

STAND. COM. REP. NO. 779

Honolulu, Hawaii

MAR 01 2013

RE: S.B. No. 1009
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1009, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TORT LIABILITY,"

begs leave to report as follows:

The purpose and intent of this measure is to make permanent the law that established a limitation on liability for the acts or omissions of a county lifeguard working at a state beach park.

Specifically, the measure makes permanent the provision in Act 170, Session Laws of Hawaii 2002, that provides limited liability for civil damages resulting from any act or omission of a county lifeguard while performing lifeguard services on the beach or in the ocean in the scope of employment as a lifeguard.

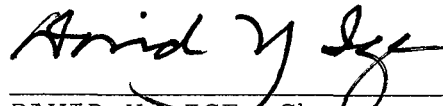
Your Committee received written comments in support of this measure from the the Department of Land and Natural Resources, State Fire Council, the City and County of Honolulu, the County of Maui, the Maui Fire Department, the Hawaiian Lifeguard Association, and one concerned individual.

Your Committee finds that permanent enactment of Act 170 will enable the counties to continue providing lifeguard services at state parks without fear of potential liability.



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. 1009, S.D. 1, and recommends that it pass Third Reading.

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



DAVID Y. ICE, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 1009, SDI	Committee Referral: PSM/JDL, WAM	Date: 2-21-13		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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	✓			
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
TOKUDA, Jill N.				✓
SLOM, Sam	✓			
TOTAL	12	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes