

STAND. COM. REP. NO. **595**

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 248

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Water and Land, to which was referred S.B. No. 248 entitled:

"A BILL FOR AN ACT RELATING TO TRAILS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require government entities that engage in search and rescue operations to seek reimbursement when the rescued person required search and rescue efforts because that person acted in disregard of that person's safety, including intentionally disregarding a warning or notice;
- (2) Increase the penalties for violating laws, rules, or permits relating to state parks or recreation areas and the statewide trail and access system if the laws, rules, or permits restricted public access to a trail; and
- (3) Make unlawfully entering or remaining on a trail that has been closed to the public conduct that constitutes the offense of criminal trespass onto state lands.



Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Honolulu Police Department, and five individuals.

Your Committees find that unlawfully entering trails that have been closed to the public puts those entering the trails at significant danger of injury, risks damage to native habitats and other natural resources, and potentially requires difficult and expensive rescue operations to retrieve persons who are injured or become lost. Your Committees further find that the costs associated with the search and rescue of individuals who willfully disregard their own safety by ignoring posted warning signs are considerable. This measure will discourage individuals from illegally entering trails by increasing the penalties and enforcement options for illegal trail access and requiring government entities that engage in search and rescue of such individuals to seek reimbursement.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 248 and recommend that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental, and Military
Affairs and Water and Land,



KAIALI'I E. KAHELE, Chair

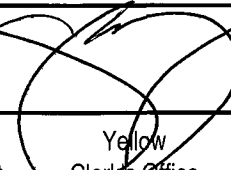


CLARENCE K. NISHIHARA, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

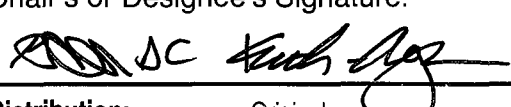
Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 248	PSM/WTL, JDC/WAM	2/11/19		
<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
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
HARIMOTO, Breene				✓
FEVELLA, Kurt				✓
TOTAL	3	0	0	2
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

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB248	Committee Referral: PSM/WTL, JDC/WAM	Date: 2/11/2019		
<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
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.	X			
RIVIERE, Gil	X			
FEVELLA, Kurt				X
TOTAL	4			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