

Honolulu, Hawaii

Feb 8, 2006

RE: H.B. No. 2518

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. 2518 entitled:

"A BILL FOR AN ACT RELATING TO STATE AND COUNTY TORT
LIABILITY,"

begs leave to report as follows:

The purpose of this bill is to ensure public safety while at
the same time protecting the State and counties from potentially
unlimited liability by making permanent:

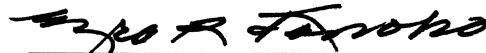
- (1) The process by which the State and counties are
protected from liability at public beach parks when
certain warning requirements, such as signage, are met;
and
- (2) The county lifeguard's, the employing county's, and the
State's exemptions from liability for any civil damages
resulting from the lifeguard's actions on the beach or
in the ocean while on duty.

The Department of the Attorney General, Department of Land
and Natural Resources, Department of the Corporation Counsel and
Honolulu Emergency Medical Services of the City and County of
Honolulu, and two members of the Maui County Council supported
this bill. The Hawaiian Lifeguard Association supported the
intent of this measure. The Consumer Lawyers of Hawaii opposed
this bill.



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. 2518 and recommends that it pass Second Reading 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



