

Honolulu, Hawaii

FEB 11 2020

RE: S.B. No. 2376

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and
Military Affairs and Government Operations, to which was referred
S.B. No. 2376 entitled:

"A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE,"

beg leave to report as follows:

The purpose and intent of this measure is to require
government entities to seek reimbursement for search and rescue
expenses for person requiring rescue after leaving a hiking trail
to enter a prohibited area or hiking on a trail closed to the
public.

Your Committees received testimony in support of this measure
from the Department of Land and Natural Resources and four
individuals. Your Committees received testimony in opposition to
this measure from one individual.

Your Committees find that with the numerous hiking trails
available to the public throughout the State, there are certain
areas that pose safety concerns and consequently have been closed
to the public. Despite this, your Committees find that there are
cases of individuals and groups unlawfully entering trails that
have been closed off to the public due to safety concerns,
ultimately putting those individuals and groups at risk of
significant injury and further risking the damage of native



habitats and other natural resources being preserved in closed areas.

Your Committees further find that those defying the law by entering into prohibited areas not only put themselves at risk, but create potentially difficult and expensive rescue operations. The costs associated with the search and rescue of individuals who willfully disregard their own safety by ignoring warning signs are considerable. This measure will hold those willfully disregarding the law accountable by requiring a reimbursement of funds used for a search and rescue mission of those who entered a prohibited area.

Your Committees understand that not every search and rescue mission is the result of an intentional disregard of laws that prohibit entry and that there are cases where individuals mistakenly get lost and need help.

Accordingly, your Committees have amended this measure by:

- (1) Specifying that a government entity shall seek a reimbursement for all or a portion of search and rescue expenses from all applicable person or entities in certain situations; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2376, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2376, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental, and Military
Affairs and Government
Operations,



LAURA H. THIELEN, Chair



CLARENCE K. NISHIHARA, Chair



Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* SB2376	Committee Referral: PSM/GVO, JDC	Date: 2/6/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
THIELEN, Laura H. (C)	✓			
INOUE, Lorraine R. (VC)	✓			
BAKER, Rosalyn H.	✓			
KANUHA, Dru Mamo	✓			
FEVELLA, Kurt	✓			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes