

SCR168/SR125

Measure Title: URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, IN CONSULTATION WITH THE DEPARTMENT OF THE ATTORNEY GENERAL, TO EXPLORE FEASIBLE OPTIONS RELATING TO LIABILITY FOR INJURY OR DAMAGE SUSTAINED WHILE MOUNTAIN CLIMBING, ROCK CLIMBING, RAPPELLING, AND BOULDERING ON PUBLIC LAND.

Report Title: Mountain Climbing, Rock Climbing, Rappelling, and Bouldering; Department of Land and Natural Resources; Study

Description:

Companion:

Package: None

Current Referral: WTL/JDL, WAM

Introducer(s): HEE

<u>Sort by Date</u>		Status Text
3/13/2013	S	Offered.
3/19/2013	S	Referred to WTL/JDL, WAM.
3/25/2013	S	The committee(s) on WTL/JDL has scheduled a public hearing on 03-28-13 11:00AM in conference room 016.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAIHOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committees on
WATER AND LAND
and
JUDICIARY AND LABOR**

**Thursday, March 28, 2013
11:00 AM
State Capitol, Conference Room 016**

**In consideration of
SENATE CONCURRENT RESOLUTION 168/SENATE RESOLUTION 125 URGING
THE DEPARTMENT OF LAND AND NATURAL RESOURCES,
IN CONSULTATION WITH THE DEPARTMENT OF THE ATTORNEY GENERAL,
TO EXPLORE FEASIBLE OPTIONS RELATING TO
LIABILITY FOR INJURY OR DAMAGE SUSTAINED WHILE
MOUNTAIN CLIMBING, ROCK CLIMBING, RAPPELLING,
AND BOULDERING ON PUBLIC LAND**

Senate Resolution 125/Senate Concurrent Resolution 168 urge the Department of Land and Natural Resources (Department) in consultation with the Department of the Attorney General to explore options related to liability or damage sustained while engaged in rock climbing activities on public land. These resolutions also urge the Department to take a number of specific actions and report to the Legislature prior to the 2014 session. **Although the Department may not be able to address all the actions listed in the resolutions, the Department will be exploring the issue and will provide a report to the Legislature.**

**TESTIMONY OF ROBERT TOYOFUKU ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) REGARDING SCR 168/SR125**

Date: Thursday, March 28, 2013

Time: 11:00 o'clock am

To: Chairperson Malama Solomon and Chairman Clayton Hee and Members of the
Senate Committees on Water & Land, and Judiciary and Labor:

My name is Bob Toyofuku and I am presenting this testimony on behalf of the
Hawaii Association for Justice (HAJ) regarding SCR 168 and SR 125.

During the various hearings on several bills that involved then issue of rock
climbing, and liability, it was stated that a rock climbing organization has a program
whereby it provides insurance coverage that would provide protection to a government
entity. HAJ requests that the DLNR in conjunction with the Department of the Attorney
General explore this possibility and make it part of this Resolution.

Thank you for allowing us to testify regarding this resolution. We appreciate
consideration of our concerns and suggestion. Please feel free to contact me should you
have any questions or desire additional information.