

STAND. COM. REP. NO.

3715

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 1936
H.D. 2
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 H.B. No. 1936, H.D. 2, 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 mandate that the Department of Transportation require the securing of mooring lines from vessels to commercial docks, wharves, piers, quays, and landings to be performed by labor that is subject to collective bargaining.

Your Committee received written comments in support of this measure from International Brotherhood of Electrical Workers Local Union 1186, International Longshore and Warehouse Union Local 142, and numerous individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Shippers Council and Retail Merchants of Hawaii.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Transportation, and Public Utilities Commission.



Your Committee finds that requiring the securing of mooring lines from vessels to commercial docks, wharves, piers, quays, and landings to be performed by labor subject to collective bargaining will allow regulated intrastate shipping companies to use their current qualified staff to safely and more efficiently conduct their necessary mooring operations.

Your Committee has amended this measure by:

- (1) Clarifying that the collective bargaining requirements to be established in accordance with this measure exclude labor performed at certain locations, by certain entities, and involving certain activities;
- (2) Clarifying that this measure shall not be applied so as to impair the obligation of any contract in violation of the Constitution of the State of Hawaii or the United States Constitution;
- (3) Changing the effective date from July 1, 3000, to upon its approval; and
- (4) 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 H.B. No. 1936, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1936, H.D. 2, 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:		
HB 1936 HD2 SD1	TCA, WAM	4/3/2024		
<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	11	0	0	2
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