agency.

Your Committee finds that in order to mitigate the spread of the coronavirus disease 2019 (COVID-19) in the State, the Governor and mayors exercised their emergency powers granted under law to implement various restrictions and safety requirements. Existing



law only provides the Governor and mayors the ability to establish misdemeanor offenses, which has put a heavy burden on the criminal justice system. This has led to the Honolulu Police Department alone issuing roughly sixty thousand citations for emergency proclamation violations. Your Committee further finds that enforcement of the Governor's emergency orders is largely on the honor system, dependent on the deterrent effect of potential penalties. This measure is necessary to determine a better means of enforcement for state and local law enforcement to provide a safer environment for residents and visitors of the State.

Your Committee has amended this measure by:

- (1) Amending its title to read, "URGING THE GOVERNOR TO CREATE A TASK FORCE TO DEVELOP RECOMMENDATIONS ON THE ROLES AND RESPONSIBILITIES OF THE DEPARTMENT OF THE ATTORNEY GENERAL AND LAW ENFORCEMENT IN ENFORCING EMERGENCY PROCLAMATIONS TO MITIGATE THE FURTHER SPREAD OF THE CORONAVIRUS DISEASE 2019 IN HAWAII."; and
- (2) 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 concurs with the intent and purpose of S.C.R. No. 169, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as S.C.R. No. 169, S.D. 1, H.D. 1.

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

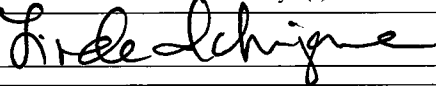

for LINDA ICHIMAMA, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

HSCR1737

Record of Votes of the Committee on Pandemic & Disaster Preparedness

Bill/Resolution No.: SCR 169, SDI		Committee Referral: PDP, FIN JHA		Date: 4/4/21
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PDP Members	Ayes	Ayes (WR)	Nays	Excused
1. ICHIYAMA, Linda (C)	✓			
2. ELI, Stacelynn K.M. (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. McKELVEY, Angus L.K.				✓
5. MIZUNO, John M.	✓			
6. WILDBERGER, Tina	✓			
7. WOODSON, Justin H.				✓
8. YAMASHITA, Kyle T.				✓
9. WARD, Gene				✓
TOTAL (9)	5	0	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				