



STATE OF HAWAII  
DEPARTMENT OF DEFENSE  
HAWAII EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON SENATE BILL 3083  
A BILL RELATING TO EMERGENCY MANAGEMENT

BY

MOSES KAOIWI  
Interim Administrator, Hawaii Emergency Management Agency (HI-EMA)

Before the Senate Committee on  
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS

The Department of Defense recommends the passage of SB 3083 to address the immunity provisions for private shelters and submits the following comments.

Senate Bill 3083 and its House counterpart HB 2645, propose an amendment to HRS 663-10.7 to clarify that the compensation paid by guests or tenants do not disqualify these property owners from immunity protections. The Department believes that concerns about liability protection for private property owners offering emergency shelter would be addressed with this modification.

Thank you for the opportunity to comment on Senate Bill 3083.

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February 5, 2018

The Honorable Clarence K. Nishihara, Chair  
The Honorable Glenn Wakai, Vice-Chair  
Committee on Public Safety, Intergovernmental,  
and Military Affairs  
State Senate  
State Capitol  
415 South Beretania Street, Room 229  
Honolulu, Hawaii 96813

Dear Chair Nishihara, Vice-Chair Wakai, and members of the Committee:

SUBJECT: Support for Senate Bill 3083 Relating to Emergency Management

I am Melvin N. Kaku, director of the Department of Emergency Management (DEM), City and County of Honolulu (City). SB 3083 clarifies that certain types of remuneration received by an owner of private property who in good faith provides emergency access to land, shelter, or subsistence during a disaster shall not disqualify the owner from receiving the exemption provided under section 663-10.7, HRS, from civil liability for any resulting injury or damage.

DEM supports the passage of this bill as it addresses immunity concerns for private property owner.

Thank you for the opportunity to provide comments for this bill.

Sincerely,

A handwritten signature in blue ink, appearing to read "Melvin N. Kaku", is written over a printed name and title.

Melvin N. Kaku  
Director