

STAND. COM. REP. NO.

1462

Honolulu, Hawaii

APR 21 2009

RE: S.R. No. 18  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committees on Energy and Environment and Commerce and  
Consumer Protection, to which was referred S.R. No. 18 entitled:

"SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO  
IMPLEMENT A STATEWIDE RAINWATER DETENTION AND RETENTION POND  
SAFETY PROGRAM,"

beg leave to report as follows:

The purpose of this measure is to request the Department of  
Health to implement a statewide rainwater detention and retention  
pond safety program to:

- (1) Encourage and assist developers or persons responsible  
for constructing or maintaining a retention pond,  
detention pond, or catchment area pond to adopt a  
maintenance and inspection plan to ensure adequate  
safety;
- (2) Encourage installation of chain link or see-through  
fencing and signage to deter children from playing and  
congregating around or near these ponds or drainage  
areas; and
- (3) Develop retention pond, detention pond, and catchment  
area pond safety components in the Department of  
Health's curriculum.



Testimony in support of the measure was submitted by twelve individuals. Written testimony presented to your Committees may be reviewed on the Legislature's website.

Your Committees find that, although retention and detention ponds can be effective for stormwater management and flood control, they can also pose risks to public health, safety, and welfare. It is critical that the Department of Health help to protect the health and safety of Hawaii's citizens, especially children, by implementing a statewide rainwater detention and retention pond safety program. This program will encourage and assist developers or other persons responsible for the construction and maintenance of a rainwater drainage system to adopt a maintenance and inspection plan and to consider adequate safety provisions, such as the installation of fencing and signage to deter children from playing or congregating around or near those ponds. A program like this could have prevented the tragic and heartbreaking death of Charlotte "Sharkey" Schaeffers.

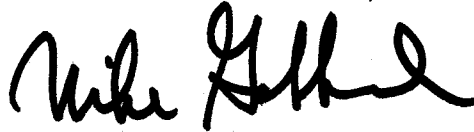
Your Committees have amended this measure by making technical, nonsubstantive amendments for clarity and style.

As affirmed by the records of votes of the members of your Committees on Energy and Environment and Commerce and Consumer Protection that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 18, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 18, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committees on Energy and  
Environment and Commerce and  
Consumer Protection,



ROSALYN H. BAKER, Chair



MIKE GABBARD, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Energy and Environment**  
**ENE**

Bill / Resolution No.:* <i>SR 18</i>	Committee Referral: <i>ENE/CPN</i>	Date: <i>4-16-9</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
GABBARD, Mike (C)	✓			
ENGLISH, J. Kalani (VC)				✓
GREEN, M.D., Josh	✓			
HOOSER, Gary L.	✓			
IHARA, Jr., Les	✓			
KOKUBUN, Russell S.				✓
HEMMINGS, Fred				✓
<b>TOTAL</b>	<i>4</i>	<i>0</i>	<i>0</i>	<i>5</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>[Signature]</i>				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <b>SR 18</b>	Committee Referral: <b>ENE/CPN</b>	Date: <b>4/16/2009</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh	✓			
IHARA, Jr., Les	✓			
SAKAMOTO, Norman	✓			
HEMMINGS, Fred				✓
<b>TOTAL</b>	<b>6</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">David Y Ige</div>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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