

STAND. COM. REP. NO. 1152

Honolulu, Hawaii

MAR 25 2021

RE: H.B. No. 1016
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred H.B. No. 1016, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE TAKING OF MARINE LIFE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Department of Land and Natural Resources (DLNR) to establish requirements and fees for obtaining a commercial marine vessel license;
- (2) Specify that a single commercial marine vessel license satisfies the commercial marine license requirement for all persons aboard a licensed vessel;
- (3) Require any person providing fishing charter services to obtain a commercial marine license; and
- (4) Allow marine charter fishing vessels to obtain commercial marine vessel licenses.

Your Committee received testimony in support of the measure from the Department of Land and Natural Resources, United Fishing Agency and one individual.



Your Committee finds that the current commercial marine license laws are unduly burdensome on small scale, boat-based commercial fishers and those who provide vessel-based commercial fishing charter services. Your Committee further finds that the establishment of a new commercial marine vessel license category is more convenient and cost-effective for Hawaii's boat-based fishers. This measure allows for a single commercial marine vessel license to cover all individuals aboard a commercial marine vessel, eliminates the need for individual commercial marine licenses, and clarifies who is responsible for submitting catch reports for the vessel.

Your Committee notes that S.B. No. 255, S.D. 2 (Regular Session of 2021), which was previously passed by the Senate, is a substantially similar measure that also clarifies that a valid commercial marine vessel license satisfies the commercial marine license requirement for all persons taking marine life for commercial purposes aboard a licensed vessel and that any person providing fishing charter services must obtain a commercial marine vessel license. Your Committee notes that the language in S.B. No. 255, S.D. 2, is preferable because the measure requires DLNR to submit a report to the Legislature no later than thirty days prior to the convening of the Regular Session of 2022, concerning the status of its administrative rules establishing a new commercial marine vessel license category.

Accordingly, your Committee has amended this measure by:


- (1) Inserting language requiring DLNR to submit a report to the Legislature no later than thirty days prior to the convening of the Regular Session of 2022, concerning the status of its administrative rules establishing a new commercial marine vessel license category, in conformity with the contents of S.B. No. 255, S.D. 2;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B.



No. 1016, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1016, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,



LORRAINE R. INOUYE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* <i>HB 1016, HD 1</i>	Committee Referral: <i>WTL, JDC/WAM</i>	Date: <i>3/15/21</i>
---	--	-------------------------


The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
INOUE, Lorraine R. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
MISALUCHA, Bennette E.	X			
RIVIERE, Gil	X			
FEVELLA, Kurt	X			
TOTAL	5			

Recommendation:
 Adopted
 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