

STAND. COM. REP. NO. 912 -12

Honolulu, Hawaii

March 2, 2012

RE: H.B. No. 1753  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1753 entitled:

"A BILL FOR AN ACT RELATING TO LIABILITY,"

begs leave to report as follows:

The purpose of this measure is to make permanent the limitation on liability for state and county governments regarding the duty to warn of dangerous natural conditions on improved public lands and the actions of county lifeguards.

The Department of the Attorney General, State Fire Council, Honolulu Fire Department, Department of Land and Natural Resources, Emergency Services Department of the City and County of Honolulu, Kauai Fire Department, Department of the Corporation Council of the City and County of Honolulu, Hawaii State Association of Counties, Hawaii Government Employees Association, the Mayor of Kauai County, the Treasurer of the Hawaii State Association of Counties, a Council Member of the Maui County Council, and several concerned individuals testified in support of this measure. The Hawaii Association for Justice testified in opposition to this measure.

HB1753 HD1 HSCR JUD HMS 2012-2607



Your Committee has amended this measure by:

- (1) Extending the repeal date for the liability protections afforded state and county governments regarding the duty to warn of dangerous natural conditions on improved public lands and the actions of county lifeguards to June 30, 2016; and
- (2) Changing the effective date to January 7, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1753, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1753, H.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

  
GILBERT KEITH-AGARAN, Chair



