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# A BILL FOR AN ACT

RELATING TO THE CORONAVIRUS 2019 PANDEMIC.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 PART I

2 SECTION 1. The legislature finds that the impact of the  
3 SARS-CoV-2 virus and resulting coronavirus disease 2019  
4 (COVID-19) pandemic has been devastating to global, national,  
5 and state economies.

6 The Coronavirus Aid, Relief, and Economic Security Act  
7 (CARES Act), Public Law 116-136, was enacted on March 27, 2020,  
8 to address the extensive health and economic fallout of the  
9 COVID-19 pandemic and provided federal funds to support the  
10 State's COVID-19 relief efforts. With the expiration of federal  
11 CARES Act funds, the State finds that additional funds are  
12 needed to continue funding critical COVID-19 response programs  
13 and activities.

14 Accordingly, the purpose of this part is to appropriate  
15 funds for the purpose of COVID-19 response activities and  
16 provide transparency and accountability for the use of those  
17 funds.



1 SECTION 2. There is appropriated out of the general  
 2 revenues of the State of Hawaii the sum of \$ or so  
 3 much thereof as may be necessary for fiscal year 2021-2022 and  
 4 the same sum or so much thereof as may be necessary for fiscal  
 5 year 2022-2023 for the transfer of contracts from the department  
 6 of transportation to the department of defense related to the  
 7 safe travels Hawaii airport screening program.

8 The sums appropriated shall be expended by the department  
 9 of defense for the purposes of this part.

10 SECTION 3. There is appropriated out of the general  
 11 revenues of the State of Hawaii the sum of \$ or so  
 12 much thereof as may be necessary for fiscal year 2021-2022 and  
 13 the same sum or so much thereof as may be necessary for fiscal  
 14 year 2022-2023 for costs related to the activation of the  
 15 national guard, including three temporary full-time  
 16 equivalent (3.00 FTE) positions for additional staffing for the  
 17 joint operational command.

18 The sums appropriated shall be expended by the department  
 19 of defense for the purposes of this part.

20 SECTION 4. There is appropriated out of the general  
 21 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2021-2022 and  
2 the same sum or so much thereof as may be necessary for fiscal  
3 year 2022-2023 for logistics support for COVID-19 operations  
4 including ten full-time equivalent (10.00 FTE) positions and  
5 data service for airport screener tablets.

6 The sums appropriated shall be expended by the department  
7 of defense for the purposes of this part.

8 SECTION 5. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$ or so  
10 much thereof as may be necessary for fiscal year 2021-2022 and  
11 the same sum or so much thereof as may be necessary for fiscal  
12 year 2022-2023 for overtime costs for the department of human  
13 services due to increased applications and processing for social  
14 services and financial assistance.

15 The sums appropriated shall be expended by the department  
16 of human services for the purposes of this part.

17 SECTION 6. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so  
19 much thereof that may be necessary for fiscal year 2021-2022 and  
20 the same sum or so much thereof as may be necessary for fiscal  
21 year 2022-2023 for costs related to COVID-19 testing, contact



1 tracing, and support for the department of health state  
2 laboratories division, including contracts, technical  
3 assistance, supplies, personal protective equipment, testing  
4 equipment, utilities, and other related costs.

5 The sums appropriated shall be expended by the department  
6 of health for the purposes of this part.

7 SECTION 7. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$ or so  
9 much thereof as may be necessary for fiscal year 2021-2022 and  
10 the same sum or so much thereof as may be necessary for fiscal  
11 year 2022-2023 for community outreach and education, including  
12 statewide communication costs for media for COVID-19 prevention  
13 and mitigation, vaccination messages, and other related public  
14 health messaging.

15 The sums appropriated shall be expended by the department  
16 of health for the purposes of this part.

17 SECTION 8. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so  
19 much thereof as may be necessary for fiscal year 2021-2022 and  
20 the same sum or so much thereof as may be necessary for fiscal  
21 year 2022-2023 for various public health costs, including



1 preparedness logistics and training, personal protective  
2 equipment, industrial hygiene, other protective supplies and  
3 equipment, and statewide COVID-19 related public health nursing  
4 surge staffing, including overtime.

5 The sums appropriated shall be expended by the department  
6 of health for the purposes of this part.

7 SECTION 9. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$ or so  
9 much thereof as may be necessary for fiscal year 2021-2022 and  
10 the same sum or so much thereof as may be necessary for fiscal  
11 year 2022-2023 for costs related to COVID-19 prevention for the  
12 residents of Kalaupapa, Molokai.

13 The sums appropriated shall be expended by the department  
14 of health for the purposes of this part.

15 SECTION 10. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$ or so  
17 much thereof as may be necessary for fiscal year 2021-2022 and  
18 the same sum or so much thereof as may be necessary for fiscal  
19 year 2022-2023 for isolation and quarantine costs, including all  
20 related services, on the island of Oahu.



1           The sums appropriated shall be expended by the department  
2 of health for the purposes of this part.

3           SECTION 11. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$                    or so  
5 much thereof as may be necessary for fiscal year 2021-2022 and  
6 the same sum or so much thereof as may be necessary for fiscal  
7 year 2022-2023 for the Kauai district health office. Moneys  
8 shall be used to fund overtime costs related to COVID-19 work,  
9 contracts, isolation, and quarantine costs, including all  
10 related services, communications and media costs, and additional  
11 testing.

12           The sums appropriated shall be expended by the department  
13 of health for the purposes of this part.

14           SECTION 12. There is appropriated out of the general  
15 revenues of the State of Hawaii the sum of \$                    or so  
16 much thereof as may be necessary for fiscal year 2021-2022 and  
17 the same sum or so much thereof as may be necessary for fiscal  
18 year 2022-2023 for the Hawaii district health offices. Moneys  
19 shall be used to fund overtime costs related to COVID-19 work,  
20 contracts, isolation, and quarantine costs, including all



1 related services, communications and media costs, workspace for  
2 temporary workers, and additional testing.

3 The sums appropriated shall be expended by the department  
4 of health for the purposes of this part.

5 SECTION 13. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$ or so  
7 much thereof as may be necessary for fiscal year 2021-2022 and  
8 the same sum or so much thereof as may be necessary for fiscal  
9 year 2022-2023 for the Maui district health office. Moneys  
10 shall be used to fund overtime costs related to COVID-19 work,  
11 contracts, isolation, and quarantine costs, including all  
12 related services, communications and media costs, intra-county  
13 travel, and additional testing.

14 The sums appropriated shall be expended by the department  
15 of health for the purposes of this part.

16 SECTION 14. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$ or so  
18 much thereof as may be necessary for fiscal year 2021-2022 and  
19 the same sum or so much thereof as may be necessary for fiscal  
20 year 2022-2023 for statewide COVID-19 related public health  
21 surge staffing, including overtime costs; provided that funds



1 may be used to temporarily establish and operate a district  
2 health office on the island of Oahu to serve as a COVID-19  
3 response liaison between the city and county of Honolulu and the  
4 department of health. The department of health may establish  
5 temporary full-time equivalent positions to staff the district  
6 health office, including:

- 7 (1) One full-time equivalent (1.00 FTE) district health  
8 officer;
- 9 (2) One full-time equivalent (1.00 FTE) public health  
10 manager;
- 11 (3) One full-time equivalent (1.00 FTE) COVID-19 public  
12 information officer;
- 13 (4) One full-time equivalent (1.00 FTE) inter-governmental  
14 coordinator;
- 15 (5) Five full-time equivalent (5.00 FTE) special  
16 assistants; and
- 17 (6) Five full-time equivalent (5.00 FTE) program  
18 specialists.

19 The sums appropriated shall be expended by the department  
20 of health for the purposes of this part.



1 SECTION 15. There is appropriated out of the general  
 2 revenues of the State of Hawaii the sum of \$ or so  
 3 much thereof as may be necessary for fiscal year 2021-2022 and  
 4 the same sum or so much thereof as may be necessary for fiscal  
 5 year 2022-2023 for statewide COVID-19 related medical surge  
 6 staffing.

7 The sums appropriated shall be expended by the department  
 8 of health for the purposes of this part.

9 SECTION 16. There is appropriated out of the general  
 10 revenues of the State of Hawaii the sum of \$ or so  
 11 much thereof as may be necessary for fiscal year 2021-2022 and  
 12 the same sum or so much thereof as may be necessary for fiscal  
 13 year 2022-2023 for the implementation and administration of  
 14 vaccine and immunization plans and logistics, including  
 15 warehousing and distributing vaccines and supplies, creating  
 16 temporary immunization sites and clinics, communicating vaccine  
 17 education, and associated operational costs.

18 The sums appropriated shall be expended by the department  
 19 of health for the purposes of this part.

20 SECTION 17. There is appropriated out of the general  
 21 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2021-2022 and  
 2 the same sum or so much thereof as may be necessary for fiscal  
 3 year 2022-2023 for the Hawaii health systems corporation.  
 4 Moneys shall be used as a cash infusion to offset revenue  
 5 shortfalls of the regional facilities of the corporation located  
 6 in the city and county of Honolulu and the counties of Hawaii  
 7 and Kauai due to the COVID-19 pandemic.

8 The sums appropriated shall be expended by the Hawaii  
 9 health systems corporation for the purposes of this part.

10 SECTION 18. There is appropriated out of the general  
 11 revenues of the State of Hawaii the sum of \$ or so  
 12 much thereof as may be necessary for fiscal year 2021-2022 and  
 13 the same sum or so much thereof as may be necessary for fiscal  
 14 year 2022-2023 for health care costs, including COVID-19 tests  
 15 for inmates, health care professional costs, and inmate  
 16 hospitalization expenses at non-state facilities for Hawaii  
 17 inmates.

18 The sums appropriated shall be expended by the department  
 19 of public safety for the purposes of this part.

20 SECTION 19. There is appropriated out of the general  
 21 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2021-2022 and  
2 the same sum or so much thereof as may be necessary for fiscal  
3 year 2022-2023 for the increased operational costs of the  
4 department of public safety, including costs for food services,  
5 deep cleaning and disinfecting, and sanitizing departmental  
6 offices and correctional facilities.

7 The sums appropriated shall be expended by the department  
8 of public safety for the purposes of this part.

9 SECTION 20. There is appropriated out of the general  
10 revenues of the State of Hawaii the sum of \$ or so  
11 much thereof as may be necessary for fiscal year 2021-2022 and  
12 the same sum or so much thereof as may be necessary for fiscal  
13 year 2022-2023 for security costs, overtime and other payroll  
14 costs for the ten existing full-time equivalent (10.00 FTE)  
15 deputy sheriff positions to support continued security screening  
16 and protocols for the safe travels Hawaii airport screening  
17 program.

18 The sums appropriated shall be expended by the department  
19 of public safety for the purposes of this part.

20 SECTION 21. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2021-2022 to be  
2 used as a contingency fund by the office of the governor to  
3 supplement the continuation of programs and activities related  
4 to the COVID-19 response.

5 The sums appropriated shall be expended by the office of  
6 the governor for the purposes of this part; provided that the  
7 governor is authorized to transfer funds appropriated by this  
8 part to any executive agencies the governor deems necessary;  
9 provided further that the governor is authorized to transfer  
10 funds in excess of what is needed for each expending agency to  
11 the contingency fund for any other uses the governor deems  
12 necessary for the purposes of this part.

13 PART II

14 SECTION 22. The legislature finds that on March 17, 2020,  
15 in response to the COVID-19 pandemic, Governor David Y. Ige took  
16 the unprecedented step of requiring a fourteen-day quarantine  
17 for all travelers to Hawaii. During the lockdown of the  
18 following months, Hawaii went from the lowest unemployment rate  
19 in the country to one of the highest, at one point reaching  
20 twenty-three per cent. Business closures as a result of the  
21 COVID-19 pandemic resulted in the loss of thousands of local



1 jobs, many of them in Hawaii's robust tourism and food service  
2 industries, which make up more than twenty per cent of the  
3 State's economy.

4 After several false starts, on October 15, 2020, Hawaii  
5 launched the safe travels program, allowing visitors to avoid a  
6 fourteen-day quarantine if they tested negative for COVID-19  
7 before arriving in the State. Any travelers who tested positive  
8 or chose not to take a test would still be subject to the  
9 fourteen-day quarantine.

10 A little over a month later, on November 19, 2020, the  
11 State changed the safe travels program to require travelers to  
12 upload their negative test results before boarding the last leg  
13 of their trip to Hawaii. Travelers who did not have their  
14 negative test result before departure would be subject to the  
15 fourteen-day quarantine, even if they received a negative result  
16 after they arrived. At the same time, demand for COVID-19 tests  
17 on the continental United States were skyrocketing and trusted  
18 testing partners were increasingly unable to deliver test  
19 results to travelers within the required seventy-two hour  
20 timeframe.



1           That same month, Governor Ige allowed a county to opt out  
2 of the safe travels program entirely, requiring all travelers to  
3 that county to follow a fourteen-day quarantine. This has  
4 ultimately resulted in a patchwork of requirements across all  
5 counties that are difficult to navigate for visitors and  
6 residents alike and, as such, is compounding the economic impact  
7 of the pandemic on the State.

8           The legislature also finds that the State is facing a  
9 historic budget shortfall and tourism revenue is not likely to  
10 return to pre-2020 levels for several years. State revenue in  
11 the form of the general excise tax and income taxes are  
12 essential to continuing core government services such as  
13 education, public health and safety, corrections, and  
14 infrastructure. When a county decides whether to reopen to  
15 visitors, it has far reaching fiscal impacts across the State.  
16 Furthermore, many neighbor island counties receive more than a  
17 per capita share of state financial resources. This is in large  
18 part due to subsidization by the State's largest county, the  
19 city and county of Honolulu.

20           The legislature further finds that public health is  
21 inextricably entwined with economic health; the two cannot be



1 separated. When residents lose their jobs, they also lose  
2 health care coverage and access to services. Poverty is the  
3 single largest determinant of health.

4 Therefore, the purpose of this part is to create a  
5 statewide approach to the safe travels program while still  
6 allowing the department of health to take necessary action to  
7 protect public health as supported by risk-based and scientific  
8 approaches to contagion mitigation.

9 SECTION 23. (a) Notwithstanding chapter 127A, Hawaii  
10 Revised Statutes, or any other law to the contrary, this part  
11 shall take precedence over all conflicting statutes concerning  
12 this subject matter and shall preempt all contrary laws,  
13 ordinances, rules, orders, or proclamations adopted by the  
14 State, a county, or any department or agency thereof.

15 (b) Any person entering the State or traveling between any  
16 islands within the State shall be exempt from a post-arrival  
17 mandatory self-quarantine if the person:

18 (1) Has a negative test result upon arrival from a state  
19 approved-COVID-19 test administered within seventy-two  
20 hours before departing from the final leg of  
21 departure; provided that if a person has not received



1 a test result upon arrival from the final leg of  
2 departure due to unforeseen circumstances through no  
3 fault of the person, that person shall be subject to  
4 and remain in a post-arrival mandatory self-quarantine  
5 upon arrival unless and until the person:

6 (A) Submits to and obtains a negative test result  
7 from a state-approved rapid COVID-19 test upon  
8 arrival; and

9 (B) Obtains a negative test result from a state-  
10 approved COVID-19 test administered within  
11 seventy-two hours from the final leg of  
12 departure; or

13 (2) Is under the age of five and accompanied by a person  
14 who is exempt under paragraph (1).

15 (c) In addition to the exemptions provided for under  
16 subsection (b), the governor shall establish statewide  
17 conditions under which persons may be deemed automatically  
18 exempt from the pre-travel testing requirements and mandatory  
19 self-quarantine, taking into consideration recommendations  
20 provided by the department of health.



1 (d) Any person who does not obtain a negative test result  
2 before arrival shall be responsible for securing and paying all  
3 costs associated with that person's mandatory self-quarantine  
4 and isolation, including transport, lodging, food, medical care,  
5 and any other expenses to sustain the person during the  
6 mandatory self-quarantine period.

7 (e) The post-arrival mandatory self-quarantine exemption  
8 provided by this part shall not affect or in any way impede or  
9 supersede the authority of the United States Centers for Disease  
10 Control and Prevention or department of health pursuant to  
11 sections 321-1 and 325-8, Hawaii Revised Statutes, to require  
12 persons to quarantine if they subsequently test positive for  
13 COVID-19 or if they are a close contact of a person confirmed  
14 positive for COVID-19.

15 (f) For the purposes of this part, "state-approved  
16 COVID-19 test" means a test to determine the presence of active  
17 COVID-19 infection that is administered through an entity  
18 approved by the safe travels program.

19 SECTION 24. This part shall not be subject to  
20 section 127A-13, Hawaii Revised Statutes, and shall not be



1 suspended except by adoption of a concurrent resolution by each  
2 house of the legislature.

3 PART III

4 SECTION 25. Notwithstanding section 127A-16, Hawaii  
5 Revised Statutes, or any other law to the contrary, should any  
6 project or program related to COVID-19 response efforts paid for  
7 by state funds later become eligible for federal reimbursement,  
8 the federal reimbursement funds shall be deposited into the  
9 general fund.

10 SECTION 26. On July 1, 2021, \$7,962,256.60 from the major  
11 disaster fund established pursuant to section 127A-16, Hawaii  
12 Revised Statutes, shall lapse to the general fund.

13 PART IV

14 SECTION 27. This Act shall take effect on July 1, 2050;  
15 provided that:

16 (1) All funds appropriated pursuant to part I that are  
17 unallotted or unencumbered as of June 30, 2023, shall  
18 lapse as of that date; and

19 (2) Part II shall be repealed on December 31, 2021, or  
20 upon termination of the State's emergency order for



1 COVID-19 and mandatory self-quarantine requirement for  
2 travelers, whichever occurs first.



**Report Title:**

COVID-19; Statewide Travel Program; Quarantine; Exemptions;  
Appropriation

**Description:**

Appropriates moneys. Exempts any person from the post-arrival mandatory self-quarantine if the person receives a negative test result prior to arrival. Allows the governor to establish statewide conditions for exemption. Requires certain COVID-19 tests for travelers who do not have a test result upon arrival to avoid mandatory self-quarantine. Requires any person who does not obtain a negative test result for COVID-19 pre-arrival to be responsible for all costs associated with that person's mandatory self-quarantine. Prohibits the suspension of the quarantine requirements except by legislative approval via a concurrent resolution. Repeals quarantine requirements on 12/31/2021. Requires that should any project or program related to COVID-19 response efforts paid for by state funds later become eligible for federal reimbursement, those federal funds shall be deposited into the general fund. Lapses funds from the major disaster fund to the general fund on 7/1/2021. Effective 7/1/2050. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

