STAND. COM. REP. NO. **3263** 

Honolulu, Hawaii

## FEB 2 8 2020

RE: S.B. No. 2759 S.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2759, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRAILS,"

begs leave to report as follows:

The purpose and intent of this measure is to reduce the number of people trespassing on trails that have been closed to the public by:

- Requiring government entities that engage in search and (1) rescue operations to seek reimbursement when the rescued person required search and rescue efforts because that person acted in disregard of that person's safety, including intentionally disregarding a warning or notice; and
- Increasing the penalties for unlawfully entering or (2) remaining on a trail that has been closed to the public.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that unlawfully entering trails that have been closed to the public puts those entering the trails at significant danger of injury, risks damage to native habitats and other natural resources, and potentially requires dangerous and expensive rescue operations to retrieve persons who are injured or become lost. Your Committee further finds that the costs associated with the search and rescue of individuals who willfully disregard their own safety by ignoring posted warning signs are substantial. This measure will incentivize the general public to stay within authorized managed areas by increasing penalties for entering closed areas and mandating government entities to seek reimbursement for costs associated with search and rescue operations.

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. 2759, S.D. 1, and recommends that it pass Third Reading.

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

KARL RHOADS, Chair

## The Senate Thirtieth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:* SB 2759 SD1	Committee Referral: WTL/PSM, TDC			Date: 42020	
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)				" -	
KEOHOKALOLE, Jarrett (VC)					
GABBARD, Mike					
KIM, Donna Mercado					
FEVELLA, Kurt					
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		2			
TOTAL		4			
Recommendation:  Adopted  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					

<sup>\*</sup>Only one measure per Record of Votes