

STAND. COM. REP. NO.

356

Honolulu, Hawaii

Feb 17, 2011

RE: H.B. No. 262

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which
was referred H.B. No. 262 entitled:

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

begs leave to report as follows:

The purpose of this bill is to increase the accessibility to
Hawaii's natural beauty while enhancing public safety and making
these areas safer by making permanent:

- (1) The liability protections for counties and county lifeguards while providing rescue, resuscitation, and other lifeguard services on the beach or in the ocean at State beach parks; and
- (2) The liability protections for the State and counties for incidents arising on improved public lands when certain warning requirements are met.

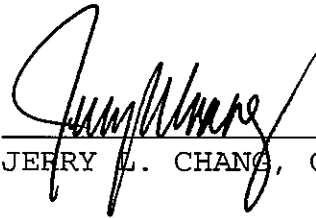
The Department of Land and Natural Resources, Department of the Attorney General, City and County of Honolulu, Emergency Services Department of the City and County of Honolulu, Office of the Corporation Counsel of the County of Hawaii, Hawaii County Fire Department, Kauai County Fire Department, Honolulu Fire Department, State Fire Council, and a concerned individual testified in support of this bill. The Hawaii Association for Justice opposed this measure.

HB262 HSCR WLO HMS 2011-2192



As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 262 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Ocean Resources,



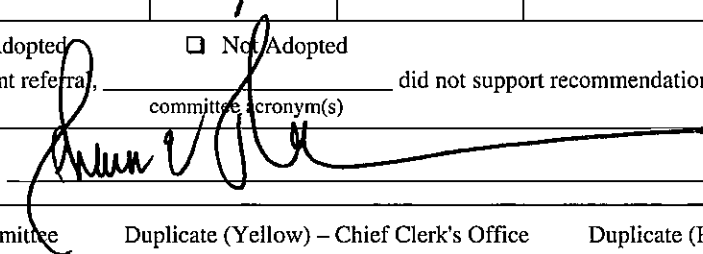
JERRY L. CHANG, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 356

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: HB 262	Committee Referral: WLO, JOD	Date: 2/11/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. CHANG, Jerry L. (C)	✓			
2. HAR, Sharon E. (VC)	✓			
3. CABANILLA, Rida T.R.				✓
4. CARROLL, Mele				✓
5. CHONG, Pono				✓
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.	✓			
8. ITO, Ken	✓			
9. MORITA, Hermina M.	✓			
10. NAKASHIMA, Mark M.	✓			
11. RIVIERE, Gil	✓			
12. THIELEN, Cynthia	✓			
TOTAL (12)	9			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				