

STAND. COM. REP. NO.

616

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 438
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian Affairs, to which was referred H.B. No. 438 entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSES,"

begs leave to report as follows:

The purpose of this measure is to require prospective commercial marine licensees, prior to being granted a license, to provide the Department of Land and Natural Resources with a copy of the work contract of all of the fishers that it employs.

The Conservation Council for Hawaii and one individual testified in support of this measure. The Hawaii Longline Association, Hawaii Seafood Council, Hawaii Industry Task Force, United Fishing Agency, Hawaii Goes Fishing, and one concerned individual testified in opposition to this measure. The Department of Land and Natural Resources commented on this measure.

Your Committee notes that this measure does not in any way attempt to intervene in the employment contracts between the commercial marine licensees and their employees. Rather, this measure is concerned with the rights and safety of foreign and migrant workers, and this measure only applies to foreign labor worker contracts.

HB438 HD1 HSCR OMH HMS 2017-2277

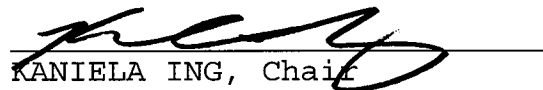


Your Committee has amended this measure by:

- (1) Clarifying that the records of employment and agency contracts are required only for foreign labor workers and that they will be retained only for record keeping purposes; and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 438, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 438, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Ocean, Marine
Resources, & Hawaiian Affairs,


KANIELA ING, Chair



