

Honolulu, Hawaii

MAR 2 - 2006

RE: S.B. No. 2412
S.D. 1

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

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which
was referred S.B. No. 2412 entitled:

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

begs leave to report as follows:

The purpose of this measure is to provide permanent liability
protection for county lifeguard services and for public entities
that post warning signs at public parks and beaches.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources, the Attorney
General, one councilmember from the County of Kauai, the County of
Hawaii, four councilmembers from the County of Maui, the City and
County of Honolulu, the Honolulu Emergency Services Department,
the Hawaii State Association of Counties, and the Hawaiian Life
Guard Association. Testimony in opposition to this measure was
submitted by the Consumer Lawyers of Hawaii.

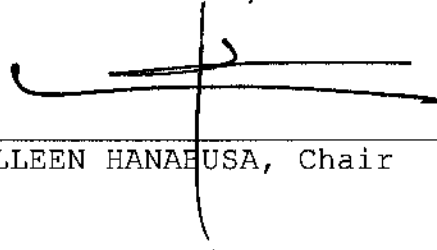
Your Committee finds that providing lifeguard services and
adequate warning signs at certain parks and beaches are necessary
to increase public safety and reduce ocean-related accidents.
When proper warning signs are provided, the State and counties
should be afforded some protection from liability. With regard to
lifeguard services, your Committee finds that extending the sunset
date, rather than repealing it, will allow the State and counties
to continue to collect adequate data and information to determine
the impact and effectiveness of this law.



Your Committee has amended this measure by changing the sunset date of Act 170, Session Laws of Hawaii, 2002, which provides an exception to liability for county lifeguard services, to July 1, 2008.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2412, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2412, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Hawaiian Affairs,



A handwritten signature in black ink, appearing to read 'COLLEEN HANAFUSA', is written over a horizontal line. A vertical line extends downwards from the center of the signature.

COLLEEN HANAFUSA, Chair



