

STAND. COM. REP. NO.

143

Honolulu, Hawaii

FEB 19 2009

RE: S.B. No. 358
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Public Safety and Military Affairs, to which was referred S.B. No. 358 entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose of this measure is to prohibit the seizure of firearms or ammunition from a person that has a permit to carry or possess the firearms or ammunition and who is using the firearms or ammunition in a lawful manner during an emergency or natural disaster.

Testimony in support of this measure was submitted by nineteen individuals. Testimony in opposition of this measure was submitted by one state agency and one individual. Copies of written testimony on this measure are available for review on the Legislature's website.

Your Committee finds that during times of emergencies, civil crisis, or natural disasters it is important for persons to have the privilege of exercising their constitutional rights in a lawful and appropriate manner. Specifically, allowing a person, that has obtained a valid permit to carry a firearm or ammunition, to use a firearm or ammunition in a lawful manner to protect themselves, their family, and property during an emergency, civil crisis, or natural disaster is sensible and appropriate.


Your Committee has amended this measure by:



- (1) Removing the Governor's civil defense powers to compel RHo blood typing on females of child bearing age or younger and other blood typing approved by competent medical authority;
- (2) Changing the effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity.

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. 358, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 358, 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, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:* SB 0358	Committee Referral: PSM, JGO	Date: 2-3-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	X			
BUNDA, Robert (VC)	X			
ENGLISH, J. Kalani	X			X hb
GABBARD, Mike	X			
GALUTERIA, Brickwood	X			
KIDANI, Michelle N.	X			
HEMMINGS, Fred	X			
TOTAL	7			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee'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**