

JAN 23 2025

A BILL FOR AN ACT

RELATING TO VESSELS IN STATE COMMERCIAL HARBORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 266-61, Hawaii Revised Statutes, is amended to read as follows:

"§266-61 Labor subject to collective bargaining; required.

~~[In]~~ (a) Except as provided in subsection (b), in addition to the duties of the department of transportation imposed under part I, the department of transportation shall require that the securing of mooring lines from vessels to commercial docks, wharves, piers, quays, and landings be performed by labor subject to collective bargaining~~[- provided that nothing in this section shall be construed as requiring that any].~~

(b) Subsection (a) shall not apply to:

(1) Any labor being performed at any shipyard or drydock; by or on behalf of any ship repair or construction company; or involving any activity relating to ship repair, construction and overhaul services, and maritime research and development ~~[be subject to collective bargaining.]~~; and

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1 (2) The securing of mooring lines from government-owned or
2 government-sponsored vessels, training vessels, and
3 fishing vessels."

4 SECTION 2. This Act shall not be applied so as to impair
5 any contract existing as of the effective date of the Act in a
6 manner violative of either the Constitution of the State of
7 Hawaii or article I, section 10, of the United States
8 Constitution.

9 SECTION 3. The provisions of this Act shall be enforced to
10 the extent they are not held to conflict with any federal or
11 state constitutional provision, law, rule, or regulation. The
12 provisions of this Act are not severable and if any provision of
13 the Act, or the application thereof to any person or circumstance
14 is held to conflict with any deferral or state constitutional
15 provision, law, rule, or regulation, this Act, in its entirety
16 shall be invalid.

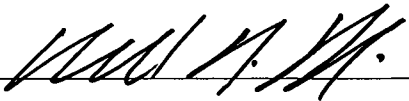
17 SECTION 4. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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BY REQUEST

S.B. NO. 1402

Report Title:

Mooring Lines; Harbor Safety; Exempt Vessels; Commercial Harbors

Description:

Clarifies that the requirements for the securing of mooring lines in state commercial harbors shall not apply to certain vessels.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Office of the Governor

TITLE: A BILL FOR AN ACT RELATING TO VESSELS IN
STATE COMMERCIAL HARBORS.

PURPOSE: To exempt government-owned or government-sponsored vessels, training vessels, and fishing vessels from the requirement that the securing of mooring lines from vessels to the State's commercial docks, wharves, piers, quays, and landings be performed by labor that is subject to collective bargaining.

MEANS: Amend section 266-61, Hawaii Revised Statutes (HRS).

JUSTIFICATION: Act 236, Session Laws of Hawaii (SLH) 2024, amended chapter 266, HRS, to add a new section requiring that the securing of mooring lines from vessels to the State's commercial docks, wharves, piers, quays, and landings be performed by labor subject to collective bargaining. Several vessel types were identified as appropriate to be exempt from the new requirement. Additional vessel types have been identified as appropriate to be exempt from the requirement.

Impact on the public: Act 236, SLH 2024, allowed regulated intrastate shipping companies to use their current qualified staff to safely and more efficiently conduct their necessary mooring operations. Government-owned or government-sponsored vessels, training vessels, and fishing vessels are appropriate to exempt from those requirements without the same concerns.

Impact on the department and other agencies:
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION:

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.