

STAND. COM. REP. NO. 92

Honolulu, Hawaii
FEB 09 , 2021

RE: H.B. No. 726
H.D. 1

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

Sir:

Your Committee on Pandemic & Disaster Preparedness, to which was referred H.B. No. 726 entitled:

"A BILL FOR AN ACT RELATING TO FACE COVERINGS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require every person in the State to wear a face covering when in a public setting, subject to certain exemptions; and
- (2) Establish a fine for failure to wear a face covering when required.

Your Committee received testimony in support of this measure from the Hawaii Lodging and Tourism Association, Hawai'i Pacific Health, The Queen's Health Systems, Hawai'i Community Foundation, and two individuals. Your Committee received testimony in opposition to this measure from ten individuals. Your Committee received comments on this measure from the Judiciary, Department of Health, Department of Commerce and Consumer Affairs, Hawaii Food Industry Association, Chamber of Commerce Hawaii, Hawaii Medical Service Association, and Hawaii Bankers Association.

Your Committee finds that the coronavirus disease 2019 (COVID-19) mainly spreads from person to person through respiratory droplets that travel into the air when a person coughs, sneezes, or talks. Face coverings act as a barrier to help prevent respiratory droplets from reaching others and studies have shown that masks reduce the spray of droplets when worn properly over the nose and mouth. Your Committee believes that mandating everyone to wear face coverings, in addition to other preventative measures, will slow the spread of COVID-19, thereby ensuring the health and safety of everyone in Hawaii and helping restore the economy.

Your Committee has amended this measure by:

- (1) Clarifying that a person violating the face covering mandate will be subject to a civil fine;
- (2) Specifying that the face covering mandate will be repealed on December 31, 2021, or on the date that the last emergency proclamation related to the COVID-19 emergency issued by the Governor expires, whichever is sooner;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) 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. 726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 726, 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 726	Committee Referral: PDP, JHA, FIN	Date: 2/2/21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> 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			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u><i>Stacelynn Eli</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				