Honolulu, Hawaii

14

2008

RE:

S.B. No. 2170

S.D. 1 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2170, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LAND,"

begs leave to report as follows:

The purpose of this bill is to enable the State and counties to limit governmental liability for injuries caused by dangerous natural conditions on or near public beach parks by including public beach parks in the definition of "improved public lands."

The Department of the Attorney General, County of Hawaii, Hawaii County Council, City and County of Honolulu, and Hawaii State Association of Counties testified in support of this bill. The County of Kauai supported the intent of this measure. The Consumer Lawyers of Hawaii opposed this bill.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2011; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No.

SB2170 HD1 HSCR JUD HMS 2008-3433



2170, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2170, S.D. 1, H.D. 1.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

TOMMY WATERS, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: Committee Referral: SB2170, SD1 (HSCR1319-08) WLH, JUD		Da	Date: 3-27-08	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)	,			
2. OSHIRO, Blake K. (VC)	/			
3. EVANS, Cindy	/			
4. GREEN, Josh, M.D.				
5. ITO, Ken				
6. LUKE, Sylvia				
7. McKELVEY, Angus L.K.			7 (7E)	
8. MORITA, Hermina M.				
9. SONSON, Alex M.				
10. SOUKI, Joseph M.				
11. TSUJI, Clift				
12. YAMANE, Ryan I.				
13. YAMASHITA, Kyle T.				
14. MARUMOTO, Barbara C.				
15. PINE, Kymberly Marcos	•	100		
16. THIELEN, Cynthia				
3				11
TOTAL (16)	12	0		4
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				