STAND. COM. REP. NO.

999

Honolulu, Hawaii

MAR 18 ' 2021

RE: S.B. No. 134

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.B. No. 134, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose 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, Common Cause Hawaii, All Hawaii News, Society of Professional Journalists Hawaii Chapter, Big Island Press Club, Civil Beat Law Center for the Public Interest, and three individuals. Your Committee received comments on this measure from the Department of Health, Office of Planning, Office of Information Practices, and Grassroot Institute of Hawaii.

Your Committee finds that access to information is critical to ensure transparency and allow citizens to hold government accountable. Your Committee further finds that existing law authorizes the Governor or a mayor to suspend any law, including the Uniform Information Practices Act, during a declared state of emergency. Your Committee recognizes that while it is important

for the government to have flexibility during a state of emergency, there needs to be guardrails in place to prevent the overreach of those powers.

Your Committee has amended this measure by 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 is in accord with the intent and purpose of S.B. No. 134, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 134, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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

Kirde Ichingme LINDA ICHIYAMA, Chair

## State of Hawaii House of Representatives The Thirty-first Legislature

## HSCR999

## **Record of Votes of the Committee on Pandemic & Disaster Preparedness**

SB 134 SD Committee PDP, 2	ee Referral: THA, FIW	Date: 3/16/21		
θ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: $\theta$ Pass, unamended (as is) Pass, with amendments (HD) $\theta$ Hold $\theta$ Pass short form bill with HD to recommit for future public hearing (recommit)				
PDP Members	Ayes	Ayes (WR)	Nays	Excused
1. ICHIYAMA, Linda (C)				
	A STATE OF THE STATE OF		<b>经济</b>	
2. ELI, Stacelynn K.M. (VC)			THE STATE OF STATE OF	PANESU NEWSTAND
3. CULLEN, Ty J.K.				CATALOGUE PARENTES
4. McKELVEY, Angus L.K.	<b>/</b>			
	The Belleville			Total Sales
5. MIZUNO, John M.	<b>V</b>			
6. WILDBERGER, Tina				TO EXPENSION PERSON
7. WOODSON, Justin H.		STATE SHADING		EXCESSIVE SAN
7. WOODSON, JUSTIN II.				
8. YAMASHITA, Kyle T.	/	December 19 Property States		Registration of the second
		<b>HEARTH OF</b>		EAST PROPERTY.
9. WARD, Gene				
			-	
10072				
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TOTAL (9)	9			
The recommendation is:  Adopted  By 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				