

STAND. COM. REP. NO.

276

Honolulu, Hawaii

FEB 16 2011

RE: S.B. No. 42
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred S.B. No. 42 entitled:

"A BILL FOR AN ACT RELATING TO OCEAN SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to review the safety records of nearshore areas statewide;
- (2) Require the Department to report to the Legislature the results of the review, including any recommendations for increasing public safety in nearshore waters; and
- (3) Appropriate General Fund monies for swimming buoys at Kaanapali Beach.

Your Committee received testimony in support of this measure from the Ocean Tourism Coalition, Darrell Tanaka, and Tamara Paltin. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that increased recreational and commercial activities in Hawaii's nearshore waters have led to safety concerns and, in some cases, tragic results. In October 2009, a young diver died after being struck by a boat in Maunalua Bay on the Island of Oahu, a bay popular with divers, swimmers, and other ocean recreational users. Other nearshore areas of the



state are also popular attractions for multiple ocean activities - one such area is Kaanapali Beach on the Island of Maui. Installing safety features such as swimming buoys at Kaanapali Beach to more clearly delineate areas reserved for differing uses would ensure greater safety. Your Committee also finds that given the popularity of ocean activities in nearshore areas statewide, a comprehensive safety review of all nearshore areas is warranted.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to allow for further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 42, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 42, S.D. 1, and be referred to the Committee on Ways and Means.

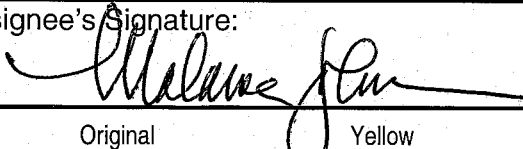
Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Housing,


DONOVAN M. DELA CRUZ, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land, and Housing
WLH

Bill / Resolution No.:* SB 42	Committee Referral: WLH, WAM	Date: 02-10-11		
<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
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam	✓			
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes