

STAND. COM. REP. NO. **336**-24

Honolulu, Hawaii

FEB 14, 2024

RE: H.B. No. 1936
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 1936 entitled:

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

begs leave to report as follows:

The purpose of this measure is to require, with certain exceptions, that the securing of mooring lines of vessels requiring tug assistance to the State's commercial docks, wharves, piers, quays, and landings be performed by a stevedoring company.

Your Committee received testimony in support of this measure from the International Longshore & Warehouse Union; Laborer's International Union Local 368; Plumbers & Fitters UA Local 675; and numerous individuals. Your Committee received testimony in opposition to this measure from Island Plastic Bags; Hawaii Shippers' Council; Hawaiian Cement; Hawaii Energy Marketers Association; Par Hawaii; Hawai'i Cost of Living Coalition; General Contractors Association of Hawaii; Island Energy; American Marine Corporation; Aloha Petroleum LLC; Maui Chamber of Commerce; and one individual. Your Committee received comments on this measure from the Public Utilities Commission; Hawai'i Gas; and Building Industry Association Hawaii.

Your Committee finds that, due to the State's geographic isolation from the rest of the world, ninety-eight percent of all

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goods coming into Hawaii are processed by the State's harbor system. Your Committee further finds as there is no viable alternative to ocean shipping for transporting the enormous volume of goods that enter Hawaii, damage to a commercial port could quickly cause food insecurity in the State and limit the State's access to medical supplies and other critical goods.

Your Committee recognizes that, in commercial shipping, tugs are used to tow larger vessels into the harbor, and the vessels are then secured to the bulkhead with mooring lines. In most cases, the mooring lines are secured by certified longshore linespersons. However, presently in Hawaii, out-of-state companies are not required to utilize trained local longshore linespersons, or stevedores, to secure their operational vessels to the State's commercial docks, wharves, piers, quays, bulkheads, and landings. This measure purports to address safety issues related to cases where mooring lines are not secured by certified longshore linespersons. Your Committee notes however, that the Department of Transportation did not submit any testimony on this measure. Therefore, your Committee respectfully requests the Department of Transportation to submit testimony regarding this measure to your Committee on Consumer Protection & Commerce, should it deliberate on this measure.

Your Committee also notes that this measure does not make clear which state agency or certification body would be responsible for certifying and recertifying employees of water carriers of property.

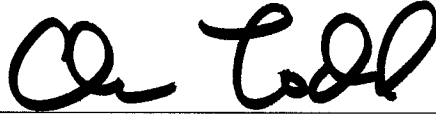
Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1936, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1936, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



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



CHRIS TODD, Chair



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Record of Votes of the Committee on Transportation

Bill/Resolution No: HB1936	Committee Referral: TRN, CPC	Date: 2/8/24		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. TODD, Chris (C)	✓			
2. KILA, Darius K. (VC)	✓			
3. AIU, Micah P.K.	/			
4. EVSLIN, Luke A.	/			
5. KITAGAWA, Lisa	/			
6. MIYAKE, Tyson K.	/			
7. ONISHI, Richard H.K.		/		
8. MATSUMOTO, Lauren	/			
TOTAL (8)	7	1		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 150px;">committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				