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HB 2577 RELATING TO ENVIRONMENTAL AFFAIRS

House Committee on
Energy and Environmental Protection

Public Hearing - January 27, 1996
9:00 A.M., Room 312 State Capitol

by
John T. Harrison, Environmental Center
M. Casey Jarman, School of Law
Peter Rappa, Sea Grant
Andrew Tomlinson, Geography

HB 2577 would confer immunity from civil liability to volunteers of environmental groups acting in good faith and within the scope of the volunteers' functions.

Our statement on this measure is compiled from comments submitted voluntarily by the listed academic reviewers, and thus does not constitute an institutional position of the University of Hawaii.

1. **What is the problem which this measure is intended to remedy?**

We are not aware of extraordinary events or circumstances which would distinguish liability considerations for volunteers to environmental organizations from the more broadly considered civil liability arena. If such circumstances exist, it would be helpful for the proposed measure to identify them.

2. **Blanket immunity against liability for injury arising from negligence sets a dangerous precedent and is bad public policy.**

This measure would confer immunity to volunteers, including protection from liability suits arising from the volunteer's negligence. We would strongly urge that all organizations adopt a policy of prudent control over both employees and volunteers to prevent negligent actions through appropriate supervision and training.