

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2402  
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 Economic Revitalization & Business, to which was referred H.B. No. 2402 entitled:

"A BILL FOR AN ACT RELATING TO RECREATIONAL ACTIVITIES,"

begs leave to report as follows:

The purpose of this measure is to repeal the statutory requirement that a trier of fact determine whether or not a risk is inherent to a recreational activity when determining whether a commercial provider of recreational activity is liable for a person's injuries.

Activities & Attractions Association of Hawaii; Kauai Sea Tours; Polynesian Cultural Center; Sunshine Helicopters; Atlantis Adventures Hawaii; Aloha Nui Loa Tours, Inc., dba Hike Maui; Blue Sea Cruises, Inc.; Sea Quest Rafting Adventures; BikeVolcano.com, Inc.; KapohoKine Adventures; and several concerned individuals testified in support of this measure.

Your Committee has amended this bill by changing its effective date to July 1, 2112, to encourage further discussion.



As affirmed by the record of votes of the members of your Committee on Economic Revitalization & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2402, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2402, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Economic  
Revitalization & Business,



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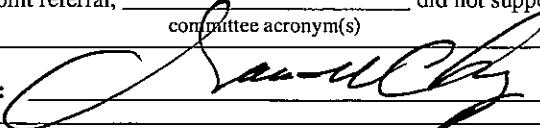
ANGUS L.K. MCKELVEY, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HSR 506-12

Record of Votes of the Committee on Economic Revitalization & Business

Bill/Resolution No.: <b>HB 2402</b>	Committee Referral: <b>ERB, CRC/JUD</b>	Date: <b>2/14/12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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)				
ERB Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	X			
2. CHOY, Isaac W. (VC)	X			
3. AWANA, Karen L.	X			
4. BROWER, Tom	X			
5. EVANS, Cindy	X			
6. HASHEM, Mark J.	X			
7. NISHIMOTO, Scott Y.	X			
8. TOKIOKA, James Kunane	X			
9. TSUJI, Clift	X			
10. MARUMOTO, Barbara C.	X			
11. PINE, Kymberly Marcos				X
TOTAL (11)	10	—	—	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution:    Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				