

ACT 236

H.B. NO. 1936

A Bill for an Act Relating to Harbor Safety.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to require 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, to ensure harbor safety by employing highly skilled, experienced local longshore workers who possess the intimate knowledge of Hawaiian waters and mooring practices crucial for minimizing accidents and ensuring optimal safety. As with any stevedoring job, mooring operations carry significant risks, and accidents can have devastating consequences, even death.

SECTION 2. Chapter 266, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

**“PART . MOORING OF VESSELS TO COMMERCIAL DOCKS**

**§266- Labor subject to collective bargaining; required.** 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 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.”

SECTION 3. This Act shall not be applied so as to impair any contract existing as of the effective date of this Act in a manner violative of either the Constitution of the State of Hawaii or article I, section 10, of the United States Constitution.

SECTION 4. The provisions of this Act shall be enforced to the extent they are not held to conflict with any federal or state constitutional provision, law, rule, or regulation. The provisions of this Act are not severable and if any provision of the Act, or the application thereof to any person or circumstance is held to conflict with any federal or state constitutional provision, law, rule, or regulation, this Act, in its entirety, shall be invalid.

SECTION 5. This Act shall take effect upon its approval; provided that this Act shall be repealed on July 1, 2028.

(Approved July 9, 2024.)