

STAND. COM. REP. NO. 620

Honolulu, Hawaii
FEB 19 , 2021

RE: H.B. No. 1286
H.D. 2

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

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1286, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRAVEL,"

begs leave to report as follows:

The purpose of this measure is to establish a statewide uniform law regarding mandatory self-quarantine rules and requirements. Specifically, this measure:

- (1) Exempts any person from post-arrival mandatory self-quarantine if the person receives a negative test result prior to arrival;
- (2) Specifies that any person who does not obtain a negative test result prior to arrival in the State will be responsible for all costs associated with that person's mandatory self-quarantine and isolation;
- (3) Authorizes the Incident Commander to establish conditions for exemptions; and
- (4) Requires certain COVID-19 tests for travelers who do not have a test result upon arrival.



Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii; Hawaii Medical Service Association; Makanalani Kids; Wyndham Destinations; Napili Kai Beach Resort; ABC Stores; Hawaii Food Industry Association; Sheraton Kauai Resort; Springboard Hospitality; Kona-Kohala Chamber of Commerce; Brennecke's Beach Broiler and Nukumoi Surf Co.; Club at Kukuiula; Airlines for America; Lealani Corp. dba Brennecke's; Hawai'i Lodging & Tourism Association; Kohala Coast Resort Association; Retail Merchants of Hawaii; Castle Hospitality Group; Roberts Hawaii; LBD Coffee, LLC; Hawai'i Farm Bureau; International Market Place; Enterprise Holdings; Ho'okipa Partners, LLC; Koloa Landing Resort at Poipu; Garden Island Rentals; T S Restaurants; Royal Hawaiian Center; Azul Hawaii Resorts; Wyndham Ka'eo Kai & Shearwater; Aqua-Aston Hospitality; Management Information Consultants; Marriott Vacations Worldwide Corporation, Hawai'i; Kaua'i Chamber; Maui Seaside Hotel; Prince Waikiki Hotel & Hawaii Prince Golf Club; Waikoloa Beach Marriott Resort and Ocean Club; Prince Resorts Hawaii; Four Seasons Resort Maui; The Kahala Hotel & Resort; The Laylow; HIGHGATE Hotels in Hawaii; Ala Moana Hotel by Mantra; Food & Wine Festival; Waikiki Improvement Association; Pacific Mirror & Glass; Waikiki Resort Hotel; Fairmont Orchid; Aloha Festival; Outrigger Hospitality Group; Rental By Owner Awareness Association; Mahana Weddings Maui; Grand Hyatt Kauai Resort & Spa; and numerous individuals. Your Committee received testimony in opposition to this measure from the Mayor of the County of Hawai'i, two members of the Maui County Council, one member of the Kaua'i County Council, Kayak Kaua'i, Pono Hawai'i Initiative, Maui Chamber of Commerce, and numerous individuals. Your Committee received comments on this measure from the Department of Health, Hawaii Emergency Management Agency, Hawaii Tourism Authority, and five individuals.

Your Committee finds that due to the COVID-19 pandemic, Hawaii implemented the very first post-arrival mandatory self-quarantine of all individuals arriving in the State. As the number of COVID-19 cases decreased, the State began opening up and allowing people who could provide a negative COVID-19 test from a trusted partner to bypass the mandatory self-quarantine in hopes of stimulating the economy. However, your Committee notes that currently, each county is authorized to establish their own rules regarding self-quarantine for individuals entering the respective county. This has caused confusion and difficulties for residents and visitors as each county has different rules. Your Committee believes that having a uniform law regarding mandatory



self-quarantine will allow the State to welcome more people, thereby stimulating the economy and improving the quality of life for residents and visitors of Hawaii.

Your Committee has amended this measure by:

- (1) Specifying that the Governor, instead of the Incident Commander, shall establish conditions when a person is automatically exempt from the mandatory self-quarantine;
- (2) Inserting language that prohibits this measure from being suspended, including by emergency suspension powers of the Governor, except by adoption of a concurrent resolution by each house of the Legislature; and
- (3) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1286, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1286, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



