

**DRAFT**

THE SENATE  
TWENTY-SIXTH LEGISLATURE, 2012  
STATE OF HAWAII

**S.B. NO.** 2933  
S.D. 1

---

---

**A BILL FOR AN ACT**

RELATING TO OCEAN SAFETY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that increased  
2 recreational and commercial activities in Hawaii's nearshore  
3 waters have led to safety concerns and, in some cases, tragic  
4 results. According to the department of land and natural  
5 resources, there were at least four accidents involving swimmers  
6 and divers being struck by boats in 2011. In December 2011, a  
7 man died after being struck by a boat in waters off of Hanakoo  
8 beach park on the island of Maui.

9           Many nearshore areas statewide are popular attractions for  
10 multiple ocean activities. The legislature finds that one such  
11 area is Kamaole beach on the island of Maui. The amount of  
12 growth on Maui has resulted in an overabundance of ocean and  
13 beach goers and the legislature finds that there is a compelling  
14 need to provide safe and suitable areas for residents and  
15 visitors to enjoy the water.

16           The legislature finds that adopting and enforcing stricter  
17 rules and regulations that protect ocean users and installing  
18 safety features such as swim zone buoys to more clearly



1 delineate areas reserved for differing uses will ensure greater  
2 ocean safety in highly populated areas of the State.

3 The purpose of this Act is to improve ocean safety by:

- 4 (1) Requiring the Department of Land and Natural Resources  
5 to adopt rules imposing stricter regulations for the  
6 safety of ocean users; and  
7 (2) Appropriating funds for swim zone buoys at Kamaole  
8 beach.

9 SECTION 2. Chapter 200, Hawaii Revised Statutes, is  
10 amended by adding a new section to be appropriately designated  
11 and to read as follows:

12 "§200- Safety of ocean users; rules. The department  
13 shall adopt rules to promote greater safety of ocean users in  
14 the State's nearshore waters. The rules shall include but not  
15 be limited to the creation of safe zones for free divers and  
16 swimmers and stricter enforcement of boating regulations around  
17 swim zone buoys."

18 SECTION 3. The legislature finds that eight swim zone  
19 buoys are needed at the following coordinates:

- 20 (1) Buoy 1: N 20° 42.623, W 156° 26.836;  
21 (2) Buoy 2: N 20° 42.736, W 156° 26.863;  
22 (3) Buoy 3: N 20° 42.836, W 156° 26.888;



- 1 (4) Buoy 4: N 20° 42.984, W 156° 26.912;  
2 (5) Buoy 5: N 20° 43.120, W 156° 26.934;  
3 (6) Buoy 6: N 20° 43.237, W 156° 26.962;  
4 (7) Buoy 7: N 20° 43.410, W 156° 27.019; and  
5 (8) Buoy 8: N 20° 43.498, W 156° 27.043.

6 SECTION 4. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$500,000 or so much  
8 thereof as may be necessary for fiscal year 2012-2013 for the  
9 installation of eight swim zone buoys at Kamaole beach at the  
10 coordinates specified in section 3 of this Act for the purpose  
11 of increasing the safety of ocean users.

12 The sum appropriated shall be expended by the department of  
13 land and natural resources for the purposes of this Act.

14 SECTION 5. The department shall report to the legislature  
15 on the status of rule making and adoption pursuant to section 2  
16 of this Act and any other measures taken to promote the safety  
17 of ocean and beach users in the State's nearshore waters, no  
18 later than twenty days prior to the convening of the 2013  
19 regular session.

20 SECTION 6. New statutory material is underscored.

21 SECTION 7. This Act shall take effect on July 1, 2012.

22



# DRAFT

**Report Title:**

Department of Land and Natural Resources; Ocean Safety; Swim  
Zone Buoys; Appropriation

**Description:**

Requires the department of land and natural resources to adopt  
rules that promote greater safety of ocean users in the State's  
nearshore waters. Appropriates funds for swim zone buoys at  
Kamaole beach. Requires a report to the legislature. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*

