

Honolulu, Hawaii
Feb 10, 2006

RE: H.B. No. 2515
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred H.B. No. 2515 entitled:

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

begs leave to report as follows:

The purpose of this bill is to promote public safety and protect government entities from potentially unlimited liability by making permanent the process by which the State and counties are provided protection from liability for dangerous natural conditions on improved public lands, such as state parks and trails, when certain warning requirements, including signage, are met.

The Department of the Attorney General, Department of Land and Natural Resources (DLNR), City and County of Honolulu, and two members of the Maui County Council supported this bill. The Consumer Lawyers of Hawaii opposed this measure.

Your Committee notes that it seriously considered holding this measure because:

- (1) DLNR, in response to inquiries, confirmed that only about 75 percent of the requirement for signage has been met;



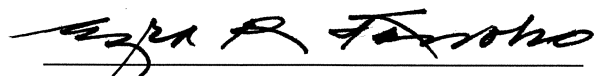
- (2) The repeal date for the liability protections and signage requirements is not until two years hence, on June 30, 2008; and
- (3) It may be more appropriate to allow another year of assessment before making the liability protections and signage requirements permanent.

Passage of this measure with a defective date would provide an opportunity for further discussion.

Accordingly, your Committee has amended this measure by changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2515, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2515, H.D. 1, and be referred to the Committee on Judiciary.

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


EZRA R. KANOHO, Chair



