

STAND. COM. REP. NO.

2776

Honolulu, Hawaii

MAR 04 2016

RE: S.B. No. 2620

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2620, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY,"

begs leave to report as follows:

The purpose and intent of this measure is to expand the conclusive presumption of signage as legally adequate warning of dangerous conditions to include "non-natural" conditions on unimproved public land.

Your Committee received written comments in support of this measure from the Department of the Attorney General and Department of Land and Natural Resources.

Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice.

Your Committee finds that expanding the conclusive presumption of signage as legally adequate warning of dangerous conditions to "non-natural" conditions on unimproved public land will limit public entity liability in actions based upon the duty to warn of certain conditions.

Your Committee notes that stakeholders have been requested to continue discussion about points of contention in this measure as it works its way through the legislative process.



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. 2620, S.D. 1, and recommends that it pass Third Reading.

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

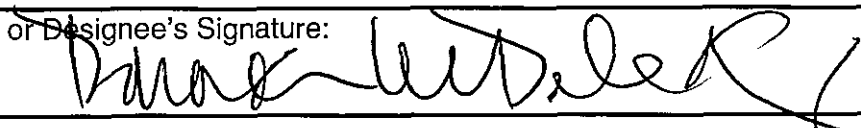


JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 2620, SDL	Committee Referral: WLA/SDL, WAM	Date: 3/1/16		
<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
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood	/			
HARIMOTO, Breene	/			
INOUYE, Lorraine R.	/			
RIVIERE, Gil	/			
TANIGUCHI, Brian T.				/
WAKAI, Glenn	/			
SLOM, Sam	/			
TOTAL	10			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes