



STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE DIRECTOR OF EMERGENCY MANAGEMENT
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON HOUSE BILL 103,
RELATING TO EMERGENCY POWERS

Before the House Committee on
FINANCE

By

Luke P. Meyers
Administrator, Hawaii Emergency Management Agency (HI-EMA)

Aloha Chair Luke, Vice-Chair Cullen and Members of the Committee:

House Bill 103 requires approval of the legislature by concurrent resolution to extend to a date certain, or deny the extension of, a proclamation of a state of emergency timely requested by the governor beyond sixty days of its issuance, unless the legislature fails to take action, in which case the state of emergency is automatically extended for sixty days.

The Hawaii Emergency Management Agency **opposes** House Bill 103.

This bill would add section 127A-14(e), HRS, to specify termination dates for a proclamation of a state of emergency of up to sixty days after the issuance of the proclamation with a possible sixty day extension which could be denied by the Legislature, and section 127A(f), HRS, to allow for a separate proclamation of a state of emergency of up to sixty days with the adoption of a concurrent resolution of the Legislature. These amendments would severely limit the Governor's duties and legal obligations to provide for the public health, safety, and welfare by limiting his ability to determine the duration of a state of emergency or disaster within the State. The necessary flexibility to protect the public is currently properly with the executive branch of government, subject to the laws, support, and limitations imposed by the Legislature.

While section 127A-14(e) includes a proviso that would allow the Governor to extend the declaration of a state of emergency if the Legislature agrees via concurrent resolution, or automatically if the Legislature fails to act within a specified time, the reality is that the bill strips the Governor and the emergency management structure in Hawaii of their authority and capability to provide for the public

health, safety, and welfare in the event the Legislature is unable to reach an agreement and issue a concurrent resolution to continue a state of emergency. The requirement that the Governor make the request for an extension to the Legislature no later than twelve days prior to the expiration of the emergency period, including county emergencies, may create a situation where necessary ongoing emergency actions must be abruptly halted causing confusion or inadvertently reversing progress made by the emergency action. The ultimate decision to cease emergency operations should be within the emergency management structure as established by the Legislature specifically for that purpose.

The Department of the Attorney General also notes that the Legislature currently has oversight controls, if needed. For example, section 127A-11, HRS, requires the Governor to submit requests to the Legislature every year seeking moneys for the Major Disaster Fund, which allows the Legislature to review the use of those moneys in addition to budget requests. Section 127A-11 also requires the Governor to report to the Legislature no later than sixty days after any allotment or expenditure of any fund moneys from the Major Disaster Fund to account for the purpose of the allotment or expenditure. The Legislature has the authority to hold hearings on all rightful subjects of legislation not inconsistent with the Constitution of the United States or the State of Hawaii.

Thank you.

Luke P. Meyers: Luke.P.Meyers@hawaii.gov; 808-733-4300

LATE

HB-103-HD-1

Submitted on: 2/24/2021 9:19:24 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ed Sniffen	Individual	Support	No

Comments:

I am with DOT and am available for comments.

LATE

HB-103-HD-1

Submitted on: 2/24/2021 9:24:24 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ed Sniffen	Individual	Support	No

Comments:

I am with DOT and am available for comments.

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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

February 22, 2021

TESTIMONY OF FELICIA COWDEN,
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 103, HD1, RELATING TO EMERGENCY POWERS
House Committee on Finance
Wednesday, February 24, 2021
2:00 p.m.
Via Videoconference
Conference Room 308

Dear Chair Luke and Members of the Committee:

Thank you for this opportunity to provide testimony in support of HB 103, HD1, Relating to Emergency Powers. My testimony is submitted in my individual capacity as a Member of the Kaua'i County Council.

I SUPPORT HB 103, HD1, in its intention to require the governor to include the legislative body as the 60-day termination window of an emergency proclamation approaches with a required concurrent resolution by the legislature to extend the emergency window if they chose to act, as one of the three termination criteria.

It should not be that one affirmative vote by the State legislature can begin an emergency proclamation, thus allowing for an indefinite extension of the emergency beyond the sixty days as the governor's sole prerogative. Conditions surrounding an emergency continuously change the nature of an appropriate strategy. The intention of the Constitution of the State of Hawai'i is to maintain a balance of power in important decision processes. The emergency proclamation powers given to the governor, based on his OPINION, through Section 127A-14 is too extraordinary to not embed and encourage a routine level of control by the legislature.

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

AMK:mn

Hawaii
Holding Power Accountable

Statement Before The
HOUSE COMMITTEE ON FINANCE
Wednesday, February 24, 2021
2:00 PM
Via Videoconference, Conference Room 308

in consideration of
HB 103, HD1
RELATING TO EMERGENCY POWERS.

Chair LUKE, Vice Chair CULLEN, and Members of the House Finance Committee

Common Cause Hawaii provides written comments on HB 103, HD1, which (1) clarifies that the powers granted for emergency purposes shall not be inconsistent with the state constitution, (2) provides parameters for the duration of suspension of laws and requires justification for the suspension, (3) requires approval of the legislature by concurrent resolution to extend to a date certain, or deny the extension of, a proclamation of a state of emergency timely requested by the governor beyond sixty days of its issuance, unless the legislature fails to take action, in which case the state of emergency is automatically extended for sixty days, and (4) allows the authorization of the issuance of a separate proclamation arising from the same emergency or disaster as a previous proclamation that expired, upon request of the governor and adoption of a concurrent resolution by the legislature.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening democracy through promoting ethics, accountability, and transparency in our democratic form of government.

When the COVID-19 pandemic first impacted Hawaii, Governor Ige partially suspended the Sunshine Law (Hawaii Revised Statutes (HRS) Chapter 92) and completely suspended the public records law (HRS Chapter 92F). See Supplementary Proclamation Related to the COVID-19 Emergency dated March 16, 2020 https://governor.hawaii.gov/wp-content/uploads/2020/03/2003109-ATG_COVID-19-Supplementary-Proclamation-signed.pdf. By Governor Ige's Seventh Emergency Proclamation, guidance was provided for the Sunshine Law to allow for remote meetings but the public records law was still suspended "to the extent they contain any deadlines for agencies, including deadlines for the OIP, relating to requests for government records and/or complaints to OIP." See Seventh Supplementary Proclamation Related to the COVID-19 Emergency dated May 5, 2020 https://governor.hawaii.gov/wp-content/uploads/2020/05/2005024-ATG_Seventh-Supplementary-Proclamation-for-COVID-19-distribution-signed-1.pdf at Exhibit H. Currently, there is a Eighteenth Emergency Proclamation Related to the COVID-19 Emergency dated February 12, 2021, which will expire on April 13, 2021. Remote meetings are still permitted under the Eighteenth Emergency Proclamation in the same manner since the Seventh Emergency Proclamation. However, under the Eighteenth Proclamation, public records may now be requested but timelines for responding may still be suspended under certain limited parameters. See https://governor.hawaii.gov/wp-content/uploads/2021/02/2102078-ATG_Eighteenth-Proclamation-Related-to-the-COVID-19-Emergency-distribution-signed.pdf at Exhibit F.

During regular times and especially during these pandemic times, it is vitally important that the people be able to have access to their government and know that their government is functioning properly and in the best interest of the people. Without being able to request public records and timely receive them, government is shutoff from public oversight and accountability, which are necessary for a functioning democracy. HRS Chapter

92F, the public records law, must be completely and fully restored if we are to have any trust and confidence in our government. Thank you for the opportunity to provide comments in support of HB 103, HD1. If you have questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii





49 South Hotel Street, Room 314 | Honolulu, HI 96813
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HOUSE COMMITTEE ON FINANCE
Wednesday, February 24, 2021, 2 pm, State Capitol Room 308
HB 103, HD 1
Relating to Emergency Powers

TESTIMONY

Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair Luke and Committee Members:

The League of Women Voters of Hawaii supports the intent, but requests amendment of HB 103, HD 1. Regardless of the nature of the “emergency”, neither the Governor nor any Mayor should be authorized to suspend the public’s statutory right to see public records. For that reason, we request that HB 103, HD 2 incorporate SB 134 by adding a new Section which reads as follows:

SECTION . Chapter 127A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

*"§127A- **Suspension of certain record requests; prohibited.** The governor or the mayor shall not, through any proclamation or declaration of emergency or any rule or order adopted pursuant to this chapter, suspend requests for:*

- (1) Public records pursuant to part II of chapter 92F; or*
- (2) Vital records or statistics pursuant to sections 338-18 or 338-18.5."*

Thank you for the opportunity to submit testimony.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-First Legislature, State of Hawaii
House of Representatives
Committee on Finance

Testimony by
Hawaii Government Employees Association

February 24, 2021

H.B. 103, H.D. 1 – RELATING TO EMERGENCY POWERS

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 103, H.D. 1 which requires legislative approval via concurrent resolution to extend or deny a proclamation of a state of emergency, clarifies that emergency powers shall not be inconsistent with the state constitution, and provides parameters & requires justification for the suspension of laws. We appreciate the amendments from the Committee on Pandemic and Disaster Preparedness made in the H.D. 1.

Needless to say, the COVID-19 worldwide pandemic immediately and significantly impacted every person in our state, therefore it was appropriate for the Governor to take action to provide relief for damages and to protect our health, safety, and welfare by suspending some laws via emergency proclamation in March 2020. However, as we embark on the 11th month of the pandemic and the 18th Proclamation, the great majority of us are now functioning in a “new normal,” therefore we respectfully question the need to continuously suspend a wide variety of state laws. This measure appropriately provides a necessary legislative check and balance to the executive by requiring legislative approval via concurrent resolution to extend or deny a state of emergency. The amendments in the H.D. 1 strengthen the intent of the measure by ensuring that the Governor’s emergency powers do not supersede rights enshrined in our State Constitution and clarifying the breadth of the Executive’s suspension of laws by identifying which specific sections of law are being suspended and what emergency functions will be facilitated by the suspension.

It is contrary to our democracy for any one individual to have unilateral authority to suspend laws indefinitely without a mechanism for public input and review. Passage of this measure will ensure that emergency actions are balanced, constitutional, and justifiable. Thank you for the opportunity to testify in strong support of H.B. 103, H.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director



THE HEARTLAND INSTITUTE
FREEDOM RISING

LATE

**Testimony Before the Hawaii House Committee on Finance
on House Bill 103, restoring the state legislature's role in emergency management**

**The Heartland Institute
February 24, 2021**

Madam Chairperson, Members of the Committee:

Thank you for holding a hearing on House Bill 103, legislation that reforms Hawaii's emergency declaration and preparedness statutes. This is the exact right time for legislators to have this conversation. In the haze of crisis of an emerging and evolving global pandemic, clear-eyed analysis is a very real challenge for governors and legislators and the courts. Yet now, as we are a year into the pandemic and robust data is available and examples of successes and failures by governors are reviewed, lawmakers are well-within their authority to assert themselves into this important discourse.

My name is Cameron Sholty, and I am the Director of Government Relations at The Heartland Institute. The Heartland Institute is a 37-year-old independent, national, nonprofit organization whose mission is to discover, develop, and promote free-market solutions to social and economic problems. Heartland is headquartered in Illinois and focuses on providing national, state, and local elected officials with reliable and timely research and analysis on important policy issues.

Some states have had tremendous success in managing the government response to the pandemic while others' responses have been haphazard and seemingly without rhyme or reason. Yet in nearly all cases, the governors have acted with little to no input from the legislative branch and as the elected representatives from your communities, you have an obligation to be involved in those decisions, to be fully aware of the processes and rules being instituted, and to be engaged while the public and the economy remains unsettled.

The governors of California and New York have given us good examples of how this power grab and unitary action can cost lives and decimate a state's economy while states like Florida, Texas, and North Dakota have given us models to review on managing the reopening their states while balancing the public health crisis' mitigation. Governors are not gods.

The concept undergirding HB 103 isn't complicated: it restores the authority of the legislature as a co-equal branch of government. It is as it was designed to be.

Last spring and summer, The Heartland Institute developed a set up principles that legislatures could reference in advance of this very moment, when they started to reassert their oversight and co-equal role of the executive branch. This legislation abides many of those guides:

1. Resolutions to (or can) immediately nullify an emergency proclamation

2. Time Certain duration of an emergency order (renewed by legislature)
3. Pass a resolution that requires the governor to call a special session to approve of an emergency proclamation if the legislature is out of session
4. Permit an interim committee or group of legislative leaders to extend or reject emergency proclamations.
5. Impose specific limits to executive authority during an emergency proclamation. (i.e., restrict the governor from unilaterally closing businesses, closing houses of worship, or shutting down freedom of the press and the right to bear arms.)

From sea to shining sea, there is an appetite among state lawmakers to reassert themselves into the debate and processes over public health and other states of emergency. Co-equal governance is a bedrock American principle and Georgia has an opportunity to set an example to the tens of states that are also looking at reining in executive authority.

I want to thank Representative Nishimoto for crafting legislation with righteous goals and aims. As has been seen all over the country – from New Hampshire to Ohio to New Mexico to California – the frustration with governors run amok is a purple problem and not exclusive to solely blue states or solely red states. This bill lays out a clear direction for the full restoration of co-equal governance and only politics will be what prevents ideas like this from moving forward.

Thank you for your time and consideration on this important issue.

For more information about The Heartland Institute's work, please visit our websites at www.heartland.org or <http://news.heartland.org>, or call Cameron Sholty at 312/377-4000. You can reach Cameron Sholty by email at csholty@heartland.org.



MAUI

CHAMBER OF COMMERCE
VOICE OF BUSINESS

**HEARING BEFORE THE HOUSE COMMITTEE ON FINANCE
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 308
WEDNESDAY, FEBRUARY 24, 2021 AT 2:00 P.M.**

To The Honorable Sylvia Luke, Chair;
The Honorable Ty J.K. Cullen, Vice Chair; and
Members of the Committee on Finance,

OPPOSE HB103 HD1 RELATING TO EMERGENCY POWERS

Aloha, my name is Pamela Tumpap. I am the President of the Maui Chamber of Commerce, in the county most impacted by the COVID-19 pandemic in terms of our dependence on the visitor industry and corresponding rate of unemployment. I am writing share our opposition to HB103 HD1.

When it comes to disasters, the key is the ability to quickly make decisions and take appropriate action to assist in recovery efforts. Hawaii is both a multi-island state and separated from the continental U.S., which makes fast decisions even more critical as we cannot drive for additional resources and the urgency of decision making often has a huge impact on our economic, health and local community recovery. Therefore, any action that could delay the Governor from extending a proclamation is problematic.

Further, this bill could also force legislators to be called back for special sessions, increasing the cost of providing government services and delaying decision making. If Legislators have concerns with the Governor's actions, we hope they would engage in a conversation to share thoughts and suggestions and try to work toward winning solutions together.

Mahalo for your consideration of our testimony and ask that you please defer this bill.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

HB-103-HD-1

Submitted on: 2/22/2021 11:07:38 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Streitz	Individual	Support	No

Comments:

This bill is helpful to reduce imbalances of power. Even in emergencies, it can be harmful to society for any one individual to have unilateral decision-making authority for an extended length of time. By allowing the legislative body to be involved after an initial emergency order is declared, there can be more oversight and representation into the process. The bill offers a good compromise through an automatic extension of the order should the legislative body fail to take action, such as if it agrees with the order or the nature of the emergency prevents such action.

HB-103-HD-1

Submitted on: 2/23/2021 8:35:54 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Julie Folk	Individual	Support	No

Comments:

Please pass this bill so that future governors cannot hold the citizens of the State of Hawaii hostage ever again. Further, I feel this bill would be more effective by changing the language to REQUIRE legislative approval/denial of emergency declaration extensions beyond the 60 days already in the law.

HB-103-HD-1

Submitted on: 2/23/2021 10:45:49 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michdelle Melendez	Individual	Support	No

Comments:

This is the first measure that makes me feel like you are considering the people. The Governor is not the king of Hawaii! One man should not have sole power to close the state and continue to keep unconstitutional mandates against people's liberty. This should have been in place in the beginning of this maddness!

I have not idea why it says effective 7/1/2050. What are you doing over there?!!!!

Millions have died for the constitution and having one man disregard it so easily is a crime against the people and dishonors those who fought and died for this country.

HB-103-HD-1

Submitted on: 2/23/2021 11:26:47 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
simplicity love	Individual	Support	No

Comments:

i am support of hb103. Emergency purposes shall not be inconsistent with the state constitution.

thank you

HB-103-HD-1

Submitted on: 2/23/2021 11:37:01 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
golde wallingford	Individual	Support	No

Comments:

" The purpose of this act is to amend the emergency management laws to address pandemics and provide greater protections for essential workers." This statement says it all. What about the protections for those of us not deemed "essential workers"? First of all who deems anything an "emergency"? One man? IGE? Who is the "manager" of this "emergency"? IGE? Who deems a person an "essential worker"? A pretty broad ranging phrase. This "pandemic" is nothing more than a flu. The statistics from numerous credible doctors and scientists show that this is no more than a flu. There are two sides to every story and this story is not about "looking out for our health and welfare", it is about CONTROL. This act is just another nail in the coffin; another way to take away our freedoms and the right to oppose what is being shoved down our throats. Credible information from doctors and scientists who question the propaganda spewed in the media have been censored because it doesn't follow the propaganda put forth by BIG PHARMA and certain government agencies. This "planeddemic" is about brainwashing the people through fear and false information, only to gain more control over our rights. How has this current governor protected any of us here in Hawaii? By taking away our freedoms by subscribing to false information from the likes of Fauci? Statistics show that this flu is no more deadly than past flus. Infact the statistics show that the numbers afflicted this year are less than past years. People are not dying of covid. Some whose health is already compromised by underlying illnesses may die "with" covid....but not of it. The statistics have been falsified to make a case for the pandemic. Hospitals are not over run. Our health is being compromised by wearing masks that DO NOT help us, but instead hinder our right to breath fresh air. Masks do more harm than good. There is credible science to back this up. WE ARE BEING DENIED THE RIGHT TO BREATHE FRESH AIR. People have been denied their right to work. People are being denied of all rights. To gather with loved ones. To travel. This is the greatest crime ever perpetrated against humanity by our governments and the world through the brainwashing propagandized to accomodate the agendas to benefit BIG PHARMA and government control. Follow the money. Not all of us have bought the fear mongering agenda and succumbed to fear. Many of us have researched our own avenues to seek the truth. And many of those credible truths that buck the narrative of government have been censored. This bill HB103 is an atrocity and an outrage. It would turn this land of Aloha into a police state. It is a complete violation of the Equal Protection Clause of our Constitution. This bill should NEVER see the light of day. If asked, I can show plenty of information to back up everything I have claimed here.

HB-103-HD-1

Submitted on: 2/23/2021 11:37:31 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Duane Sosa	Individual	Support	No

Comments:

Aloha!!!

My name is Duane Sosa. I am humbly submitting testimony in SUPPORT of HB103. I am hopeful this Legislation will pass.

Mahalo!!!

HB-103-HD-1

Submitted on: 2/23/2021 11:38:17 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Brizee	Individual	Support	No

Comments:

i strongly support this bill

HB-103-HD-1

Submitted on: 2/23/2021 11:43:29 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Kerr	Individual	Support	No

Comments:

I stongly support this bill and hope that you will help the citizens of Hawaii start to regain their lives and livelihoods. I don't know how many businesses will ever recover. We've flattened the curve (the original reason for the lockdowns) and Hawaii COVID numbers are now very low. Hospitals have NEVER been overwhelmed. At this point it is an irrational, unscientific lockdown. Schools need to be open completely -including extra-cirricular activities.

We are tired of legislators & the Governor always bowing down to all public sector unions, but especially to the HSTA.

By the CDC's own admission, "Dying from COVID is only 6% of the reported cases". Dying with COVID is not the same as dying because of COVID. This has gone on long enough and Governor Ige's extension after extension has shown that the legislature needs to get involved to prevent this unconstitutional, unilateral action on the part of the Governor and to insure it will no longer be tolerated, today or in the future.

HB-103-HD-1

Submitted on: 2/23/2021 12:00:41 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alexis Cox	Individual	Oppose	No

Comments:

SB 103 gives authority to determine that people are causing unrest when protesting, which is a protected right by the constitution. It is unlawful to cite protestors and gives way too much leeway to police officers as well as government officials and judges to quell dissenting voices and opinions, which is un-American. Homeless people do not have anywhere to go and it cannot be deemed illegal to have no home. Perhaps work in housing, tourism and development can ease homelessness in a way punishing those who suffer from it, cannot. Please oppose this bill.

Mahalo,

Alexis Cox

Hawaii island resident

HB-103-HD-1

Submitted on: 2/23/2021 12:02:41 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chantel Durelli	Individual	Support	No

Comments:

As a tax paying citizen, I lost 4 jobs to COVID, one of which I had to close my physical address down as my commercial landlord would not forgive any of the 4 mos I was mandated to be closed (cirque-us arts center/gym). Therefore, to close businesses or create such tight regulations for opened businesses again due to "A STATE OF EMERGENCY" when our infected or fatal numbers simply are NOT showing this, is economic suicide. Plus, businesses are JUST starting to get back on our feet & we cannot afford financially or emotionally this freeze in life again. Although PUA has been life saving (thank you), I do not want to depend on my government like this ever again & I would like to get back to work asap!

HB-103-HD-1

Submitted on: 2/23/2021 12:17:41 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jack Ebner	Individual	Support	No

Comments:

To Whom It Concerns:

I support this Bill honoring the law that's already in place and that it should be followed exactly as written. There is nothing in that Law that gives a Governor the power to extend any order indefinitely as he has done, and, in the process, has pretty well destroyed the economy of Hawaii and the lives of countless numbers of people. I can state with complete accuracy and conviction that he has based his decisions on false, albeit fraudulent information and the numbers over the past 12 months are a testament to what I'm saying here. According to The CDC, the overall number of people who've died from all cause mortality in the United States, has remained pretty much constant over the last 20 years. So what am I saying? Based on CDC data, THERE IS NO PANDEMIC. If there were, the number of deaths would obviously go way up but they have not. So how are you folks going to vote? Your choice is very simple - you can either vote for more totalitarian takeover of Hawaii and its people and the continued destruction of the economy and everyone's lives or you can vote to end this total nonsense and get everything back to the way it was before this tyrannical medical scam began last March. Oh, btw, did I mention that I'm a Ph.D. Physiologist and that there's no such thing as human to human contact transference of disease other than from the pregnant mother to the developing fetus. If you believe otherwise, you need to do your own due diligence. Don't be duped by Rockefeller Medicine. Your life probably depends on your knowing the difference between Rockefeller Symptom treating business versus real scientific healthcare based on Health by Healthful Living cause Health is only produced by healthful living...Mahalo

HB-103-HD-1

Submitted on: 2/23/2021 12:31:53 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
jennifer carman	Individual	Support	No

Comments:

STRONGLY SUPPORT!

we have been abused by tyrannical government overreach.
we the people do not need to be ruled by a dictatorship!!!

HB-103-HD-1

Submitted on: 2/23/2021 12:45:07 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mara Stevens	Individual	Support	No

Comments:

I strongly support HB 103. It is extremely important and part of our Democratic Republic that powers granted for emergency purposes be ABSOLUTELY consistent with our Hawaii State Constitution! We must protect our constitution from being violated. PLEASE vote for the approval of HB 103.

Thank you very much and aloha,

Mara Stevens (Sacred Wisdom Healing)

HB-103-HD-1

Submitted on: 2/23/2021 12:47:36 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
brett sherwood	Individual	Support	No

Comments:

I support this bill

This measure clarifies that the powers granted for emergency purposes shall not be inconsistent with the state constitution.

HB-103-HD-1

Submitted on: 2/23/2021 12:58:42 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca Miller	Individual	Support	No

Comments:

I support HB 103

HB-103-HD-1

Submitted on: 2/23/2021 1:24:49 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joanna Weber	Individual	Support	No

Comments:

I **SUPPORT** HB103.

MAHALO & ALOHA,

JOANNA WEBER

HB-103-HD-1

Submitted on: 2/23/2021 1:25:49 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Brown	Individual	Support	No

Comments:

I am in support of HB103 HD1 to restore checks and balances to our local government by reinstating the rightful duties of the legislature during times of emergency. During the past year, our citizens have been subjected to arbitrary and irrational rules that precluded us from enjoying our constitutional freedoms. At the same time, many of our livelihoods and financial security were decimated (and this continues almost 1 year hence).

Children were deprived of their educations, sports, friends; adults were deprived of physical contact, attending weddings and funerals; whole businesses shut down for a death rate far lower than the average number of people who die in Hawaii of the flu or from accidents each year.

This should never be allowed to happen again. Citizens must have the right to redress through their elected representatives. We are a Democratic Republic, not a monarchy.

Thank you for addressing this much needed revision to the law.

Laura Brown

HB-103-HD-1

Submitted on: 2/23/2021 1:31:17 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Christina Kohr	Individual	Support	No

Comments:

I strongly support this bill.

State of Hawaii House of Representatives
HB 103 Relating to Emergency Powers
TESTIMONY IN SUPPORT

TESTIFIER: Craig Dansie
DATE: February 23, 2021

Good afternoon,

My name is Craig Dansie and I am a man currently domiciled in Hawaii in the County of Honolulu My address is 150 Hamakua Drive #304, Kailua, HI. After reading HB 103 and current testimony, I am writing my testimony in **STRONG SUPPORT** of HB 103 related to Emergency Powers.

I SUPPORT HB 103 because there needs to be clear checks and balances in the three branches of government. We don't need a dictatorship.

The endless governor proclamations this last year was predicated on the belief that there was a pandemic.

The statistics are in! Have you looked up the death rate in America from all causes for 2019 and 2020?

They are about the same at 8 deaths per 1000 people. Don't you think if there was a real pandemic, the death rate in 2020 should have been much higher than in 2019?

How many people do you know personally that have died of covid?

How many people do you know that have lost their jobs or businesses due to the use of "emergency" powers?

How many tourists have been arrested and jailed because of these "emergency" powers over a "pandemic" that wasn't?

Checks and balances need to exist to protect rights and life.

Please vote YES on HB 103.

HB-103-HD-1

Submitted on: 2/23/2021 2:06:45 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cheri Ann Kukahiko	Individual	Support	No

Comments:

I STRONGLY SUPPORT BILL HB103

HB-103-HD-1

Submitted on: 2/23/2021 2:55:40 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
paula johnson	Individual	Oppose	No

Comments:

Im in strong opposition of Bill HB103.

HB-103-HD-1

Submitted on: 2/23/2021 3:46:25 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Estelle Cruse	Individual	Oppose	No

Comments:

YOU CAN NOT PASS A LAW THAT IS UNCONSTITUTIONAL! This is unconstitutional so therefore it is void.

HB-103-HD-1

Submitted on: 2/23/2021 3:58:19 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Heidi McKeague	Individual	Oppose	No

Comments:

I strongly oppose HB 103. I do not support that the mayor and governor has the sole power to make decisions for an entire population, or that water, electricity, or internet can be shut off at the whim of a dictator. I also am curious why are we writing bills to be enacted in the year 2050?!! What future pandemic are we anticipating (or planning as with Event 201-Gates), where we need to write a law 28 or 29 years in advance?!!

HB-103-HD-1

Submitted on: 2/23/2021 8:16:01 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Grabow	Individual	Support	No

Comments:

I support the measure that clarifies - that the authority granted for emergency purposes, cannot over-step the Constitution, and be in violation of basic human rights.

Mahalo for listening

Donna Grabow

82 Hoku Street

Hilo, Moku o Keawe

HB-103-HD-1

Submitted on: 2/23/2021 8:30:22 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Thompson	Individual	Support	No

Comments:

I support clarification in relationship to the powers granted to governor and mayor for emergency purposes shall not be inconsistent with the state constitution and should have time limits of no longer than 60 days.

Why is the effective date listed as **7/1/2050**?

HB-103-HD-1

Submitted on: 2/23/2021 9:55:05 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Diamond	Individual	Support	No

Comments:

Dear Legislators,

THANK YOU FOR READING MY TESTIMONIES. I strongly support HB 103 as it stands for righteous and just measure. Who wouldn't support such a bill? Who would doubt that powers for emergency purposes shall be in agreement with the state constitution and not inconsistent with it?

Please vote your conscience and know that you are held accountable for every action as one entrusted by oath with protecting our Constitution.

Mahalo!

HB-103-HD-1

Submitted on: 2/23/2021 10:21:01 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Greg J. Patterson	Individual	Support	No

Comments:

There are real-world consequences of the CDC's actions throughout COVID-19.

So far, more than 30,000 emails have been sent to key congressmen charged with federal agency oversight, asking them to formally investigate the CDC. You can join fellow advocates and put pressure on your federal officials to launch an investigation as well.

The corrupt CDC broke multiple federal laws when it changed COVID-19 reporting metrics (there is solid evidence). The entire health "emergency" has been driven by bad data. And that data is the reason our country is facing unprecedented turmoil, from unending lockdowns and a multitude of restrictions that have been placed on citizens for nearly a year now.

Restrictions and clarifications on "emergency" powers are needed!

HB-103-HD-1

Submitted on: 2/23/2021 10:54:58 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy C. Patterson	Individual	Support	No

Comments:

Emergencies are temporary, not endless!

HB-103-HD-1

Submitted on: 2/23/2021 11:16:26 PM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joe Fagundes	Individual	Support	No

Comments:

The current situation is a dramatic demonstration of abuse of the Governor's Emergency Declaration Powers under HRS-127A-13. The 18 extensions of the 60 day emergency period provided by statute have never been authorized by the Legislature, nor are they consistent with the statute. Requiring that such proclamations in the future comply with the State Constitution is a good first step to check the abuse.

I strongly support this bill.

Respectfully,

Joe Fagundes

HB-103-HD-1

Submitted on: 2/24/2021 12:10:15 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Hunter C. Patterson	Individual	Support	No

Comments:

Amen! Mahalo! God bless you!

HB-103-HD-1

Submitted on: 2/24/2021 1:57:45 AM

Testimony for FIN on 2/24/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brigitte Otto	Individual	Support	No

Comments:

For good reasons, a state of emergency does not suspend the constitution. Otherwise, there would be too much room for abuse. Any unusual or even not so unusual situation could be used as an excuse for a power grab.

HB-103-HD-1

Submitted on: 2/24/2021 10:23:18 AM
Testimony for FIN on 2/24/2021 2:00:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Donna Worden	Individual	Support	No

Comments:

Our Constitutions exist for good purpose and have served citizens better than any other governments previously known about, here on Planet Earth.

Neither the Constitution for Hawaii, nor the Constitution for the United States of America, should EVER be disregarded as they have been for the past several months.

From www.cdc.gov/.../index.htm , All Cause Total Death Rate for 2020 (provisional, data as of 2-19-21) is 3,352,084.

From www.cdc.gov/.../deaths.htm 2019 death count is 2,854,838.

$3,352,084 - 2,854,838 = 544,820$ more deaths than 2019. Since population increases every year, what is the change in the death rate?

From www.worldometers.info/.../us-population , US population for 2020 is 331,002,651. $3,352,084 / 331,002,651 = 1.013\%$ died in 2020.

From www.cdc.gov/.../deaths.htm , 2019 death rate was 869.7 deaths per 100,000 or 0.870%. $1.013\% - 0.870\% = 0.143\%$ increase in death rate from 2019 to 2020.

THE WORLD HEALTH ORGANIZATION CHANGED THE DEFINITION OF PANDEMIC. **There could not have been a declared pandemic in 2020 except due to the 2008 changes to the definition of "pandemic." Prior to 2008, that required an INCREASE IN DEATH RATE OF 1.0%. An increase in one-tenth of one percent absolutely did not constitute a pandemic.**