STAND. COM. REP. NO. 2053

Honolulu, Hawaii

FOD. 15

, 2006

RE:

S.B. No. 2213

S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committees on Transportation and Government Operations and Business and Economic Development, to which was referred S.B. No. 2213 entitled:

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

beg leave to report as follows:

The purpose of this measure is to make effective a minor's waiver of liability for injuries from use of motorsports facilities, and to provide a qualified immunity to a public entity and public employees for injuries from this use.

Your Committees received testimony in support of this measure from the Mayor of Hawaii County. Testimony in opposition was received from the Consumer Lawyers of Hawaii.

This measure is intended to facilitate the popularity of motorsports among minors. Motorsports facilities are commonly operated by county governments, which appreciate the immunity from liability. Your Committees view this measure as promoting a sports and family activity, without creating an imbalance of rights and responsibilities for safety.

Your Committees have amended this measure by correcting an internal cross-reference.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations and Business and Economic Development that are attached to this



report, your Committees are in accord with the intent and purpose of S.B. No. 2213, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2213, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committees on Transportation and Government Operations and Business and Economic Development,

WILL ESPERO, Chair

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The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Transportation and Government Operations (Bills and Resolutions)

Measure:*	Committee Ref		Date:	1 .					
SB 2213	T60/1	BED, J	HW	2/13/0	6				
The committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is to:									
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)									
Members		Ayes	Ayes(WR)	Nays	Excused				
INOUYE, Lorraine R. (C)									
ESPERO, Will (VC)	Mary Mary 1								
BAKER, Rosalyn H.					✓				
HEE, Clayton									
KANNO, Brian					✓				
MENOR, Ron					/				
WHALEN, Paul									
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Recommendation:									
Adopted Not Adopted									
Chair's or Designee's Signature:									
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Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy									

^{*}Do <u>not</u> list more than one measure per Record of Votes.

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Business and Economic Development (Bills and Resolutions)

SB 2213	TGO/BED, JHW Date: 2/13/06							
The committee is reconsidering its previous decision on this measure.								
If so, then the previous decision was to:								
The Recommendation is to:								
Pass, unamended (2312)	Pass, with amendments Hold Recommit (2311) (2310) (2313)							
Members		Ayes Ay	es(WR)	Nays	Excused			
ESPERO, Will (C)		V						
FUKUNAGA, Carol (VC)		/	H w to					
IGE, David Y.		V						
MENOR, Ron					V			
SAKAMOTO, Norman								
TRIMBLE, Gordon		····	V					
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TOTAL		3	1		2			
Recommendation:	V	•						
Adopted Not Adopted								
Chair's or Designee's Signature:								
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^{*}Do <u>not</u> list more than one measure per Record of Votes.