

STAND. COM. REP. NO.

1222

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 1107
H.D. 1
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 1107, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize members of the Army and Air National Guard who are qualified by training and authorized by their commanders to use electric guns, subject to state law, when assisting civil authorities in disaster relief, civil defense, or law enforcement functions.

Your Committee finds that current state law permits only certain state and county law enforcement officers or vendors providing electric guns to those entities to possess or use electric guns, commonly known as tasers, within this State. Your Committee further finds that members of the Army or Air National Guard may be called upon to serve alongside and perform identical duties to state and local law enforcement officers when state and local capacity is inadequate to the task at hand. Your Committee finds that in these instances, Army and Air National Guard members should be authorized to perform their functions in the same manner as authorized for other law enforcement officers. Your Committee notes that electric guns, when used judiciously, may allow law enforcement personnel to avoid lethal force in cases where it may otherwise be required. Your Committee notes that this measure requires training and specific command authorization for each



individual member authorized by this measure to possess and use an electric gun.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2011; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1107, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1107, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,

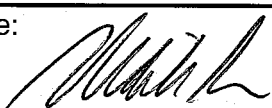


CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1107, HD1, SD1	PGM JDL	4/6/11		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
TOTAL	5			
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