

Honolulu, Hawaii

Feb 16 , 2012

RE: H.B. No. 1753

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

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred H.B. No. 1753 entitled:

"A BILL FOR AN ACT RELATING TO LIABILITY,"

begs leave to report as follows:

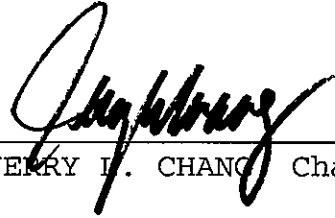
The purpose of this measure is to make permanent the liability protection for state and county governments regarding the duty to warn of dangers on improved public lands and actions of county lifeguards.

The Department of Land and Natural Resources; the Department of the Attorney General; the State Fire Council; the Honolulu Fire Department; the City and County of Honolulu Department of the Corporation Counsel; the County Council of the County of Maui; the County of Maui Department of Fire and Public Safety; the Kauai Fire Department; the Hawaii State Association of Counties; and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of this measure. The Hawaii Association for Justice opposed this measure.

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. 1753 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 I. CHANG Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 472-12

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

| | | | | |
|--|--|-------------------------|-------------|----------------|
| Bill/Resolution No.: HB 1753 | Committee Referral: WLO, JUD | Date: 2/13/12 | | |
| <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 checked="" 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) | X | | | |
| 2. HAR, Sharon E. (VC) | X | | | |
| 3. CABANILLA, Rida T.R. | | | | X |
| 4. CARROLL, Mele | | | | X |
| 5. COFFMAN, Denny | X | | | |
| 6. HERKES, Robert N. | X | | | |
| 7. ITO, Ken | X | | | |
| 8. KAWAKAMI, Derek S.K. | X | | | |
| 9. NAKASHIMA, Mark M. | X | | | |
| 10. RIVIERE, Gil | X | | | |
| 11. THIELEN, Cynthia | X | | | |
| TOTAL (11) | 9 | | | 2 |
| 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 | | | | |