

STAND. COM. REP. NO.

950

Honolulu, Hawaii

March 11, 2011

RE: S.B. No. 170
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committees on Public Safety & Military Affairs and
Transportation, to which was referred S.B. No. 170, S.D. 1,
entitled:

"A BILL FOR AN ACT RELATING TO SHIPPING CONTAINER
INSPECTIONS,"

beg leave to report as follows:

The purpose of this bill is to authorize the Department of
Defense and the Department of Transportation to inspect any
shipping container situated anywhere at any commercial harbor in
the State to detect and confiscate any material constituting a
threat directly or indirectly to the security of life and property
in Hawaii, including explosives, but excluding regulated
fireworks.

The State Fire Council, Honolulu Fire Department, County of
Maui Department of Fire & Public Safety, Kauai Fire Department
supported the intent of this bill. The Department of
Transportation opposed this measure. The Department of Defense
offered comments.

Your Committees have amended this bill by accepting technical
changes to Chapters 128 and 266 of the Hawaii Revised Statutes
(HRS). The proposed addition to Chapter 128, HRS, giving the
Department of Defense the statutory authority to inspect shipping
containers may be technically inappropriate as Chapter 128, HRS

SB170 HD1 HSCR PBM-TRN HMS 2011-2847

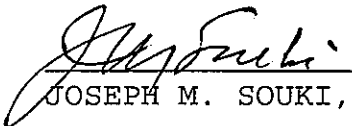


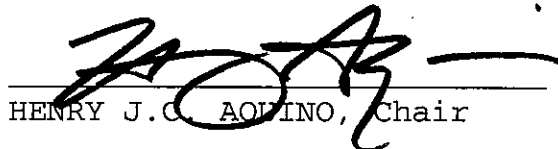
applies to the authorities and responsibilities of the director of civil defense and civil defense agencies; therefore, it is suggested that:

- (1) The "department of defense" should be changed to the "director of civil defense"; and
- (2) The "department of defense" should be changed to "state civil defense."

As affirmed by the records of votes of the members of your Committees on Public Safety & Military Affairs and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 170, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 170, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety &
Military Affairs and
Transportation,


JOSEPH M. SOUKI, Chair


HENRY J. AQUINO, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 950

Record of Votes of the Committee on Public Safety & Military Affairs

Bill/Resolution No.: GB 170 SD1	Committee Referral: PBM/TRN, JUD, FIN	Date: 03/03/2011		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PBM Members	Ayes	Ayes (WR)	Nays	Excused
1. AQUINO, Henry J.C. (C)	X			
2. CULLEN, Ty (VC)	X			
3. ICHIYAMA, Linda	X			
4. LEE, Marilyn B.				X
5. LUKE, Sylvia	X			
6. SAIKI, Scott K.				X
7. SOUKI, Joseph M.	X			
8. TAKAI, K. Mark				X
9. TAKUMI, Roy M.				X
10. YAMASHITA, Kyle T.	X			
11. FONTAINE, George R.	X			
12. JOHANSON, Aaron Ling	X			
TOTAL (12)	8	0	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSR 950

Record of Votes of the Committee on Transportation

Bill/Resolution No.: SB 170, SPD	Committee Referral: PBM/TRN, JUD, FIN	Date: 3/3/2011		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	/			
2. ICHIYAMA, Linda (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. LEE, Marilyn B.				/
6. LUKE, Sylvia	/			
7. SAIKI, Scott K.				/
8. TAKUMI, Roy M.				/
9. YAMASHITA, Kyle T.	/			
10. FONTAINE, George R.	/			
11. JOHANSON, Aaron Ling	/			
TOTAL (11)	8	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u><i>Findeis</i></u>				
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