

STAND. COM. REP. NO.

518

Honolulu, Hawaii

FEB 19 , 2021

RE: H.B. No. 726
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. 726, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FACE COVERINGS,"

begs leave to report as follows:

The purpose of this measure is to temporarily:

- (1) Require every person in the State to wear a face covering when in a public setting, subject to certain exemptions; and
- (2) Establish a fine for failure to wear a face covering when required.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Union Airline Workers of the International Association of Machinist and Aerospace Workers, Hawaii Pacific Health, The Queen's Health Systems, Hawaii Community Foundation, Hawaii Medical Service Association, Hawai'i Public Health Institute, Hawaii Lodging & Tourism Association, Hawai'i Restaurant Association, Hawaii Quarantine Kapu Breakers, and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii County Assembly, Aloha Festival, and numerous individuals. Your Committee received comments on this measure from the Department of Health, Department

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of Commerce and Consumer Affairs' Division of Financial Institutions, Hawaii Emergency Management Agency, Hawaii Food Industry Association, Retail Merchants of Hawaii, and Chamber of Commerce Hawaii.

Your Committee finds that the coronavirus disease 2019 (COVID-19) mainly spreads from person to person through respiratory droplets that travel into the air when a person coughs, sneezes, or talks. Face coverings act as a barrier to help prevent respiratory droplets from reaching others and studies have shown that masks reduce the spray of droplets when worn properly over the nose and mouth. Your Committee believes that mandating everyone to wear face coverings, in addition to other preventative measures, will slow the spread of COVID-19, thereby ensuring the health and safety of everyone in Hawaii and helping restore the economy. Although face coverings will be mandated, your Committee recognizes that it may be necessary for people to temporarily uncover their face to confirm identification in some situations.

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

Should the Committee on Finance deliberate on this measure, your Committee on Judiciary & Hawaiian Affairs respectfully requests that it consider extending the repeal date of this measure to January 31, 2022, to provide the Legislature with the opportunity to address this issue at the next regular session if necessary.

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. 726, 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. 726, H.D. 2.



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


MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 726 HD1	Committee Referral: PDP, JHA, FIN	Date: 2-11-21		
<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)	10	1	1	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
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