

STAND. COM. REP. NO. 3667

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 1902  
H.D. 1  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1902, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that the Governor's and mayors' emergency management powers shall be consistent with the Hawaii State Constitution;
- (2) Clarify the scope of the comprehensive emergency management plan;
- (3) Clarify the powers of the Governor and mayors to extend or terminate a state of emergency;
- (4) Shorten the duration of price control periods from ninety-six hours to seventy-two hours; and
- (5) Amend emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation.



Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS, Retail Merchants of Hawaii, Lāhāina Strong, Green Party of Hawai'i, Save Honolulu Coalition, Hawaii Food Industry Association, Hawai'i Alliance for Progressive Action, Jewish Voice for Peace-Hawai'i, Hawai'i State AFL-CIO, Help Maui Rise, and two-hundred and ten individuals.

Your Committee received testimony in opposition to this measure from the Hickam Federal Credit Union, Hawaii State Federal Credit Union, Wailuku Federal Credit Union, Hawaii First Federal Credit Union, Hawaii Community Federal Credit Union, Valley Isle Community Federal Credit Union, Maui Federal Credit Union, Grassroot Institute of Hawaii, Mortgage Bankers Association of Hawaii, Hawaii Credit Union League, Hawaii Bankers Association, Honolulu Federal Credit Union, Aloha Pacific Federal Credit Union, Big Island Federal Credit Union, Consumer Data Industry Association, Hāmākua Federal Credit Union, and eleven individuals.

Your Committee received comments on this measure from the Hawaii Financial Services Association and two individuals.

Your Committee finds that pursuant to section 127A-30, Hawaii Revised Statutes, when the Governor or a mayor declares a state of emergency, there is a prohibition that follows on any increase in the selling price of any commodity. Your Committee further finds that the use of emergency proclamations has expanded in recent years and there is almost always an active emergency proclamation at any given time. Differences in interpretation of the Governor's and mayor's emergency powers have led to confusion and inconsistent business practices. This measure will provide clarity in the laws granting the Governor and mayors emergency powers.

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

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 H.B. No. 1902, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1902, H.D. 1, S.D. 2.



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

*Karl Rhoads*

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KARL RHOADS, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:
HB 1902 HD1SD1	PSM   CPN, JDC	04   02   24

The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312      Pass, with amendments 2311      Hold 2310      Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.		✓		
SAN BUENAVENTURA, Joy A.		✓		
AWA, Brenton				✓
<b>TOTAL</b>	2	2	—	1

Recommendation:  Adopted      Not Adopted

Chair's or Designee's Signature: 

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\*Only one measure per Record of Votes