

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 1249  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Water and Land and Agriculture and Environment, to which was referred S.B. No. 1249 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Department of Land and Natural Resources to establish different types of commercial marine licenses (CMLs), including but not limited to commercial marine vessel licenses, fishery and gear-specific CMLs, and full-time and part-time CMLs; and
- (2) Require any person providing fishing charter or guide services, whether vessel-based or shore-based, to first obtain a CML.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Seafood Council; United Fishing Agency; Hawaii Fishermen's Alliance for Conservation and Tradition, Inc.; Lokahi Fishing, LLC; and three individuals.

Your Committees find that the current CML laws are unnecessarily burdensome on boat-based fishers due to the requirement that each individual on a fishing vessel must have a



CML to participate in a commercial fishing trip where the resulting catch may be sold. This places logistical and even financial burdens on vessel captains when part-time crew members are needed for a commercial fishing trip or when random or infrequent visitors are invited. It also leads to confusion regarding who is responsible for submitting commercial catch reports for fishing activities on board the vessel. Your Committees further find that the Department of Land and Natural Resources lacks the statutory authority to establish different types of CMLs. Therefore, authorizing the Department of Land and Natural Resources to create and issue different types of CMLs, such as a commercial marine vessel license, would enable better management of the State's diverse commercial fishing activities.

Your Committees have amended this measure by:

- (1) Deleting references to fishery and gear-specific commercial licenses;
- (2) Deleting references to full-time and part-time commercial licenses;
- (3) Deleting references to guide services;
- (4) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

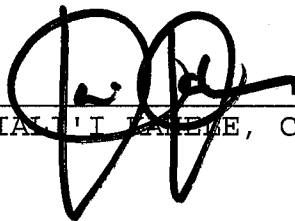
As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1249, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1249, S.D. 1, and be referred to your Committees on Commerce, Consumer Protection, and Health and Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committees on Water and Land  
and Agriculture and  
Environment,



MIKE GABBARD, Chair




KAIULANI L. KANE, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

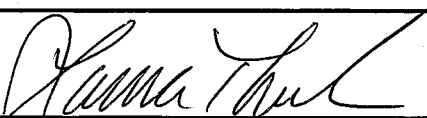
**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <b>SB 1249</b>	Committee Referral: <b>WTL/AEN, CPA/JDC</b>	Date: <b>2/11/2019</b>		
<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
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.				X
RIVIERE, Gil	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:* <b>SB 1249</b>	Committee Referral: <b>WTL/AEN, CPAH/JDL</b>	Date: <b>02.11.2019</b>		
<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
GABBARD, Mike (C)	X			
RUDERMAN, Russell E. (VC)				X
RHOADS, Karl		X		
THIELEN, Laura H.	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	<b>3</b>	<b>1</b>		<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes