

Honolulu, Hawaii

, 2021

APR 22

RE: H.B. No. 103  
H.D. 1  
S.D. 2  
C.D. 1

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

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

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 103, H.D. 1, S.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Clarify that the powers granted for emergency purposes shall not be inconsistent with the Hawaii State Constitution;
- (2) Provide parameters for the duration of suspension of laws under an emergency order and require justification for the suspension;



- (3) Require approval of the Legislature by concurrent resolution to extend to a date certain, or deny the extension of, a proclamation of a state of emergency timely requested by the Governor and specifies that if the Legislature fails to take action, the state of emergency is automatically extended for sixty days; and
- (4) Allow the authorization of the issuance of a separate proclamation arising from the same emergency or disaster as a previous proclamation that expired, upon request of the Governor and adoption of a concurrent resolution by the Legislature.

Your Committee on Conference has amended this measure by:

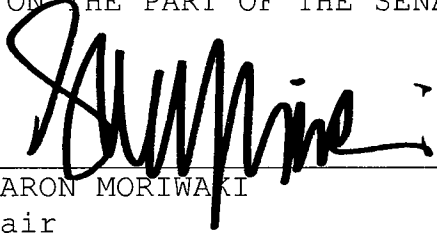
- (1) Clarifying further the parameters for the termination of a state of emergency;
- (2) Specifying that if an emergency proclamation was terminated by the Legislature, a subsequent proclamation declaring the existence of a state of emergency arising from the same emergency or disaster may be authorized for no more than sixty days upon the request by the Governor and adoption of a concurrent resolution by the Legislature;
- (3) Changing the effective date to upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 103, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 103, H.D. 1, S.D. 2, C.D. 1.



Respectfully submitted on behalf  
of the managers:

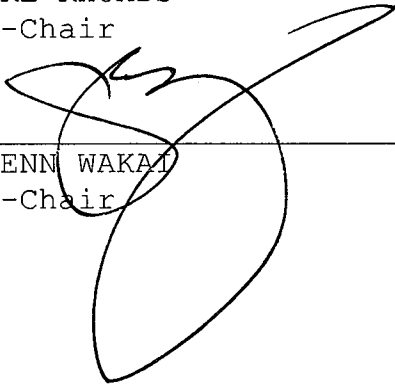
ON THE PART OF THE SENATE



SHARON MORIWAKI  
Chair



KARL RHOADS  
Co-Chair



GLENN WAKAI  
Co-Chair

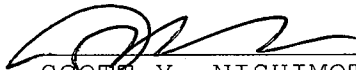
ON THE PART OF THE HOUSE



LINDA ICHIYAMA  
Co-Chair



MARK M. NAKASHIMA  
Co-Chair



SCOTT Y. NISHIMOTO  
Co-Chair



**Hawaii State Legislature**  
**Record of Votes of a**  
**Conference Committee**

CCR 37

Bill / Concurrent Resolution No.: <b>HB 103, HD 1, SD 2</b>	Date/Time: <b>4/21/21 9:01 AM</b>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
MORIWAKI, Sharon Y., Chr.	✓				ICHIYAMA, Linda, Co-Chr.	✓			
RHOADS, Karl, Co-Chr.	✓				NAKASHIMA, Mark M., Co-Chr.	✓			
WAKAI, Glenn, Co-Chr.	✓				NISHIMOTO, Scott Y., Co-Chr.	✓			
					ELI, Stacelynn K.M.	✓			
					WARD, Gene				✓
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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**Distribution:**     
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 Goldenrod  
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Drafting Agency