STAND. COM. REP. NO. 686

Honolulu, Hawaii MAR 0 4 2021

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

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 134, S.D. 1, entitled:

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

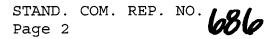
begs leave to report as follows:

The purpose and intent 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, Civil Beat Law Center for the Public Interest, All Hawaii News, and three individuals. Your Committee received comments on this measure from the Office of Information Practices, Common Cause Hawaii, and Grassroot Institute of Hawaii.

Your Committee finds that access to information is critical for enabling citizens to exercise their voice, to effectively monitor and hold government to account, and stands as a pillar of a functioning democracy. Existing law allows the Governor or a mayor to suspend requests for public or vital statistics records during a declared state of emergency. And while it is important for the government to have flexibility and broad emergency power, there needs to be guardrails in place to prevent the overreach of those powers. This measure will act as a guardrail against governmental overreach by prohibiting the Governor or a mayor from





suspending requests for public or vital statistics records during a declared state of emergency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 134, S.D. 1, and recommends that it pass Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

L Nhu

KARL RHOADS, Chair



## The Senate Thirty-First Legislature State of Hawai'i

------

## Record of Votes Committee on Judiciary JDC

| Bill / Resolution No.:*  | Committee   | Committee Referral: |         | Date:      |                                       |
|--|---|---------------------|---------|------------|---------------------------------------|
| 5B 134, 5D1  | HTH, JOC  |                     |         | 02/24/2021 |                                       |
| The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: |   |                     |         |            |                                       |
| The Recommendation is:   |   |                     |         |            |                                       |
| Pass, unamended Pass, with amendments Hold Recommit<br>2312 2311 2310 2313   |   |                     |         |            |                                       |
| Members  |   | Aye                 | Aye (WF | R) Nay     | Excused                               |
| RHOADS, Karl (C)   |   | ~                   |         |            |                                       |
| KEOHOKALOLE, Jarrett (VC)  |   | ~                   |         |            |                                       |
| ACASIO, Laura  |   | V                   |         |            |                                       |
| GABBARD, Mike  |   | V                   |         |            | · · · · · · · · · · · · · · · · · · · |
| KIM, Donna Mercado   |   | ✓                   |         |            | · · · · · · · · · · · · · · · · · · · |
| LEE, Chris   |   | ~                   |         |            |                                       |
| FEVELLA, Kurt  |   |                     |         |            |                                       |
| TOTAL  |   | 7                   | 0       | 0          | 0                                     |
| Recommendation:  |   |                     |         |            |                                       |
| Chair's or Designee's Signature: Kalhhah   |   |                     |         |            |                                       |
| Distribution: Original<br>File with Committee Re   | Original Yellow Pink Goldenrod<br>File with Committee Report Clerk's Office Drafting Agency Committee File Copy |                     |         |            |                                       |

\*Only <u>one</u> measure per Record of Votes