

STAND. COM. REP. NO.

1236

Honolulu, Hawaii

MAR 16 , 2023

RE: S.B. No. 786  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 786, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to require government entities to seek reimbursement for search and rescue expenses from persons who require rescue after ignoring warning signs, leaving a hiking trail to enter a prohibited area, or hiking on a trail closed to the public.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, one member of the Honolulu City Council, Hawaii Fire Fighters Association, and five individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department. Your Committee received comments on this measure from the Honolulu Fire Department and Hawaii State Fire Council.

Your Committee finds that existing state law authorizes government entities to seek reimbursement for search and rescue operations from certain persons or entities; however, the circumstances or results surrounding a search and rescue operation often make it difficult to seek reimbursement. This measure



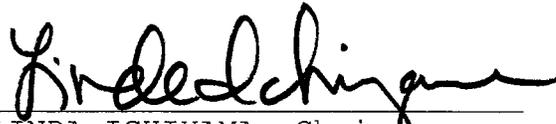
requires government entities to seek reimbursement in certain situations in which individuals needlessly endanger themselves and first responders.

Your Committee has amended this measure by:

- (1) Clarifying that a government entity is required to seek reimbursement for all or a portion, but no less than half, of search or rescue expenses if the need for the search or rescue was the result of the person:
  - (A) Leaving a hiking trail and entering state, county, or private property that is closed to the public and is marked with a sign giving notice of the closure; or
  - (B) Entering a hiking trail that is closed to the public and marked with a sign giving notice of the closure;
- (2) Changing its effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 786, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 786, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,

  
LINDA ICHIYAMA, Chair



