

STAND. COM. REP. NO. 35

Honolulu, Hawaii  
February 4, 2013

RE: H.B. No. 625  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 625 entitled:

"A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY,"

begs leave to report as follows:

The purpose of this measure is to apply limits on landowner liability under the State's landowners' liability law, chapter 520, Hawaii Revised Statutes, to land owned by the government.

The Department of Land and Natural Resources and numerous individuals, including several hundred signatories of a petition in support, testified in support of this measure. The Hawaii Association for Justice testified in opposition to this measure.

Your Committee finds that this measure seeks to clarify that no public employee or entity shall be liable to any person for injury or damage sustained in the course of mountain climbing, rock climbing, rappelling, or bouldering on government land. Your Committee supports the intent of this measure and recommends that it advance through the legislative process. Your Committee respectfully requests that your Committee on Judiciary consider this measure to determine the appropriate method of establishing limits on State liability.

HB625 HD1 HSCR WAL HMS 2013-1584-1



Your Committee has amended this measure by:

- (1) Adding a new section to specify that no public entity or public employee shall be liable under the State Tort Liability Act, chapter 662, Hawaii Revised Statutes, to any person for injury or damages sustained on government land when engaged in mountain climbing, rock climbing, rappelling, and bouldering; and
- (2) Making technical, nonsubstantive amendments for the purpose of clarity and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 625, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 625, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,

  
\_\_\_\_\_  
CINDY EVANS, Chair



