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LATE

April 6, 2009

TESTIMONY OF DEREK S.K. KAWAKAMI,
 KAUAI COUNTY COUNCIL

H.B. 1040, H.D. 1, S.D. 1 RELATING TO TORT LIABILITY
 Senate Judiciary and Government Operations Committee
 April 6, 2009
 10:00 a.m.
 Conference Room 016

Dear Chair Brian T. Taniguchi and Members of the Senate JGO Committee:

Thank you for the opportunity to submit testimony in strong support of H.B. No. 1040, H.D. 1, S.D. 1 Relating to Tort Liability. My testimony is submitted in my capacity as an individual member of the Kaua'i County Council and the Chair of the Council's Public Safety/Energy/Intergovernmental Relations Committee. My testimony also reflects my view in my individual capacity as the Hawai'i State Association of Counties Vice-President.

H.B. No. 1040, H.D. 1, S.D. 1 repeals the sunset date established by Act 170 (SLH; 2002). Act 170 provides temporary liability protection for county lifeguard services up until 2010. The repeal of the sunset date of June 30, 2010, will greatly enhance safety for beachgoers and allow the counties to station lifeguards at county and state beach parks without the threat of potential liability.

For the reasons stated above, I am in strong support of H.B. No. 1040, H.D. 1, S.D. 1 and ask for your favorable support.

Again, thank you for this opportunity to submit testimony.

Sincerely,

Derek S. K. Kawakami
 Kaua'i County Councilmember

LP

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