

HB 2044

**RELATING TO
KEKAHA KAI
STATE PARK**

A BILL FOR AN ACT

RELATING TO KEKAHA KAI STATE PARK.

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

1 SECTION 1. The legislature finds that lifeguards act as
2 the primary responders for emergencies on shorelines and within
3 nearshore waters, where the majority of ocean recreation
4 activity takes place. Lifeguards also provide injury control
5 and dispatch ocean rescue services. Moreover, the legislature
6 also finds that although Kua Bay, Kekaha Kai state park (Kua
7 Bay) in North Kona on the island of Hawaii is under the
8 jurisdiction of the department of land and natural resources,
9 the State currently does not employ its own lifeguards at Kua
10 Bay.

11 The legislature further finds that the location of Kua Bay
12 between Kona and the resorts of Kohala Coast and improvements,
13 such as a paved road and comfort station, to Kekaha Kai state
14 park have led to an increase in visits by locals and tourists,
15 making Kua Bay one of the most popular beaches in the State.
16 Consequently, the increase in visitation is accompanied by an
17 increase in dangerous incidents, injuries, and deaths, which



1 could be mitigated by the implementation of Kua Bay employed
2 lifeguards.

3 From 2013 to 2016, emergency medical service patient care
4 reported twenty-eight calls from the Kua Bay area, fourteen
5 alone from 2016, with nineteen of the calls resulting in
6 hospitalization for a traumatic injury. Additionally, the
7 Hawaii Trauma Registry reports that there were seven spinal cord
8 injuries from 2009 to 2013. According to the department of
9 health's emergency medical services and injury prevention system
10 branch's GIS database of fatal drownings, three people have
11 drowned in the Kua Bay area since 2013.

12 The purpose of this Act is to save lives and prevent injury
13 at Kua Bay by appropriating funds for the employment of
14 lifeguards and for necessary equipment.

15 SECTION 2. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so much
17 thereof as may be necessary for fiscal year 2018-2019 for the
18 department of land and natural resources to hire and provide
19 benefits for four full-time equivalent permanent (4.0 FTE)
20 lifeguards at Kua Bay, Kekaha Kai state park on the island of
21 Hawaii.



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. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$80,000 so much
5 thereof as may be necessary for fiscal year 2018-2019 for the
6 department of land and natural resources to purchase equipment
7 to be used by state lifeguards in the course of their work at
8 Kua Bay, Kekaha Kai state park on the island of Hawaii; provided
9 that the sum appropriated for fiscal year 2018-2019 shall be
10 expended as follows:

- 11 (1) \$60,000 for one lifeguard tower;
- 12 (2) \$8,000 for one all-terrain vehicle;
- 13 (3) \$8,000 for radios;
- 14 (4) \$3,000 for rescue equipment; and
- 15 (5) \$1,000 for protective equipment.

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

18 SECTION 4. This Act shall take effect on July 1, 2018.

19

INTRODUCED BY: Nicole E. Louren
Andy Evans
[Signature]



H.B. NO. 2044

Richard

Allen

Hutchinson

Chapman

Con

Wiley

Al

A

James

JAN 19 2018



H.B. NO. 2014

Report Title:

Kua Bay; Lifeguards; Equipment; Appropriation

Description:

Appropriates funds for the employment of lifeguards and for life-saving equipment at Kua Bay.

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



HB 2044

TESTIMONY

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
LABOR & PUBLIC EMPLOYMENT**

**Thursday, February 8, 2018
10:30 AM
State Capitol, Conference Room 309**

**In consideration of
HOUSE BILL 2044
RELATING TO KEKAHA KAI STATE PARK**

House Bill 2044 proposes to appropriate funds for the employment of lifeguards and for the life-saving equipment at Kua Bay on the island of Hawaii. **The Department of Land and Natural Resources (Department) supports this measure provided that its passage does not replace or adversely impact priorities indicated in the Executive Supplemental Budget request.**

The Department currently has a contract with the County of Hawaii (County) for lifeguard services at Hapuna Beach State Recreation Area that currently cost the Division of State Parks (DSP) \$868,105 annually. The funds for the Hapuna Beach lifeguard contract are derived from a combination of the DSP special fund revenue and the Transient Accommodations Tax allotments. Over the past several years, due to the growth in accident and injury rates attributable to increased visitor patronage at Kua Bay located at Kekaha Kai State Park, DSP agrees that additional County lifeguard services are warranted for public health and safety Kua Bay. However, in order to add new lifeguards and create an additional contract with Hawaii County, these additional funds are absolutely necessary.

SECTION 2 of this measure appropriates general funds to hire and provide benefits for four full time permanent staff. The staffing costs would be approximately \$340,355 annually. Section 3 appropriates \$80,000 in general funds for equipment. The equipment, such as the construction and installation of new towers, is an essential cost element. As an example, under the current four county lifeguard contracts statewide, the previous lifeguard pay raises has increased the staffing cost to the point where current funding precludes DSP from purchasing additional or replacement equipment for the County services-forcing the county to purchase from their own respective budgets.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

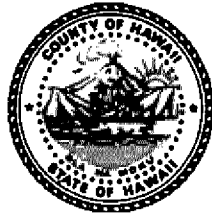
ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

The Department supports the appropriation of general funds to contract lifeguard services at Kua Bay. Thank you for the opportunity to comment on this measure.

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i

Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

February 6, 2018

Representative Aaron Ling Johanson, Chair
Committee on Labor & Public Employment
Hawai'i State Capitol, Room 309
Honolulu, HI 96813

Dear Chair Johanson and Committee Members:

Re: HB 2044 Relating to Kekaha Kai State Park
Hearing Date: 02/08/18 – 10:30 am; Conference Room 309

Thank you for this opportunity to testify in support of HB 2044, which would fund lifeguard services at Kua Bay in Kekaha Kai State Park.

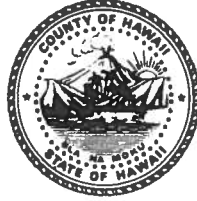
Kua Bay is one of the most beautiful locations in the islands, but its hidden hazards can prove deadly. It is now easily accessible so, for the sake of locals and visitors alike, a lifeguard at that location is definitely warranted and would be much appreciated.

Please act favorably on HB 2044

Respectfully submitted,

Harry Kim
Mayor, County of Hawai'i

DRU MAMO KANUHA
Council Member
District 7, Central Kona



PHONE: (808) 323-4267
FAX: (808) 323-4786
EMAIL: dru.kanuha@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL

West Hawai'i Civic Center 74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawaii 96740

February 6, 2018

TESTIMONY OF DRU KANUHA
COUNCIL MEMBER, HAWAI'I COUNTY COUNCIL
ON HB 2044, RELATING TO KEKAHA KAI STATE PARK
Committee on Labor & Public Employment
Thursday, February 8, 2018
10:30 a.m.
Conference Room 309

Aloha Chair Johanson and Members of the Committee:

I thank you for the opportunity to testify in **support** of HB 2044, relating to Kekaha Kai State Park. My testimony is submitted in my individual capacity as a member of the Hawai'i County Council and Chair of Governmental Relations and Economic Development Committee.

The purpose of this measure is to appropriate funds for the employment of lifeguards and for life-saving equipment at Kua Bay.

Lifeguards are the primary responders for emergencies on shorelines and within nearshore waters, where the majority of ocean recreation activity takes place. Lifeguards provide injury control and dispatch ocean rescue services. Though the Kekaha Kai State Park (Kua Bay) is under state jurisdiction, the state does not employ its own lifeguards. With Kua Bay being located between Kona and multiple resorts, the increased activity by locals and tourists alike has deemed this a very popular beach and in need of lifeguards.

From 2013 – 2016 emergency medical service patient care reported 28 calls from the Kua Bay area, 14 alone from 2016, with 19 of the calls resulting in hospitalization for a traumatic injury. The Hawai'i Trauma Registry reported from 2009 – 2013 there have been seven spinal cord injuries, and per the department of health's emergency medical services and prevention system branch's GIS database of fatal drownings, three people have drowned in the Kua Bay area since 2013.

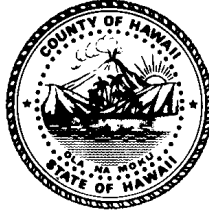
For the reasons stated above, I urge the Committee on Labor and Public Employment to support this measure. Should you have any questions, please feel free to contact me at (808) 323-4267.

Thank you for your consideration.

A handwritten signature in black ink that reads "Dru Kanuha".

DRU KANUHA
Council Member, Hawai'i County Council

Karen Eoff
Council Vice Chair
Council District 8 - North Kona



Phone: (808) 323-4280
Fax: (808) 329-4786
Email: karen.eoff@hawaiiicounty.gov

HAWAI'I COUNTY COUNCIL

County of Hawai'i
West Hawai'i Civic Center, Bldg. A
74-5044 Ane Keohokalole Hwy.
Kailua-Kona, Hawai'i 96740

February 6, 2018

Representative Aaron Ling Johanson, Chair
Representative Daniel Holt, Vice Chair
House Committee on Labor & Public Employment

Re: Testimony Supporting HB2044; Relating to Kekaha State Park
Hearing Date and Time: February 8, 2018 at 10:30 a.m., Conference Room 309

Dear Committee:

On behalf of myself and constituents of Council District 8, North Kona, support for the above referenced Bill is expressed, with brief testimony provided as follows:

Hawai'i Island does not have state funded lifeguards at Kua Bay and Kekaha State Park, which is under the jurisdiction of the Department of Land and Natural Resources. It is in the best interest of residents and visitors that an appropriation be made to fund lifeguard positions and to pay for life-saving equipment at Kua Bay.

Further tragedy and life-changing injuries can be avoided by providing lifeguards at Kua Bay and Kekeha State Park.

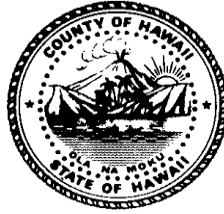
We strongly recommend the passing of this bill.

Sincerely,

KAREN EOFF, Council Vice Chair
Council District 8, North Kona

KE.wpb

Eileen O'Hara
Council Member
Council District 4



Phone: (808) 965-2712
Fax: (808) 961-8912
Email: eileen.ohara@hawaiicounty.gov

Chair: Environmental
Management Committee

Vice Chair: Planning Committee and
Agriculture, Water & Energy
Sustainability Committee

County of Hawaii
Hawaii County Council

25 Aupuni Street, Suite 1402 • Hilo, Hawai'i 96720

Representative Aaron Ling Johanson
Chair, Committee on Labor and Public Employment
Hawai'i State House of Representatives

February 6, 2018

Re: In Support of House Bill 2044, from Hawai'i County Council District 4
Scheduled to be heard by LAB on 02-08-18 10:30AM in House conference room 309

Aloha Chair Johanson and Committee Members:

I'm writing to express my support for House Bill 2044, which appropriates funds for the employment of lifeguards and for life-saving equipment at Kua Bay. With more than ten deaths in State waters in the past six weeks, providing lifeguards for everyone to safely enjoy the ocean is literally a matter of life and death. Our beaches are a fundamental attraction for our tourists; we are responsible for their safety during their vacations. Furthermore, our citizens deserve protection and security while enjoying the beaches of their island home.

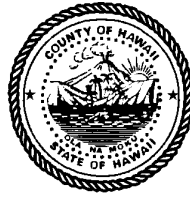
I do not hesitate to support any measure to protect the people of Hawai'i. Please consider the life-saving impact that passing this bill will have on our people and economy, and contact me if you have any questions about my support.

Sincerely,

A handwritten signature in black ink that reads "Eileen O'Hara". The signature is written in a cursive, flowing style.

Eileen O'Hara
Council Member
Council District 4

Harry Kim
Mayor



Darren J. Rosario
Fire Chief

Renwick J. Victorino
Deputy Fire Chief

County of Hawai'i
HAWAI'I FIRE DEPARTMENT
25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720
(808) 932-2900 • Fax (808) 932-2928

February 6, 2018

The Honorable Representative Aaron Ling Johanson, Chair
Committee on Labor & Public Employment
State Capitol, Room 309
Honolulu, Hawai'i 96813

Dear Chair Johanson:

SUBJECT: HB 2044, RELATING TO KEKAHA KAI STATE PARK
Hearing Date: Thursday, February 8, 2018
Time/Place of Hearing: 10:30 am, Conference Room 309

I am Darren J. Rosario, Fire Chief of the Hawai'i Fire Department of the County of Hawai'i (HCFD). The HCFD supports HB 2044, which proposes to appropriate funds for the employment of lifeguards and for life saving equipment at Kua Bay at the Kekaha Kai State Park.

The HCFD manages lifeguard services for the County of Hawai'i through its Ocean Safety Division. The HCFD also provides services at the Hāpuna Beach State Park through funding provided by the State of Hawai'i, Department of Land and Natural Resources in a contract for services in line with HB 2044. The HCFD is in support of this measure with the funding amounts proposed. The funding amount is the minimum amount needed to provide safe services for both the public and the Water Safety Officers. However, Salary and Wage amounts for four (4) Full time Water Safety Officers will need to be finalized to current Collective Bargaining Agreements for BU 14 members. As Social Media mechanisms increase, the popularity of this beach park has most certainly grown. As a public safety department, we agree with the urgency of this bill and support its passing.

The Hawai'i Fire Department is fully ready to process the personnel coverage and equipment purchases necessary when this measure passes.

Please do not hesitate to call me at 932-2903 or darren.rosario@hawaiicounty.gov should you have any questions. Thank you for the opportunity to provide testimony in support of HB 2044.

Respectfully,

A handwritten signature in black ink, appearing to read "Darren J. Rosario".

DARREN J. ROSARIO
Fire Chief





February 7, 2018

Representative Aaron Ling Johanson, Chair
Representative Daniel Holt, Vice Chair
House Committee on Labor and Public Employment

Dear Representative Johanson and Representative Holt,

Testimony in Support of HB2044

The Kohala Coast Resort Association (KCRA) is in full support of HB2044, providing for lifeguards and lifesaving equipment at Kekaha Kai State Park and Kua Bay. As our visitation continues to grow on Hawaii Island, we are seeing an increase in use of this beautiful bay, and believe that it should have lifeguards to help both residents and visitors enjoy the ocean safely.

KCRA is a collection of master-planned resorts and hotels situated north of the airport which represents more than 3,500 hotel accommodations and an equal number of resort residential units. This is approximately 35 percent of the accommodations available on the Island of Hawai'i. KCRA member properties annually pay more than \$20 million in TAT and \$20 million in GET.

We encourage your support of this measure.

Sincerely,

A handwritten signature in black ink that reads "Stephanie P. Donoho". The signature is written in a cursive, flowing style.

Stephanie Donoho
Administrative Director

HB-2044

Submitted on: 2/5/2018 5:39:23 PM

Testimony for LAB on 2/8/2018 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez		Support	No

Comments:

HB 2044

**LATE
TESTIMONY**

HB-2044

Submitted on: 2/8/2018 6:25:41 AM

Testimony for LAB on 2/8/2018 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephenie Blakemore	voter	Support	No

Comments:

We need to support our County lifeguards by providing them with all the tools to do their job, which includes protecting them from being liable for injuries and deaths that could occur while selflessly and courageously performing ocean rescues. The Hawaiian Lifeguard is recognized world over as the ultimate example of what is a water safety professional. Let's give them the support they need to do their job with the Aloha spirit that is what makes Hawaii, Hawaii.

LATE