STAND. COM. REP. NO.

Honolulu, Hawaii FEB 1 1 2010

RE: S.B. No. 2202 S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Madam:

Your Committee on Public Safety and Military Affairs, to which was referred S.B. No. 2202 entitled:

"A BILL FOR AN ACT RELATING TO THE CIVIL DEFENSE AND EMERGENCY ACT,"

begs leave to report as follows:

The purpose of this measure is to provide immunity from liability for voluntarily providing private shelter in case of natural or man-made disaster.

Your Committee received comments from the State Civil Defense. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that existing law in section 128-19, Hawaii Revised Statutes, provides immunity from liability of a private shelter in times of enemy attack. However, there is no comparable provision in chapter 127, Hawaii Revised Statutes, pertaining to natural disasters. The clear intent of the measure is to provide immunity from liability for providing shelter in case of natural disaster rather than in case of enemy attack.

Your Committee has amended this measure by amending section 127-7, Hawaii Revised Statutes, rather than section 128-19, Hawaii Revised Statutes, to provide immunity from liability in case of natural disasters.



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As affirmed by the record of votes of the members of your Committee on Public Safety and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2202, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2202, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

> Respectfully submitted on behalf of the members of the Committee on Public Safety and Military Affairs,

WILL ESPERO



The Senate Twenty-Fifth Legislature State of Hawaii

Record of Votes Committee on Public Safety and Military Affairs PSM

Bill / Resolution No.:* SB 2202	Committee PSM,		Da	te:	290
The committee is reconsidering its previous decision on this measure.					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)		L			
BUNDA, Robert (VC)					1
ENGLISH, J. Kalani		4			
GABBARD, Mike		\checkmark			The month
GALUTERIA, Brickwood		\checkmark			
KIDANI, Michelle N.		\mathbf{V}			Sett mak
HEMMINGS, Fred		an an a ¹	: .		mur
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TOTAL		5 %			2
Recommendation:					
Chair's or Designed's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes