

STAND. COM. REP. NO. **2791**

Honolulu, Hawaii

FEB 29 2024

RE: S.B. No. 2746
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2746, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to direct the Department of Transportation to require that the securing of mooring lines from vessels requiring tug assistance to commercial docks, wharves, piers, quays, and landings be performed by stevedoring companies.

Your Committee received written comments in support of this measure from Hawaii Ports Maritime Council; Hawaii Teamsters and Allied Workers Local 996; IBEW Local Union 1186; International Longshore and Warehouse Union Local 142; International Union of Painters and Allied Trades, District Council 50; Laborers' International Union Local 368; Marine Firemen's Union; Operating Engineers Local 3; Plumbers and Fitters Local 675; and numerous individuals.

Your Committee received written comments in opposition to this measure from American Marine Corporation; American Waterways Operators; Chamber of Commerce Hawaii; Contractors Association of Kauai; General Contractors Association of Hawaii; Hawaii Cost of Living Coalition; Hawaii Energy Marketers Association; Hawaii Shippers' Council; Hawaiian Cement; Island Energy Services; Island



Plastic Bags, Inc.; Maui Chamber of Commerce; Par Hawaii; and Retail Merchants of Hawaii.

Your Committee received written comments on this measure from the Department of Transportation; Public Utilities Commission; Building Industry Association of Hawaii; Hawaii Gas; and Sause Bros., Inc.

Your Committee finds that requiring the use of a stevedoring company to secure mooring lines when vessels are pulled into a harbor by tug will help to ensure the safety of the State's harbors and harbor workers. However, your Committee recognizes the need to balance the safety of the State's harbors and harbor workers with the timely delivery of supplies to the neighbor islands. Accordingly, your Committee believes that an appropriate method of achieving balance is to exempt from the requirements of this measure the securing of mooring lines by any tug operator that is both regulated by the United States Coast Guard and a signatory to a collective bargaining agreement.

Your Committee has amended this measure by:

- (1) Exempting from the requirements of this measure the securing of mooring lines by any tug operator that is both regulated by the United States Coast Guard and a signatory to a collective bargaining agreement; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2746, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2746, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


DONOVAN M. DELA CRUZ, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2746 SDI	TCA, WAM	2/22/2024		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
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			
HASHIMOTO, Troy N.	X			
INOUE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	13	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> 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