

Honolulu, Hawaii

Feb 14, 2012

RE: H.B. No. 2462

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 Water, Land, & Ocean Resources, to which was referred H.B. No. 2462 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY,"

begs leave to report as follows:

The purpose of this measure is to clarify that the State and the counties do not have a duty to warn of dangerous natural conditions on "improved public lands" that:

- (1) Are part of the park system, if the land is unimproved and not maintained by the State or county; or
- (2) Are "voluntary trails" that are created by users and are not part of the statewide trail and access system.

The Department of Land and Natural Resources, Department of the Attorney General, and the City and County of Honolulu provided testimony in support of this measure. The Hawaii Association for Justice provided testimony in opposition to this measure.

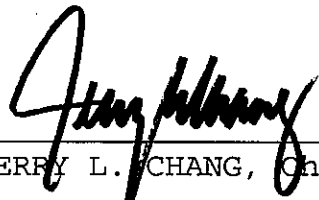
Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2020, for the purpose of facilitating further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



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. 2462, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2462, H.D. 1, 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



HSUR365-12

State of Hawaii
House of Representatives
The Twenty-sixth Legislature

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

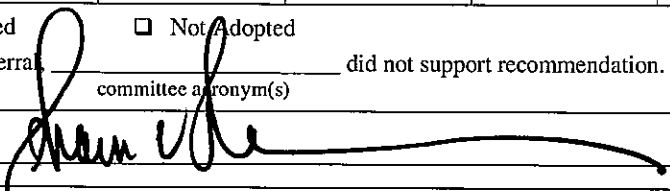
Bill/Resolution No.: HB 2462	Committee Referral: WLO, JUD	Date: 2/3/12
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 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)	10			1

The recommendation is: Adopted Not Adopted
 joint referral committee acronym(s) did not support recommendation.

Vice Chair's or designee's signature: 

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