

STAND. COM. REP. NO.

2123

Honolulu, Hawaii

FEB 07 2008

RE: S.B. No. 3034  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Intergovernmental and Military Affairs, to which was referred S.B. No. 3034 entitled:

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

begs leave to report as follows:

The purpose of this Act is to clarify that compensation received by certain private entities for the use of their facilities as a private shelter in the case of a civil defense emergency involving an attack is not considered compensation for the purposes of section 128-19, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the State Department of Defense and the Department of Human Services.

This measure extends immunity from liability for private shelters to transient accommodation lodgings, care homes, and schools if those facilities are used voluntarily and without compensation for use to shelter persons during an attack.

Your Committee finds that this measure greatly expands the eligible pool of shelters in case of a civil defense emergency involving an attack.

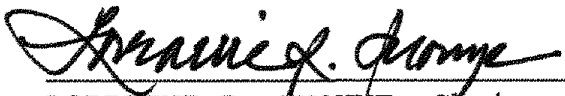
Your Committee has amended this measure on the recommendation of the State Attorney General by:



- (1) Inserting a new definition of "state licensed health care setting or agency" for the purpose of describing the covered facilities;
- (2) Expanding the type of schools to be used as covered facilities;
- (3) Changing the effective date to upon approval; and
- (4) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3034, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3034, S.D. 1, and be referred to the Committee on Judiciary and Labor.


Respectfully submitted on  
behalf of the members of the  
Committee on Intergovernmental  
and Military Affairs,

  
LORRAINE R. INOUÉ, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Intergovernmental and Military Affairs**  
**IGM**

Bill / Resolution No.:* <b>SB 3034</b>	Committee Referral: <b>IGM, JDL</b>	Date: <b>2/4/08</b>		
<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
INOUE, Lorraine R. (C)	/			
TSUTSUI, Shan S. (VC)	/			
HEMMINGS, Fred	/			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original             Yellow             Pink File with Committee Report             Clerk's Office             Drafting Agency				

\*Only one measure per Record of Votes