STAND. COM. REP. NO. 7790

Honolulu, Hawaii

FEB 14 , 2023

RE: H.B. No. 714 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 714 entitled:

"A BILL FOR AN ACT RELATING TO MOORING LINES,"

begs leave to report as follows:

The purpose of this measure is to require commodities and manifested cargo requiring tug assistance to be manned by an existing, operational stevedoring company that is currently operating in the State.

Your Committee received testimony in support of this measure from the Hawaii Stevedores Inc.; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaiian Cement and one individual. Your Committee received comments on this measure from the Department of the Attorney General and the Department of Transportation.

Your Committee finds that the Hawaiian archipelago is the most remote island chain in the world, where 98 percent of all goods are processed by the harbor system and are vital to Hawaii's shipping industry. Your Committee further finds that currently it is not required for any out-of-state company to utilize trained local longshore linespersons to secure their operational vessel to the State's commercial docks, wharves, piers, quays, bulkheads, and landings belonging to or controlled by the State. Stevedoring

companies are crucial to the State's harbors infrastructure and stevedoring companies are well-versed in the uniqueness of each state harbor's challenges pertaining to the loading and landing of merchandise.

Your Committee notes the concerns raised by the Department of the Attorney General that the contents of this measure as currently drafted do not fall within the title of the measure, relating to mooring lines.

Accordingly, your Committee has amended this measure by:

- Clarifying that the securing of mooring lines from vessels requiring tug assistance are required to be performed by a stevedoring company;
- (2) Amending the purpose section to more accurately reflect its amended purpose and deleting extraneous language;
- (3) Deleting the reference to "commodities and manifested cargo", except as manifested cargo used in the definition of stevedoring company, and deleting the definition of "commodity";
- (4) Amending the definitions of "manifested cargo" and "stevedoring company";
- (5) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (6) 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. 714, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 714, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

STAND. COM. REP. NO. 330 Page 3

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

CHRIS TODD, Chair

State of Hawaii House of Representatives The Thirty-second Legislature

USCR 330

Record of Votes of the Committee on Transportation

Bil	/Resolution No.: Committee	e Referral:	Date	2/9/2	1023
☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)					
	TRN Members	Ayes	Ayes (WR)	Nays	Excused
1.	TODD, Chris (C)				.]
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2.	KILA, Darius K. (VC)				
3.	AIU, Micah P.K.	V			
			B ANGER 120		
4.	HASHIMOTO, Troy N.				
5.	KITAGAWA, Lisa		became and the same	Carlos and a state of the state	
					SPECIAL SPECIAL
6.	MARTEN, Lisa		China Park China C		
7	ONICHI Dichard H K				
7.	ONISHI, Richard H.K.				
8.	MATSUMOTO, Lauren		and the same of the same of		
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	TOTAL (8)	5			3
The recommendation is: Adopted If joint referral, did not support recommendation.					
committee acronym(s)					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					