Honolulu, Hawaii

FEB 15 , 2022

RE: H.B. No. 1585
    H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Pandemic & Disaster Preparedness, to which was referred H.B. No. 1585 entitled:

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

begs leave to report as follows:

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) Authorize the Governor to require counties to obtain approval prior to issuing any emergency order, rule, or proclamation;

(4) Clarify that a state of emergency may be extended or terminated by a separate or supplementary proclamation;

(5) Authorize the Legislature to terminate a state of emergency, in part or in whole, by an affirmative two-thirds vote; and

(6) Specify that prohibitions on price increases of essential commodities during a severe weather warning expire seventy-two hours after the effective date and time of the initial declaration or any supplemental proclamation.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and State of Hawaii Organization of Police Officers. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii Emergency Management Agency, Common Cause Hawaii, and Grassroot Institute of Hawaii.

Your Committee finds that the coronavirus disease 2019 (COVID-19) and its variants not only upended our way of life, it also brought to light the need to reform the legal framework governing emergency management in the State. As the State enters 2022 still under a state of emergency, your Committee believes that there needs to be more checks and balances in regard to the emergency management powers to ensure the welfare and safety of the residents of the State.

Your Committee has amended this measure by:

(1) Changing the effective date to July 1, 2050, to encourage further discussion; and

(2) 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1585, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1585, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Pandemic &
Disaster Preparedness,

_____
LINDA ICHIYAMA, Chair

Record of Votes of the Committee on Pandemic & Disaster Preparedness

Bill/Resolution No.: *HB 1585*	Committee Referral: *PDP, JHA*	Date: *2/1/22*

❑ The committee is reconsidering its previous decision on the measure.

The recommendation is to: ❑ Pass, unamended (as is)   ☑ Pass, with amendments (HD)   ❑ Hold
❑ Pass short form bill with HD to recommit for future public hearing (recommit)

PDP Members	Ayes	Ayes (WR)	Nays	Excused
1. ICHIYAMA, Linda (C)	✓			
2. ELI, Stacelynn K.M. (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. McKELVEY, Angus L.K.	✓			
5. MIZUNO, John M.	✓			
6. WILDBERGER, Tina	✓			
7. WOODSON, Justin H.	✓			
8. YAMASHITA, Kyle T.	✓			
9. WARD, Gene	✓			
TOTAL (9)	9	0	0	0

The recommendation is: ☑ Adopted   ❑ Not Adopted

If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

Distribution: Original (White) – Committee   Duplicate (Yellow) – Chief Clerk's Office   Duplicate (Pink) – HMSO