

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



JORDAN LOWE
DIRECTOR

MICHAEL VINCENT
Deputy Director
Administration

JARED K. REDULLA
Deputy Director
Law Enforcement

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT

Ka 'Oihana Ho'okō Kānāwai

715 South King Street
Honolulu, Hawaii 96813

TESTIMONY ON HOUSE BILL 2174, HOUSE DRAFT 2
RELATING TO SEARCH AND RESCUE
Before the House Committee on Finance
Monday, February 26, 2024; 3:30 p.m.
State Capitol Conference Room 308, Via Videoconference
WRITTEN TESTIMONY ONLY

Chair Yamashita, Vice Chair Kitagawa, and members of the Committee:

The Department of Law Enforcement (DLE) **supports** House Bill 2174, House Draft 2.

This bill changes the circumstances when an agency may seek reimbursement for search and rescue costs by providing guidance on when such costs can be recovered and requiring agencies to seek reimbursement.

State law enforcement is regularly called upon to participate in search and rescue operations for people who have ignored posted warnings, left defined hiking trails, and ventured into closed areas that have been posted. These situations typically do not involve standard search and rescue of lost or injured persons which are anticipated and part of expected operations of first responders. These are situations created by reason of an individual's choice to ignore posted warnings and efforts of government agencies or private landowners to keep them safe. When first responders are called upon to engage in these types of extensive search and rescue operations, ongoing operations must be put on hold and agencies often incur additional unbudgeted costs and expense through overtime, calling in additional responders, and costs of equipment and supplies. Requiring agencies to pursue reimbursement in these situations is a reasonable requirement.

Thank you for the opportunity to testify in support of this bill.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov

February 24, 2024

The Honorable Kyle Yamashita, Chair
Committee on Finance
House of Representatives
State Capitol, Room 306
Honolulu, Hawaii 96813

Dear Chair Yamashita:

Subject: House Bill (HB) 2174, House Draft (HD) 2 2174 Relating to Search and Rescue

I am Kazuo Todd, Chair of the State Fire Council (SFC). The SFC offers comments regarding HB2174, HD2, which repeals the existing conditions under which government entities may seek reimbursement for search or rescue expenses and instead requires a government entity of the State to impose and collect a fee for search or rescue expenses for persons who require rescue after leaving a hiking trail to enter an area closed to the public or hiking on a trail closed to the public, with a sign giving notice of the closure.

The SFC believes the search and rescue expense reimbursement described by HB2174, HD2 may cause hikers in the aforementioned situation to hesitate or not request assistance from first responder agencies. Such a delay in requesting assistance may exacerbate the situation, further endangering the lives of persons involved and their potential rescuers. Furthermore, it may be difficult to determine whether hikers in this situation accidentally or purposely entered closed trails.

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,

KAZUO TODD
Chair

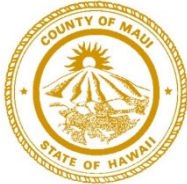
KT/GL

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY
COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
www.mauicounty.gov

February 26, 2024

The Honorable Kyle Yamashita, Chair
Committee on Finance
House of Representatives
State Capitol, Room 306
Honolulu, HI 96813

Dear Chair Yamashita,

SUBJECT: HOUSE BILL (HB) 2174, HOUSE DRAFT (HD) 2 RELATING TO SEARCH AND RESCUE

I am Bradford K. Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department. The SFC offers comments regarding HB 2174, HD 2, which repeals the existing conditions under which government entities may seek reimbursement for search and rescue expenses and instead requires a government entity of the State to impose and collect a fee for search or rescue expenses for persons who require rescue after leaving a hiking trail to enter an area closed to the public or hiking on a trail closed to the public, with a sign giving notice of the closure.

The SFC believes the search and rescue expense reimbursement described by HB 2174, HD 2 may cause hikers in the aforementioned situation to hesitate or not request assistance from first responder agencies. Such a delay in requesting assistance may exacerbate the situation, further endangering the lives of persons involved and their potential rescuers. Furthermore, it may be difficult to determine whether hikers in this situation accidentally or purposely entered closed trails.

If you have any questions, please contact SFC Administrative Specialist Gary Lum at (808) 723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Ventura".

BRADFORD K. VENTURA
Fire Chief

HB-2174-HD-2

Submitted on: 2/23/2024 8:28:42 PM

Testimony for FIN on 2/26/2024 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Hawaii taxpayers shouldn't bear these expenses. Please support this bill. Mahalo.

HB-2174-HD-2

Submitted on: 2/24/2024 11:15:35 AM

Testimony for FIN on 2/26/2024 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I am in full support. This measure is long overdue. Taxpayers should not be saddled with the burden of paying for the acts of the reckless, who often ignore warnings.

HB-2174-HD-2

Submitted on: 2/25/2024 3:38:39 PM

Testimony for FIN on 2/26/2024 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Sabas	Individual	Support	Written Testimony Only

Comments:

Thank you, Chair Yamashita, for the opportunity to submit testimony in support of HB2174, relating to imposing a search and rescue fee on those who leave trail areas closed to the public, in the case of Haiku Stairs, intentionally entering a trail closed to the public, putting firefighters at risk with each rescue.

My name is Jennifer Sabas, and my family and I have lived for decades with hikers illegally trespassing through our community to get to the Haiku Stairs. We are used to the familiar sound of helicopters whirling above our home and hovering by the mountains in search of stranded hikers and the landings at Kaneohe District Park. We appreciate the police patrols in our neighborhoods, which have reduced the number of hikers.

Such a fee will hopefully incentivize smarter, less risky behavior if these hikers know they will be responsible for the "unnecessary" rescues they cause.

Thank you for the opportunity to submit testimony in support of HB2174.

HB-2174-HD-2

Submitted on: 2/25/2024 7:21:05 PM

Testimony for FIN on 2/26/2024 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kauanui Sabas	Individual	Support	Written Testimony Only

Comments:

My name is Kauanui Sabas and as a resident of Haiku Village, I am in strong support of H.B. 2174, H.D. 2 ,which repeals the existing conditions under which government entities may seek reimbursement for search or rescue expenses and instead requires a government entity of the State to impose and collect a fee for search or rescue expenses for persons who require rescue after leaving a hiking trail to enter an area closed to the public or hiking on a trail closed to the public, with a sign giving notice of the closure. Requires a report or documentation of the search and rescue to be submitted to the Department of the Attorney General.

For decades my family and I have had to deal with Illegal and rude hikers who trespass through our community to get to Stairway to Heaven. It is our hope that this measure will disincentive this illegal activity which has continued to agitate community members and put public servants at unnecessary risk.

Thank you for the opportunity to submit testimony in strong support of H.B. 2174, H.D. 2

HB-2174-HD-2

Submitted on: 2/25/2024 7:52:50 PM

Testimony for FIN on 2/26/2024 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
John Sabas	Individual	Support	Written Testimony Only

Comments:

My name is John sabas. I am submitting testimony as an individual who lives in Kaneohe.

I support HB2174 HD2.

Thank you.

HB-2174-HD-2

Submitted on: 2/26/2024 7:02:49 AM

Testimony for FIN on 2/26/2024 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Carolyn Weygan-Hildebrand	Individual	Comments	Written Testimony Only

Comments:

Chair Yamashita, Vice-Chair Kitagawa, and Members of the Finance Committee:

It was with interest to learn about "Rescue" measures from the news today. Given the cost and burden of rescue, and the need for all to be safer, thank you for hearing this bills.

This measure, and others, appear to come from the assumption that cost burden be transferred because of "recklessness." How about looking at how the City of Eugene in Oregon has set up the burden of rescue. This City's vantage comes from recognizing that there can be accidents and rescues are necessary. However, the cost is also passed on to the individual rather than on an entire citizenry whether the individual was really reckless or just had accident.

The shared goal is to minimize the burden on rescue teams and for all to be safer. If residents and visitors alike know that they will be rescued but will have to eventually help pay for the rescue, more will be more diligent in preparing for outdoor adventures as well as recognizing their limits.

There should also be continuing education, like looking at cases, to help visitors and residents alike appreciate the need to take care always.

Mahalo.