

STAND. COM. REP. NO.

1235

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 1040
H.D. 1
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 1040, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to make permanent Act 170, Session Laws of Hawaii 2002 (Act 170), relating to county liability for lifeguard services, and Act 82, Session Laws of Hawaii 2003 (Act 82), relating to public land liability.

Your Committee acknowledges the importance of the liability protections afforded by Act 170 and Act 82. However, your Committee finds that caution dictates that the sunset date of Act 170 and Act 82 should be extended rather than made permanent at this time.

Your Committee has amended this measure by:

- (1) Extending the sunset date of Act 170 and Act 82 for three years, i.e., until June 30, 2013; and
- (2) Changing the effective date to July 1, 2050, to continue the discussions on this matter.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and

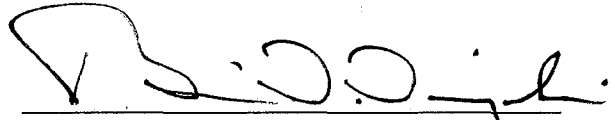
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purpose of H.B. No. 1040, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1040, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair

Record of Votes
Committee on Judiciary and Government Operations
JGO

*Only one measure per Record of Votes