

Honolulu, Hawaii

FEB 12 2020

RE: S.B. No. 2759
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Water and Land and Public Safety,
Intergovernmental, and Military Affairs, to which was referred
S.B. No. 2759 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; and
- (2) Increase the penalty for unlawfully entering or remaining on a trail that has been closed to the public.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and two individuals. Your Committees received comments on this measure from one member of the Maui County Council.

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.


Your Committees have amended this measure by:

- (1) Incorporating proposed changes from the Department of Land and Natural Resources to remove amendments to section 184-5, Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2759, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2759, S.D. 1, and be referred to your Committee on Judiciary.

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

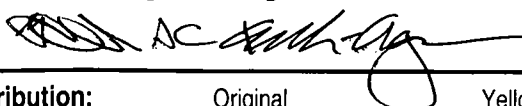

CLARENCE K. NISHIHARA, Chair


KAIAMA L. KAHELE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 2759</i>	<i>WTL/PSM, JDC</i>	<i>2/5/20</i>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" 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	<i>4</i>			<i>1</i>
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

