

STAND. COM. REP. NO.

1413

Honolulu, Hawaii

MAR 30 2021

RE: S.C.R. No. 169
S.D. 1

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

Sir:

Your Committees on Health and Government Operations, to which was referred S.C.R. No. 169 entitled:

"SENATE CONCURRENT RESOLUTION URGING THE OFFICE OF THE GOVERNOR TO CREATE A TASK FORCE TO DEVELOP RECOMMENDATIONS TO ENFORCE THE SUPPLEMENTAL EMERGENCY PROCLAMATIONS TO MITIGATE THE FURTHER SPREAD OF THE CORONAVIRUS DISEASE 2019 IN HAWAII,"

beg leave to report as follows:

The purpose and intent of this measure is to urge the Governor to create a task force to develop recommendations on the roles and responsibilities of the Department of the Attorney General and the state and county law enforcement agencies to enforce emergency proclamations, including but not limited to supplemental emergency proclamations related to the coronavirus disease 2019 (COVID-19) pandemic.

Your Committees received testimony in support of this measure from the City and County of Honolulu Department of the Prosecuting Attorney. Your Committees received testimony in opposition to this measure from seventeen individuals. Your Committees received comments on this measure from the Department of the Attorney General and Hawaii Emergency Management Agency.

Your Committees find that existing law provides the Governor and county mayors the ability to establish misdemeanor offenses



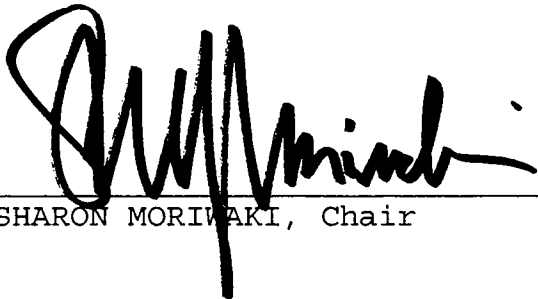
through rulemaking during emergency periods. The Governor has issued supplemental emergency proclamations to mitigate the spread of COVID-19 by ordering residents and visitors to self-quarantine for a mandatory fourteen-day period, which applies to all arrivals at state airports from the continental United States and international destinations. However, enforcement of the Governor's emergency order are largely on an "honor system", dependent on the deterrent effect of potential penalties and the individual's tolerance for risk. This measure requests the Governor to establish a task force to make recommendations on how to enforce future emergency proclamations.

Your Committees have amended this measure by:

- (1) Amending the measure to more accurately describe the purpose of the State's mandatory self-quarantine requirement;
- (2) Expanding the scope of the measure to include all emergency proclamations;
- (3) Adding additional members to sit on the task force; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Government Operations that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 169, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 169, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Health and
Government Operations,



SHARON MORIWAKI, Chair



JARRETT KEOHOKALOLE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* SCR 169	Committee Referral: HTH / GVO	Date: 03/29/21		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
MORIWAKI, Sharon Y. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHANG, Stanley	/			
GABBARD, Mike	/			
FEVELLA, Kurt	/			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

*Only one measure per Record of Votes