

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



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

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**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
HEALTH & HUMAN SERVICES**

**Thursday, February 8, 2018  
9:00 AM  
State Capitol, Conference Room 329**

**In consideration of  
HOUSE BILL 929, PROPOSED HOUSE DRAFT 1  
RELATING TO HEALTH**

House Bill 929, Proposed House Draft 1 proposes to require rental shops and stores to place a warning page or card listing a safety checklist for snorkels sold or rented in Hawai'i and to require the Department of Land and Natural Resources (Department) to adopt administrative rules to effectuate the section. **The Department appreciates the focus on snorkeling safety, but respectfully opposes this measure as written and offers the following comments.**

The Department believes the requirements of this measure are outside of the Department's purview, which includes regulating use of the State's natural resources and activities conducted in waters of the State. This measure is a health measure that would instead require the Department to regulate products being sold in stores and shops, which would be a task better suited for a different department.

The Department agrees with intent of this measure but believes that adopting the measure would greatly increase the Department's enforcement requirements and would require the Department to create categories of violations that do not currently exist. This measure also implies that the Department would conduct outreach to those purchasing or renting snorkels by regulating the required statements and information on the checklist.

The Department believes that rather than promulgating administrative rules, the important safety issue of snorkeling safety would be better addressed through a far-reaching public safety campaign, which would require a multi-agency effort. The Department is willing to coordinate with other involved agencies in campaign development and dissemination.

Thank you for the opportunity to comment on this measure.

**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  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**LATE**

**HB-929**

Submitted on: 2/8/2018 9:05:27 AM

Testimony for HHS on 2/8/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Scott Foster		Support	No

Comments:

Scott Foster

Hawai'i Advocates For Consumer Rights