

STAND. COM. REP. NO.

621

Honolulu, Hawaii

FEB 19 , 2021

RE: H.B. No. 643
H.D. 2

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

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 643, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the offense of harassment against an essential worker during an emergency; and
- (2) Amend various definitions of the emergency management laws to address pandemics.

Your Committee received testimony in support of this measure from the Honolulu Police Department; Hawaii State AFL-CIO; Pride at Work; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; IATSE Local 665; United Food & Commercial Workers Union, Local 480; United Public Workers, AFSCME Local 646, AFL-CIO; LGBT Caucus of the Democratic Party of Hawaii; Hawai'i Nurses' Association; ILWU Local 142; and one individual. Your Committee received testimony in opposition to this measure from the Berean Beacon Ministry, For Our Rights, Honolulu County Republican Party, Kauai Republican Party, Aloha Festival, Hawaii Federation of Republican Women, and numerous individuals. Your

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Committee received comments on this measure from the Department of the Attorney General and the Hawaii Emergency Management Agency.

Your Committee finds that due to the COVID-19 pandemic, the State and counties have had to impose certain restrictions in order to combat the pandemic. Your Committee further finds that essential workers were responsible for enforcing some of these restrictions during the emergency period, which has led to unwarranted pushback and harassment against essential workers. This measure will provide the necessary protections for essential workers during an emergency to ensure that they can continue offering critical services to residents without impediment or disruption.

Your Committee has amended this measure by:

- (1) Changing references from a "person" and "recipient" to an "essential worker" for purposes of determining what is considered harassment against an essential worker;
- (2) Clarifying what constitutes an "emergency period"; and
- (3) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 643, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 643, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,




MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

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Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 643 HD1	Committee Referral: PDP/LAT, JHA, FIN	Date: 2-16-21		
<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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.			✓	
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.				✓
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane				✓
12. WARD, Gene			✓	
TOTAL (12)	8	0	2	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				