

Honolulu, Hawaii

Feb. 16, 2006

RE: S.B. No. 2412

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

Sir:

Your Committees on Water, Land, and Agriculture and Intergovernmental Affairs, to which was referred S.B. No. 2412 entitled:

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

beg leave to report as follows:

The purpose of this measure is to provide permanent liability protection for county lifeguard services and for public entities that post warning signs at public parks and beaches.

Testimony in support of this measure was submitted by the Department of the Attorney General, the Department of Land and Natural Resources, the City and County of Honolulu's Department of the Corporation Counsel and Honolulu Emergency Services Department, the Mayor of the County of Hawaii, and the Hawaiian Lifeguard Association. Testimony in opposition to this measure was submitted by the Consumer Lawyers of Hawaii.

Your Committees find that providing lifeguard services and adequate warning signs at certain beaches and parks are necessary to increase public safety and reduce ocean-related accidents. However, your Committees further find that when those services and proper warning signs are provided, the State and the counties should be afforded some protections from liability. Thus, this measure amends the current laws to make the liability protections permanent.

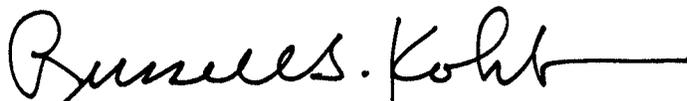


As affirmed by the records of votes of the members of your Committees on Water, Land, and Agriculture and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2412 and recommend that it pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, and
Agriculture and
Intergovernmental Affairs,



DAVID Y. IGE, Chair



RUSSELL S. KOKUBUN, Chair



