

Honolulu, Hawaii

Feb 12, 2008

RE: H.B. No. 3112

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Public Safety & Military Affairs, to which was referred H.B. No. 3112 entitled:

"A BILL FOR AN ACT RELATING TO CIVIL DEFENSE,"

begs leave to report as follows:

The purpose of this measure is to support the State Civil Defense's Shelter-in-Place initiative by exempting care homes and schools from civil liability during a civil defense emergency.

The Department of Defense, Department of Health, and Department of Human Services submitted testimony in support of this measure.

Your Committee finds that this measure will help reduce the demand on evacuation resources and emergency shelter facilities, as well as, reduce traffic congestion during an officially designated civil defense emergency. Currently, under section 128-19, Hawaii Revised Statutes, transient accommodation lodging is exempt from civil liability if used to shelter persons during a civil defense emergency. This measure extends the exemption from civil liability to also include schools, hospitals, community-based care homes, home-based care homes, home health agencies, and health agencies of any type licensed by the Department of Health or the Department of Human Services by clarifying that compensation received by owners or operators of these facilities shall not be considered compensation for the purpose of immunity from liability of private shelters.



As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3112 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

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



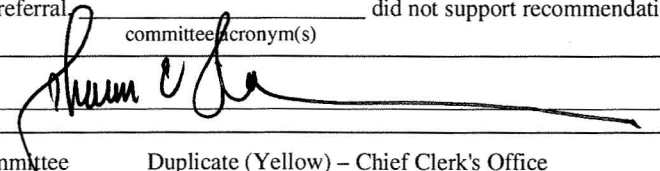
CINDY EVANS, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSR 340-08

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

Bill/Resolution No.: HB 3112	Committee Referral: PSM JUD	Date: 2/7/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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)				
PSM Members	Ayes	Ayes (WR)	Nays	Excused
1. EVANS, Cindy (C)	X			
2. HAR, Sharon E. (VC)	X			
3. LEE, Marilyn B.	X			
4. LUKE, Sylvia	X			
5. McKELVEY, Angus L.K.	X			
6. NAKASONE, Bob	X <i>SELF</i>			X
7. NISHIMOTO, Scott Y.	X			
8. SONSON, Alex M.	X			
9. SOUKI, Joseph M.	X			
10. TAKAMINE, Dwight Y.	X			
11. TAKUMI, Roy M.	X			
12. FINNEGAN, Lynn	X			
13. PINE, Kymberly Marcos	X			
TOTAL (13)	12			1
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: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				