Honolulu, Hawaii

Fe48, 2006

RE: H.B. No. 2518

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred H.B. No. 2518 entitled:

"A BILL FOR AN ACT RELATING TO STATE AND COUNTY TORT LIABILITY,"

begs leave to report as follows:

The purpose of this bill is to ensure public safety while at the same time protecting the State and counties from potentially unlimited liability by making permanent:

- (1) The process by which the State and counties are protected from liability at public beach parks when certain warning requirements, such as signage, are met; and
- (2) The county lifeguard's, the employing county's, and the State's exemptions from liability for any civil damages resulting from the lifeguard's actions on the beach or in the ocean while on duty.

The Department of the Attorney General, Department of Land and Natural Resources, Department of the Corporation Counsel and Honolulu Emergency Medical Services of the City and County of Honolulu, and two members of the Maui County Council supported this bill. The Hawaiian Lifeguard Association supported the intent of this measure. The Consumer Lawyers of Hawaii opposed this bill.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2518 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 Water, Land, & Ocean Resources,

EZDA R. KANOHO, Chair

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: HB 2518	Date:	2/3/06			
Committee Referral: WLO, JUD		☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	□ Pa	☐ Pass, with amendments			
□ Hold	□ R	ecommit	_		
WLO Members	Ayes	Ayes (WR)	Nays	Excused	
1. KANOHO, Ezra R. (C)	1				
2. SCHATZ, Brian (VC)					
3. BERG, Lyla B., Ph.D.					
4. CARROLL, Mele	✓				
5. EVANS, Cindy					
6. HARBIN, Bev					
7. MORITA, Hermina M. 8. WATERS, Tommy					
9. MEYER, Colleen Rose					
10. THIELEN, Cynthia					
TOTAL			<u> </u>	う	
The recommendation is: Adopted					
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office					