STAND. COM. REP. NO. 3748

Honolulu, Hawaii

APR - 6 2022

RE: H.B. No. 1743

H.D. 1 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1743, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO POOLS,"

begs leave to report as follows:

The purpose and intent of this measure is to define "pool" to mean a watertight artificial structure containing a body of water that does not exchange water with any other body of water, either naturally or mechanically, used for swimming, diving, recreational bathing, or therapy by humans.

Your Committee received testimony in support of this measure from the Department of Health and one individual.

Your Committee finds that public swimming pools are currently regulated under the Hawaii Administrative Rules, which require established turnover rates and disinfectant residuals to ensure that proper filtering of the water is occurring at all times during use by the public. Your Committee further finds that manmade lagoons and pools, such as the Natatorium, cannot meet these requirements and do not meet nationally recognized definitions of a "public swimming pool". Therefore, alternative public health standards for other public recreational waters, such as beaches, should be applied to these structures instead, particularly if the owner of the structure intends to use the ocean or ocean venue for

swimming. This measure clarifies the definition of "pool" so that certain structures such as man-made lagoons and pools do not fall under the regulation of "pools".

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1743, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

Kal Alses

The Senate Thirty-First Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:		Da	Date:	
HB 1743, HDI, SDI	HTH, JDC			03-31-22	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)					
KEOHOKALOLE, Jarrett (VC)					
ACASIO, Laura					
GABBARD, Mike					
KIM, Donna Mercado					
LEE, Chris					
FEVELLA, Kurt					
TOTAL		7		_	
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Only one measure per Record of Votes