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February 3, 2021

**TESTIMONY OF FELICIA COWDEN,  
COUNCILMEMBER, KAUAI COUNTY COUNCIL  
ON  
SB 182, REGARDING THE GENERAL POWERS  
AND LIMITATION OF THE COUNTIES**

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Thursday, February 4, 2021

1:30 p.m.

Via Videoconference

Dear Chair Nishihara and Members of the Committee:

Thank you for this opportunity to provide testimony in opposition to SB 182, Regarding the General Powers and Limitation of the Counties. My testimony is submitted in my individual capacity as a Member of the Kaua'i County Council.

Island Resilience is founded upon each county being able to nimbly set policy for the islands under its powers and responsibilities. State preemption is already established and typically best serves the interests of O'ahu where the majority of the population resides.

Over the years, State preemption has created difficult policies that are adverse to the best interests of, particularly, the smaller islands. The further clarification of the hierarchy of power in the simple addition in the statement: "Subject to the power reserved to the State to legislate and administer matters of statewide concern by general law," is likely to preempt home-rule strategies such as Kaua'i's differing quarantine policy.

The County of Kaua'i has worked painfully hard to protect our population within the narrow scope in which we can manage. Each island has different needs, in which their local government is best able to adapt policy to the specific needs of their unique conditions.

Thank you again for this opportunity to provide testimony. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via E-mail to cokcouncil@kauai.gov.

Sincerely,

FELICIA COWDEN  
Councilmember, Kaua'i County Council

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