

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 1478
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 1478, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL HARBORS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require masters or persons in charge of vessels to follow an order by a harbor master to evacuate a commercial harbor in emergencies;
- (2) Establish higher penalties for noncompliance; and
- (3) Authorize fines collected for violations of this requirement as moneys to be paid into the Harbor Special Fund.

Your Committees received testimony in support of this measure from the Department of Transportation and Department of Defense.

Your Committees received testimony in opposition to this measure from the Hawaii Longline Association and Holo Holo Charters, Inc.

Your Committees received comments on this measure from the Matson Navigation Company, Inc. and The Maritime Group.



Your Committees find that it is vital that commercial harbor users evacuate commercial harbors when ordered by the harbor master, particularly in emergency situations. There have been instances when the United States Coast Guard has closed a commercial harbor as part of an emergency response and the people responsible for the vessel did not follow the harbor master's order to evacuate. By clarifying both the requirement and the associated penalty for noncompliance, this measure will encourage vessel owners, agents, and crew to plan ahead for port closures and develop plans for evacuation.

Your Committees note the concerns raised in testimony regarding the evacuation and safety impediments for vessels under a certain gross registered tonnage. Your Committees also acknowledge the unique challenges smaller vessels experience when following evacuation orders during hazardous sea conditions.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1478, S.D. 1, and recommend that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,



DONOVAN M. DELA CRUZ, Chair



KARL RHOADS, Chair



**Record of Votes
Committee on Judiciary
JDC**

*Only one measure per Record of Votes

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB1478 SD1	Committee Referral: TCA, JDC/WAM	Date: 2-27-25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Pass, unamended 2312 </div> <div> <input type="checkbox"/> Pass, with amendments 2311 </div> <div> <input type="checkbox"/> Hold 2310 </div> <div> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
ELEFANTE, Brandon J.C.	X			
HASHIMOTO, Troy N.	X			
INOUE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	13	0	0	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
<div style="display: flex; justify-content: space-between; font-size: small;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

*Only one measure per Record of Votes