

TESTIMONY OF
OFFICE OF THE COUNTY ATTORNEY
COUNTY OF KAUAI

BEFORE THE
HOUSE COMMITTEE ON FINANCE

DATE: Thursday, March 25, 2010
TIME: 12:30 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

LATE TESTIMONY

IN CONSIDERATION OF

SB 2116, SD2, HD1

Honorable Chairperson Marcus R. Oshiro and Members of the Committee:

Thank you for this opportunity to testify on SB 2116, SD2, HD1

My name is Alfred B. Castillo, Jr., County Attorney for the County of Kaua'i, and I support SB 2116, SD2, HD1, which authorizes the governor to delegate to the Superintendent of Education the authority to agree to indemnify, defend, and hold harmless a county agency, its officers, agents, and employees when county property will be used for public school purpose or function.

As you are probably aware, Kaua'i public schools have held and continue to hold many school functions, such as football games and graduation ceremonies on County property. Indemnification of the County for injuries or property damages that may arise out of public school functions on County property has been a challenge and sticking point for both parties. The standard response of the State has been that there is no statutory authority for the State to indemnify the County. This Bill provides statutory authority and much needed clarity to allow for the continuance of public school functions on County property.

We humbly ask that you support SB No. 2116, SD2, HD1. Again, thank you for this opportunity to testify.