

Honolulu, Hawaii

MAY 01 2012

RE: S.B. No. 2933  
S.D. 2  
H.D. 2  
C.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2933, S.D. 2, H.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to improve ocean safety by:

- (1) Requiring the Department of Land and Natural Resources (DLNR) to adopt rules imposing stricter regulations for the safety of ocean users and report to the Legislature on the status of rulemaking and other safety measures;
- (2) Appropriating funds for swim zone buoys at Kamaole beach; and
- (3) Establishing the West Maui Ocean Recreation Management Area Advisory Committee (Advisory Committee) comprised of



users of the ocean to work with DLNR on issues relating to the area, particularly the waters of Kaanapali.

Your Committee on Conference finds that the increased recreational and commercial activities in Hawaii's nearshore waters have led to safety concerns, especially on the island of Maui. In 2011 there were at least four reported accidents involving swimmers and divers being struck by boats. This measure will ensure greater ocean safety in highly populated areas of the State.

Your Committee on Conference has amended this measure by:

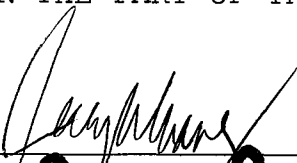
- (1) Clarifying that DLNR is required to install the eight swim zone buoys at the coordinates indicated in this measure;
- (2) Inserting an appropriation amount of \$20,000 for the installation of swim zone buoys;
- (3) Shortening the deadline by which DLNR shall establish the Advisory Committee to September 1, 2012;
- (4) Specifying that the boating enthusiast member of the Advisory Committee be a commercial boating enthusiast;
- (5) Replacing the canoeing enthusiast member of the Advisory Committee with a fishing enthusiast;
- (6) Exempting the members of the Advisory Committee from the state code of conduct, chapter 84, Hawaii Revised Statutes;
- (7) Terminating the Advisory Committee on June 30, 2015;
- (8) Changing the effective date to July 1, 2012; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2933, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2933, S.D. 2, H.D. 2, C.D. 1.



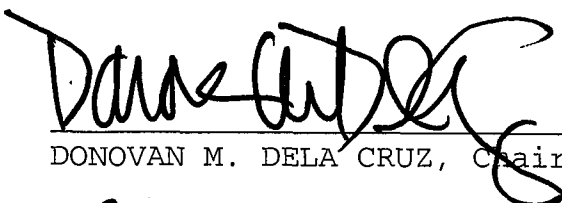
Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

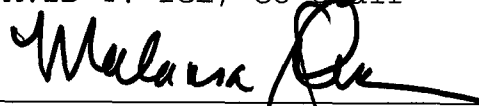
  
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JERRY L. CHANG, Co-Chair

  
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SHARON E. HAR, Co-Chair

ON THE PART OF THE SENATE

  
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DONOVAN M. DELA CRUZ, Chair

  
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DAVID Y. ICE, Co-Chair

  
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MALAMA SOLOMON, Co-Chair

  
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MICHELLE N. KIDANI, Co-Chair



