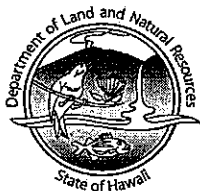


LATE TESTIMONY

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the House Committee on
WATER, LAND & OCEAN RESOURCES

Friday, February 03, 2012
9:00 AM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 2464
RELATING TO LANDOWNERS' LIABILITY.

House Bill 2464 proposes to amend Section 520-2, Hawaii Revised Statutes (HRS), to include government lands by deleting "other than lands owned by the government" in the definition of "land." The Department of Land and Natural Resources (Department) strongly supports this Administrative measure.

The purpose of Chapter 520, HRS, is to encourage owners of land to make land and water areas available to the public for recreational purposes by limiting their liability toward persons entering thereon for such purposes. Because the definition of "land" excludes "lands owned by the government", the benefits of this statute are not currently available to government entities that own and control most recreational lands. If this measure is passed, it would remove one of the concerns and impediments for government entities to open and keep government recreation lands open to the public. Any even minor liability concerns can be a factor in decisions to regulate access and uses of public lands. If passed, this measure will provide an atmosphere to encourage government agencies to make lands available for public recreation.

The Department recommends passage of House Bill 2464.