

Honolulu, Hawaii

April 4, 2014

RE: S.B. No. 1007
S.D. 2
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 1007, S.D. 2, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Increase liability protections for the State and counties by extending the conclusive presumption for legally adequate warning to include dangerous non-natural conditions on unimproved public lands; and
- (2) Make permanent the liability protections based on posting warning signs regarding outdoor recreation on public lands established by Act 82, Session Laws of Hawaii 2003.

The Hawaii Paragliding Association; Hawaii Trail and Mountain Club; Hawaii Bicycling League; Mountain Bike Hawaii LLC; Hawaii Trail and Mountain Club; Oahu Mountain Bike Ohana; 808 Caveman; Access Fund; Climb Aloha; Souldtrex, Inc.; Oahu Weekend Hikers; and numerous individuals testified in support of this measure. The Department of Land and Natural Resources and Department of the Attorney General provided comments.



Your Committee has amended this measure by:

- (1) Removing the provisions extending the conclusive presumption for legally adequate warning to include dangerous non-natural conditions on unimproved public lands; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1007, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1007, S.D. 2, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,



SYLVIA LUTE, Chair



