STAND. COM. REP. NO. 706

Honolulu, Hawaii

Monh 6, 2009

RE: H.B. No. 1537 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1537 entitled:

"A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS,"

begs leave to report as follows:

The purpose of this bill is to specify that any person, including an employer, that provides for an automatic external defibrillator (AED) program shall not be vicariously liable for any civil damages resulting from any act or omission by a Good Samaritan attempting to use an AED, except as may result from gross negligence or wanton acts or omissions.

The Department of Health, American Heart Association, AED Institute of America, Inc., and several individuals testified in support of this bill.

Your Committee has amended this bill by making technical, nonsubstantive amendments for clarity.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1537, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1537, H.D. 1.

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Respectfully submitted on behalf of the members of the Committee on Judiciary,

JOYRIKI KARAMATSU, Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature

HSCR 706

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:	Date	e: / 1 .	
HB 1537	HLT, JUD		2/24/0	9
☐ 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)				-a-
2. ITO, Ken (VC)	V			
3. BELATTI, Della Au	V	and the second of the second o	111111111111111111111111111111111111111	
4. CABANILLA, Rida				
5. CARROLL, Mele		100		
6. HERKES, Robert N.				
7. LUKE, Sylvia				
8. McKELVEY, Angus L.K.				
9. MIZUNO, John M.				
10. MORITA, Hermina M.11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift				
14. WAKAI, Glenn				
15. MARUMOTO, Barbara C.				,
16. THIELEN, Cynthia				
		-		
TOTAL (16)				5
The recommendation is: Adopted Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				