

STAND. COM. REP. NO.

1458

Honolulu, Hawaii

MAR 21 , 2025

RE: S.B. No. 353
S.D. 2
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 353, S.D. 2, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit the Governor or a mayor from suspending agency response deadlines for certain public records or vital records or statistics during a state of emergency;
- (2) Add a definition of the term "severe warning";
- (3) Limit the authority of the Governor or a mayor to suspend laws during states of emergency; and
- (4) Allow the Legislature and county councils to terminate, by an affirmative two-thirds vote, a state of emergency, in whole or in part, issued by the Governor or a mayor, respectively.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii; Society of Professional Journalists Hawaii Chapter; Grassroot Institute of Hawaii; Public

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First Law Center; Libertarian Party of Hawaii; and three individuals. Your Committee received testimony in opposition to this measure from the Department of Human Services and Department of Defense. Your Committee received comments on this measure from the Office of Information Practices and one individual.

Your Committee finds that prohibiting the suspension of requests for certain public records and vital statistics by the Governor or county mayors during a state of emergency will ensure transparency in government related activities during a period when the publication of information is critical.

Your Committee has amended this measure by:

- (1) Clarifying that the Governor or a mayor is prohibited from suspending agency response deadlines for all public records during a state of emergency;
- (2) Changing the defined term "severe warning" to "severe weather warning", as used in chapter 127A, Hawaii Revised Statutes, relating to emergency management;
- (3) Deleting language that would have amended when the governor assumes direct operational control over all or any part of the emergency management functions within an affected area;
- (4) Clarifying that a county council may terminate a state of emergency declared by a mayor by an affirmative vote of two-thirds of the members to which the council is entitled; and
- (5) 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 S.B. No. 353, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 353, S.D. 2, H.D. 2.



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



DAVID A. TARNAS, Chair



