

Honolulu, Hawaii

APRIL 24 , 2006

RE: S.B. No. 2213  
S.D. 2  
H.D. 2  
C.D. 1

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

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

Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2213, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TORT ACTIONS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Provide a qualified immunity for public entities and public employees from injuries sustained by a person when using a motorsports facility; and
- (2) Clarify that a waiver, release, or indemnity agreement must be executed in writing by a parent or legal guardian of a minor in order to be enforceable against the rights of the minor.



The intent of your Committee is to facilitate the popularity of motorsports among minors. Motorsports facilities are commonly operated by county governments, which seek the immunity from liability. Your Committee views this measure as promoting a sports and family activity, without creating an imbalance of rights and responsibilities for safety.

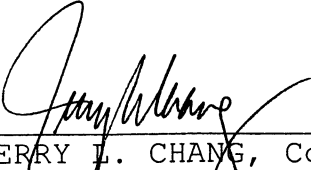
Your Committee has amended this measure by changing the effective date to upon its approval.

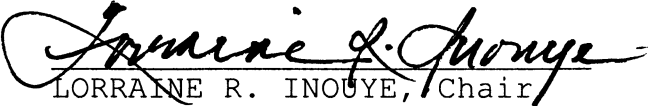
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2213, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2213, S.D. 2, H.D. 2, C.D. 1.


Respectfully submitted on behalf of the managers:


ON THE PART OF THE HOUSE


ON THE PART OF THE SENATE

  
 \_\_\_\_\_  
 JERRY L. CHANG, Co-Chair

  
 \_\_\_\_\_  
 LORRAINE R. INOUE, Chair

  
 \_\_\_\_\_  
 SYLVIA LUKE, Co-Chair

  
 \_\_\_\_\_  
 WILL ESPERO, Co-Chair

  
 \_\_\_\_\_  
 COLLEEN HANABUSA, Co-Chair

**Hawaii State Legislature**  
**Record of Votes of a**  
**Conference Committee**

Bill / Concurrent Resolution No.: <b>SB 2213, SD 2, HD 2</b>	Date/Time: <b>4/20/06, 10:45 am</b>
---	--

The recommendation of the House and Senate managers is to pass with amendments (CD).

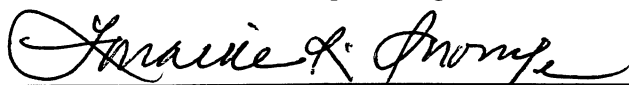
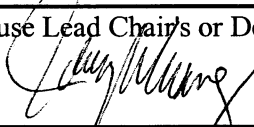
The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
---	---

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
INOUYE, Lorraine R., Chr.	✓				CHANG, Jerry L., Co-Chr.	✓			
ESPERO, Will, Co-Chr.	✓				LUKE, Sylvia, Co-Chr.	✓			
HANABUSA, Colleen, Co-Chr.	✓				CHING, Corinne W.L.	✓			
WHALEN, Paul				✓					
<b>TOTAL</b>	<b>3</b>			<b>1</b>	<b>TOTAL</b>	<b>3</b>			

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
---	--

Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
--	---

**Distribution:**

Original <i>File with Conference Committee Report</i>	Yellow <i>House Clerk's Office</i>	Pink <i>Senate Clerk's Office</i>	Goldenrod <i>Drafting Agency</i>
--	---------------------------------------	--------------------------------------	-------------------------------------