

Honolulu, Hawaii

, 2020

JAN 31

RE: H.B. No. 1924  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Water, Land, & Hawaiian Affairs, to which was referred H.B. No. 1924 entitled:

"A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE,"

begs leave to report as follows:

The purpose of this measure is to require government entities to seek reimbursement for search and rescue expenses from persons who require rescuing after leaving a hiking trail to enter a prohibited area or while hiking on a trail closed to the public.

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

Your Committee finds that under existing state law, a government entity who performs search and rescue operations may seek reimbursement from certain entities, such as the rescued individual, the individual's estate, or any entity responsible for placing an individual in a position of needing rescue. However, such reimbursement may only be sought when the need for a search or rescue was caused by an act or omission by the individual being searched for or rescued that constitutes an intentional disregard for that person's safety. This measure will require government entities to seek reimbursement from a person in situations where

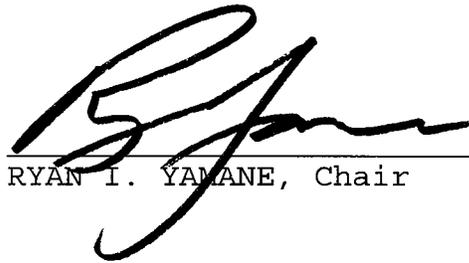


the actions of the person result in a failure to observe reasonable notice of the closure of certain hiking trails, rather than actions displaying an intentional disregard for that person's safety.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1924, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1924, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, &  
Hawaiian Affairs,



RYAN I. YAMANE, Chair



