

Hawai`i State Association of Counties (HSAC)

Counties of Kaua`i, Maui, Hawai`i and City & County of Honolulu

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April 5, 2017

TO: The Honorable Scott Y. Nishimoto, Chair
House Committee on Judiciary

FROM: Stacy Crivello
HSAC President 

SUBJECT: **HEARING OF APRIL 5, 2017; TESTIMONY IN SUPPORT OF SB 562, SD 1, RELATING TO TORT LIABILITY**

Thank you for the opportunity to testify on behalf of the Hawaii State Association of Counties in **support** of this measure. The purpose of this measure is to extend the limited liability protection found in Act 170 (2002) for county lifeguards and counties that provide lifeguard services on beaches or in the ocean until June 30, 2021.

This measure is similar to SB 451 in the 2017 Hawaii State Association of Counties Legislative Package, which would instead make the protection permanent. Therefore, I submit this testimony on HSAC's behalf.

HSAC **supports** this measure for the following reasons:

1. The current grant of immunity for county lifeguards will expire on June 30 of this year unless the Legislature extends the sunset date or makes the protection permanent, which is the original intent of the bill. Protecting lifeguards from liability encourages the counties to provide more safety personnel at beaches, which protects visitors and local residents.
2. This measure allows the counties to be protected at the same level as the state against frivolous lawsuits. Lifeguards already risk their lives to save others, and exposing them to further liability is unjust.

Mahalo for your consideration.

HSAC:FY2017:17Testimony:SB562_SD1_mkz