
A BILL FOR AN ACT

RELATING TO CITIZENS MARINE PATROL.

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

1 SECTION 1. The legislature finds that marine activities
2 are gaining in popularity with Hawaii's residents and are one of
3 the biggest draws to Hawaii for the visitor industry. The
4 legislature also finds, however, that in recent years, the
5 massive budget deficit brought on Hawaii by outside economic
6 forces has resulted in the loss of conservation and resource
7 enforcement officers to help ensure that safety and resource
8 management rules governing marine activities are followed and
9 that Hawaii's waters are safe for various recreational users.
10 As a result, there is often only one conservation and resource
11 enforcement officer who is assigned to cover a large
12 geographical region, making it almost impossible to ensure that
13 there is oversight for marine activities.

14 The legislature also finds that violations committed by
15 people who are unaware of marine safety and resource management
16 rules have resulted in more accidents. For example, a well-
17 loved and respected member of the paddling and West Maui
18 community was killed by a thrill craft operated by a person who



1 was unaware that department of land and natural resources
2 administrative rules prohibited the operation of thrill craft in
3 the area.

4 Even if the State were to install proper markers and buoys
5 at all locations, such markers and buoys alone would not offer
6 adequate protections for various ocean users without enforcement
7 personnel to monitor, educate, and inform ocean users regarding
8 the importance of complying with rules.

9 The legislature also finds that there are ocean users who
10 know that there are no enforcement personnel in the area and
11 thus blatantly disregard boating rules and codes of conduct
12 required of various ocean users to ensure safety. Furthermore,
13 the legislature finds that, even in cases where an enforcement
14 officer is able to respond and cite a violator, the lack of
15 witnesses often means that the cases are not pursued because of
16 the lack of corroborating witnesses.

17 The legislature further finds that, even in the best of
18 economic recoveries, resource management and enforcement of
19 these areas will require a multitude of knowledgeable and well-
20 qualified ocean users who, with the proper training and
21 coordination, help ensure that the applicable rules regarding
22 marine activities are being followed for the safety and



1 enjoyment of all. The legislature also finds that these
2 citizens could also act as educators to inform ocean users and
3 visitors on the applicable rules and codes of conduct for these
4 areas and why compliance with such rules and codes are important
5 for their safety and enjoyment.

6 The citizen marine patrol program established under this
7 Act requires that a volunteer successfully complete a training
8 program before serving on the citizen marine patrol. Like other
9 citizen patrol programs, the legislature recognizes that these
10 are not law enforcement officers and would not operate as such,
11 nor have the color of authority to act in such a capacity.
12 Rather, these citizens would act as assistants, observers, and
13 educators to help state officers with oversight in areas that
14 they currently cannot cover due to the department of land and
15 natural resources' lack of sufficient enforcement personnel.

16 The purpose of this Act is to establish a citizen marine
17 patrol program within the department of land and natural
18 resources to engage the community of water users who want to
19 assist in ensuring that the State's waters are safe and
20 enjoyable for all.



1 SECTION 2. Chapter 171, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§171- Citizen marine patrol program. The department
5 shall adopt rules pursuant to chapter 91 to establish a citizen
6 marine patrol program. The citizen marine patrol program shall:

- 7 (1) Provide educational opportunities to citizens
8 regarding what to expect in emergency situations in
9 terms of immediate services;
- 10 (2) Foster among the citizenry a sense of responsibility
11 for mitigation and preparedness;
- 12 (3) Train citizens in life saving skills with an emphasis
13 on decision making, rescue safety, and doing the
14 greatest good for the greatest number; and
- 15 (4) Organize teams of citizens to be an extension of first
16 responder services offering immediate assistance to
17 victims until professional services arrive."

18 SECTION 2. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2012-2013 for
21 the establishment of a citizen marine patrol program pursuant to
22 this Act.











H.B. NO. 2713

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

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect on July 1, 2012.
5

INTRODUCED BY:

JAN 24 2012



H.B. NO. 2713

Report Title:

DLNR; Citizen Marine Patrol Program; Appropriation

Description:

Requires the DLNR to establish a citizen marine patrol program. Appropriates an unspecified amount to establish the program.

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