

Honolulu, Hawaii

Apr. 1 30, 2009

RE: H.B. No. 1040
H.D. 1
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1040, H.D. 1, S.D. 2, entitled:

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

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 bill is to extend until June 30, 2013, the sunset date of:

- (1) The liability protections for lifeguards; and
- (2) The liability protections for the State and counties for incidents arising on improved public lands when certain warning requirements are met.

Your Committee on Conference has amended this bill by:



- (1) Extending the liability protections until June 30, 2014;
and
- (2) Changing the effective date to upon 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 H.B. No. 1040, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1040, H.D. 1, S.D. 2, C.D. 1.

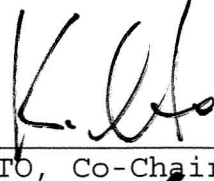
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



J. KALANI ENGLISH, Chair



KEN ITO, Co-Chair



BRIAN T. TANIGUCHI, Co-Chair



JON RIKI KARAMATSU, Co-Chair



