

STAND. COM. REP. NO.

2196

Honolulu, Hawaii

FEB 11 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.

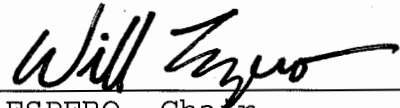
Your Committee finds that existing law in section 128-19, Hawaii Revised Statutes, provides immunity from liability of a private shelter in times of enemy attack. However, there is no comparable provision in chapter 127, Hawaii Revised Statutes, pertaining to natural disasters. The clear intent of the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



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, Chair



