

STAND. COM. REP. NO.

2624

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2433
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2433, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHALLENGE COURSE TECHNOLOGY,"

begs leave to report as follows:

The purpose and intent of this measure is to require the permitting and inspection of ziplines and canopy tours in Hawaii.

Written comments in opposition to this measure were submitted by the Department of Labor and Industrial Relations.

Your Committee finds that canopy tours and ziplines are popular amusements that are enjoyed by Hawaii's residents and visitors alike. However, your Committee also finds that these activities involve suspending participants high above the ground, and as such, there is an inherent risk to participants. Your Committee finds that the establishment of safety standards and regulations for the structure, operation, and maintenance of canopy tours and ziplines, including requiring annual inspections, will help to ensure the safety of these facilities.

Your Committee has amended this measure by:

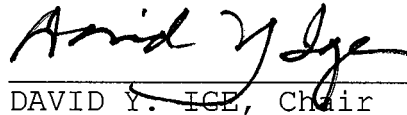
- (1) Specifying that the operator of a canopy tour or zipline shall not be liable for any injury, loss, or damages that result from a participant engaging in certain prohibited activity under this measure;



- (2) Requiring that rules adopted by the Department of Labor and Industrial Relations make the issuance of a permit to a zipline or canopy tour operator contingent upon the certification by a qualified engineer regarding the integrity of the design, structures, and anchoring systems of the zipline or canopy tour for which the permit is sought; and
- (3) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2433, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2433, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2433, SD1	CPN / EDT / JDL, WAM	2-24-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	14	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes