STAND. COM. REP. NO. 1017 -06

Honolulu, Hawaii

Mont 20, 2006

RE: S.B. No. 2213

S.D. 2 H.D. 1

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

Sir:

Your Committee on Tourism & Culture, to which was referred S.B. No. 2213, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TORT ACTIONS,"

begs leave to report as follows:

The purpose of this bill is to limit government exposure to unwarranted liability by providing qualified immunity for public entities and public employees from injuries sustained by a person when using a motorsports facility. This bill also repeals the provision that prohibits liability waivers from being enforceable against the rights of a minor who suffers injuries from participating in a motorsports event at a motorsports facility.

The Mayor of the County of Hawaii, County of Hawaii Department of Parks and Recreation, Motorsports Park Hawaii, Hawaii Motorcycle Dealers Association, and numerous concerned individuals supported this bill. The Consumer Lawyers of Hawaii opposed this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for style, clarity, and consistency.

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As affirmed by the record of votes of the members of your Committee on Tourism & Culture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2213, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2213, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Tourism & Culture,

JERRY I. CHANG, Chair

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Tourism & Culture

Bill/Resolution No.: SB 2213 SD 2	Date: 3-14-BC			
Committee Referral:	☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	Pass, with amendments			
□ Hold	☐ Recommit			
TAC Members	Ayes	Ayes (WR)	Nays	Excused
1. CHANG, Jerry L. (C)				
2. YAMASHITA, Kyle T. (VC)				
3. ABINSAY, Felipe P., Jr.				
4. KARAMATSU, Jon Riki				
5. MAGAOAY, Michael Y.				
6. TSUJI, Clift				
7. WAKAI, Glenn				
8. CHING, Corinne W.L. 9. MARUMOTO, Barbara C.				
9. MARUMOTO, Barbara C.				
TOTAL	8			/ /
The recommendation is: Adopted Not Adopted If joint referral,	mmittee acronym(s	did not suppo	rt recommendation	
Distribution Original (White) – Committee	Duplicate (Yellow	v) – Clerk's Office		