

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

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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

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
FINANCE

Friday, February 23, 2018
12:00 PM
State Capitol, Conference Room 308

In consideration of
HOUSE BILL 2097, HOUSE DRAFT 1
RELATING TO LIFEGUARDS

House Bill 2097, House Draft 1 proposes to appropriate funds to the Department of Land and Natural Resources (Department) to hire lifeguards to monitor state and county beach parks. **The Department supports this measure with amendments provided that its passage does not replace or adversely impact priorities indicated in the Executive Supplemental Budget request.**

The State does not have lifeguard positions and as a result, the Department contracts with the four counties to support lifeguard services at state beach parks under the jurisdiction of the Department's Division of State Parks, that have been identified as having both ocean conditions and a volume of patronage that warrants the critical need for trained water safety personnel. The total costs of the lifeguard contracts for four state beach parks under the jurisdiction of the Division of State Parks is just under \$3,000,000 and are funded through a creative variety of sources: general fund appropriations, special fund appropriations, and a portion of the Transient Accommodations Tax allocation.

Ideally – all four contracts would be funded via a commensurate increase in general funds, – including a targeted need for new lifeguard stations at Kua Bay at Kekaha Kai State Park with an additional \$375,000 for personnel costs.

This table illustrates the previous and current costs associated with providing the current lifeguard contracts.

		FY17	FY18	INCREASE
Initial Memorandum: 6/27/12 MOF: State Parks Special Fund/TAT	HAWAII (Hapuna)	\$ 465,785.00	\$ 868,105.79	\$ 402,320.79
Initial Memorandum: 07/03/08 MOF: State Parks General Fund	MAUI (Makena)	\$ 606,469.00	\$ 1,056,058.64	\$ 449,589.64
Initial Memorandum: 03/24/08 MOF: State Parks General Fund	KAUAI (Kee)	\$ 200,065.00	\$ 287,292.10	\$ 87,227.10
Initial Memorandum: 06/27/12 MOF: Special Land and Development Fund	CITY (Keawaula)	\$ 584,216.00	\$ 697,084.39	\$ 112,868.39
	TOTAL	\$ 1,856,535.00	\$ 2,908,540.92	\$ 1,052,005.92

The Department recommends that the bill be amended as follows, so that the appropriation be expended by the Department for state beach parks under the jurisdiction of the Division of State Parks, as the Department does not oversee county beach parks.

SECTION 1. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,000,000 or so much thereof as may be necessary for fiscal year 2018-2019 for the department of land and natural resources division of state parks to hire lifeguards to monitor state [~~and county~~] beach parks.

SECTION 2. There is appropriated out of the tourism special fund the sum of \$1,000,000 or so much thereof as may be necessary for fiscal year 2018-2019 for the department of land and natural resources division of state parks to hire lifeguards to monitor state [~~and county~~] beach parks.

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

The Department supports this allocation, as it will greatly help to offset current costs.

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

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February 22, 2018

Representative Sylvia Luke, Chair
Committee on Finance
Hawai'i State Capitol, Room 308
Honolulu, HI 96813

Representative Ty J.K. Cullen, Vice-Chair
Committee on Finance
Hawai'i State Capitol, Room 308
Honolulu, HI 96813

Dear Chair Luke, Vice-Chair Cullen and Committee Members:

Re: HB 2097, HD 1 Relating to Lifeguards
Hearing Date: 02/23/18 – 12:00 pm; House Conference Room 308

Thank you for this opportunity to testify in support of HB 2097, HD 1.

With the issue of lifeguard liability hanging over our first responders, and no indication that a legislative solution is at hand, my Fire Department supports the hiring of lifeguards by DLNR for State and county beaches. Since all ocean waters are under State jurisdiction, this would seem a reasonable, sensible, and effective path forward.

I hope you will keep HB 2097, HD 1 alive, with as much funding as you can justify.

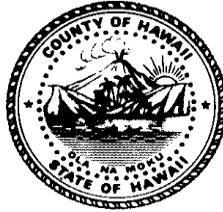
Respectfully submitted,

A handwritten signature in blue ink that appears to read "Harry Kim".

Harry Kim
Mayor, County of Hawai'i

Eileen O'Hara
Council Member
Council District 4

Chair: Environmental
Management Committee



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

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 Sylvia Luke
Chair, House Committee on Finance
Hawai'i State House of Representatives

February 21, 2018

Re: In Support of House Bill 2097, from Hawai'i County Council District 4
Scheduled to be heard by FIN on 02-23-18 12:00PM in House conference room 308

Aloha Chair Luke and Committee Members:

I'm writing to express my support for House Bill 2097, which appropriates funds to the Department of Land and Natural Resources to hire lifeguards to monitor State and County beach parks. 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.

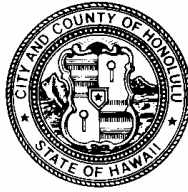
Sincerely,

Eileen O'Hara
Council Member
Council District 4

HONOLULU EMERGENCY SERVICES DEPARTMENT
CITY AND COUNTY OF HONOLULU

3375 KOAPAKA STREET, SUITE H-450 • HONOLULU, HAWAII 96819-1814
Phone: (808) 723-7800 • Fax: (808) 723-7836

KIRK CALDWELL
MAYOR



JAMES D. HOWE, JR.
DIRECTOR

IAN T.T. SANTEE
DEPUTY DIRECTOR

February 22, 2018

The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice-Chair
House Committee on Finance
House of Representatives
Twenty-Ninth Legislature
Regular Session of 2018

Re: HB2097 Relating to Lifeguards

Dear Chair Luke, Vice-Chair Cullen, and Members:

The Honolulu Emergency Services Department provides both Ocean Safety and Emergency Medical Services for the Island of Oahu. As to Ocean Safety, the Department is the contractor to the Department of Land and Natural Resources, State Parks Division, as the ocean safety and lifeguard services provider at Kaena Point State Park. The Department's Ocean Safety Division provides education, injury prevention, emergency medical response, and ocean rescue patrol and response services for all emergencies that arise on the beach and waters from the shoreline to 1 mile off-shore of the state park lands.

In 2016, the ocean safety staff performed 103,850 preventive actions, treated 3,364 minor medical issues, responded to and managed 44 major medical responses, and performed 64 ocean rescues. There were no reported fatalities at the State Park area, which stretches 3.5 miles from Makua Cave to Kaena Point. The area is heavily used for ocean and land recreation purposes, large social gatherings, and is one of the most remote locations on Oahu in terms of available emergency services support.

As noted in the preamble to HB2097, it is the City and County of Honolulu's ocean safety personnel who provide the lifeguard services that ensure the safety of the public which uses our state and county beach parks.

Due to collective bargaining, the cost of providing these services has increased in the past two years and is anticipated to increase again in the current fiscal year.

As the contracted service provider, the recovery of these increased costs is critical to ensuring the continued provision of these services. This Bill proposes to appropriate funds to ensure the continuation of these services.

Thank you for the opportunity to testify on this matter.

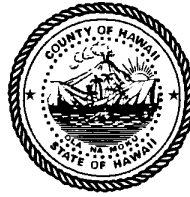
Sincerely,

For

A handwritten signature in black ink, appearing to read "James D. Howe, Jr.", is written over a horizontal line.

James D. Howe, Jr.
Director

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
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February 21, 2018

The Honorable Sylvia Luke, Chair
Committee on Finance
State Capitol, Room 306
Honolulu, Hawai'i 96813

Dear Chair Luke:

Subject: H.B. 2097 HD1, RELATING TO LIFEGUARDS
Hearing Date: Thursday, February 23, 2018
Time/Place of Hearing: 12:00 p.m., Conference Room 308

I am Darren J. Rosario, Fire Chief of the Hawai'i Fire Department of the County of Hawai'i (HCFD). The HCFD supports HB 2097, HD1, which proposes to appropriate funds for the employment of lifeguards to monitor state and county beaches.

The HCFD manages lifeguard services for the County of Hawai'i through its Ocean Safety Division. The HCFD 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. The HCFD is in support of this measure with the funding amounts proposed. The need to expand lifesaving services across our beaches needs the assistance of the funding this measure allocates as a public safety department, we agree with the urgency of this bill and support its passing.

Please do not hesitate to call me at 932-2903 or darren.rosario@hawaiiicounty.gov should you have any questions. Thank you for the opportunity to provide testimony in support of HB 2097, HD1.

Respectfully,

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

DARREN J. ROSARIO
Fire Chief



HB-2097-HD-1

Submitted on: 2/22/2018 11:12:26 AM

Testimony for FIN on 2/23/2018 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:



HAWAIIAN LIFEGUARD ASSOCIATION

February 22, 2018

The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice Chair,
and Members
Committee on Finance
House of Representatives
The Twenty Ninth Legislature
Regular Session of 2018

Chair Luke, Vice Chair Cullen, and Members,

RE: HB 2097 HD1 RELATING TO LIFEGUARDS

The Hawaiian Lifeguard Association (HLA) is the non-profit organization incorporated in the State of Hawaii to support the 450 professional ocean lifeguards employed by the counties in their efforts to reduce drownings and aquatic injuries at our beaches.

The Association accomplishes this goal by upholding the highest standards of professional lifeguard training and certification, delivering the annual Junior Lifeguard Program, and by developing and disseminating water safety prevention messages for visitors to and residents of our island state.

The HLA strongly supports HB 2097 HD1, which would appropriate funds to the Department of Land and Natural Resources to hire lifeguards to monitor state and county beach patrols. Statistics compiled by the State Department of Health show that drowning is the fifth leading cause of unintentional injury deaths in Hawaii, and that the overwhelming majority of these fatal drownings involve occur at beaches that are not protected by lifeguards..

The HLA strongly supports HB 2097 HD1 and urges your favorable consideration of this important matter.

Sincerely,

Ralph S. Goto
For the Board of Directors

P.O. Box 283324 • Honolulu, Hawaii 96828 • (808) 922-3888
Facsimile (808) 922-0411 • Email: lifeguards@aloha.com



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kelepa'i fax 808 973 2253
kahua pa'a web hawaii-tourism-authority.org

David Y. Ige
Governor

George D. Szigeti
President and Chief Executive Officer

Statement of
George D. Szigeti
Chief Executive Officer
Hawai'i Tourism Authority
on
HB2097 HD1
Relating to Lifeguards
House Committee on Finance
Thursday, February 23, 2018
12:00pm
Conference Room 308

LATE

Chair Luke, Vice-Chair Cullen and Committee Members:

The Hawai'i Tourism Authority (HTA) **offers comments on HB2097 HD1**, which would appropriate an unspecified sum from the State's general revenues and from the Tourism Special Fund (TSF) for the fiscal year 2018-2019 to the Department of Land and Natural Resources Division of State Parks to hire lifeguards.

HTA agrees with the bill's intent to hire additional lifeguards, but believes that the funds required are best appropriated from Transient Accommodations Tax (TAT) revenues, rather than the TSF. Currently, under HRS § 237D-6.5, TAT revenues are allocated to the special land and development fund for this same purpose and are administered by the Department of Land and Natural Resources for the "protection, preservation, maintenance, and enhancement of natural resources, including beaches, important to the visitor industry."

HTA is actively involved in supporting State, county and community ocean safety programs, as well as programs focused on education and increasing visitor awareness of dangerous ocean conditions. These programs include the Junior Lifeguard Program, which HTA funded in 2017. Through this program, approximately 2,000 young residents were trained as community water safety ambassadors to enhance their ocean safety awareness and water rescue skills. HTA is also a partner to the State's Drowning and Spinal Injury Prevention Advisory Committee, which works collaboratively to address water safety.

For these reasons, HTA believes that there are more appropriate ways than the TSF to fund the hiring of additional lifeguards to monitor state and county beach parks without impeding the State's ability to attract and retain visitors. Thus, HTA proposes the bill be amended to allocate monies from TAT revenues, instead of from the TSF.

Mahalo for the opportunity to offer this testimony.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

LATE

The Twenty-Ninth Legislature, State of Hawaii
House of Representatives
Committee on Finance

Testimony by
Hawaii Government Employees Association

February 23, 2018

H.B. 2097, H.D. 1 – RELATING TO LIFEGUARDS

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 2097, H.D. 1 which appropriates funds to the Department of Land and Natural Resources to hire lifeguards to monitor state and county beach parks for fiscal year 2018 – 2019.

As written, H.B. 2097 grants the Department flexibility and discretion to ensure that beachgoers are safe and protected by hiring ocean safety officers to monitor both state and county beach parks. We are hopeful that passage of this measure will lend much needed ocean resources and help in decreasing the amount of drownings and deaths on our beaches.

Thank you for the opportunity to testify in support of H.B. 2097, H.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director