

STAND. COM. REP. NO. 653

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 255
S.D. 2

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

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 255, S.D. 1, entitled:

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

begs 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 rules and fees for the issuance of a commercial marine vessel license;
- (2) Provide that a single valid commercial marine vessel license satisfies the commercial marine licensure requirement for all persons aboard the licensed vessel;
- (3) Allow marine charter fishing vessels to obtain commercial marine vessel licenses; and
- (4) Require any person who provides fishing charter services to obtain a commercial marine license.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hilo Fish Co.; Tropic Fish Hawaii; Tropic Fish Maui; Tropic Fish Kauai; Kona Fish Co.; United Fishing Agency a.k.a. Honolulu Fish Auction; Ice Partners, LLC; Hawai'i Fishermen's Alliance for Conservation and



Tradition, Inc.; Lokahi Fishing, LLC; Hawaii Longline Association; POP Fishing & Marine; Vessel Management Associates, Inc.; and one individual.

Your Committee finds that under existing law, each individual on a fishing vessel must have their own commercial marine license (CML) to participate in a commercial fishing trip, which by definition means any fishing trip where any portion of the catch may be sold. This places logistical and financial burdens on vessel captains when part-time crew members are needed for a commercial fishing trip, or when unscheduled or infrequent visitors are invited aboard. This can also lead to confusion regarding who is responsible for submitting commercial catch reports for fishing activities onboard the vessel. This measure will simplify licensing requirements and improve catch reporting, and will further clarify CML requirements for fishing charter services to allow the Department of Land and Natural Resources to better manage fishing activities in the State.

Your Committee notes the intent of the Department of Land and Natural Resources to amend its CML rules to establish a new commercial marine vessel license (CMVL) category, which would cover everyone onboard under one license and would be more cost-effective for Hawaii boat-based fishers. CMVL rules would also clarify who is responsible for submitting catch reports for the vessel.

Your Committee has amended this measure by:

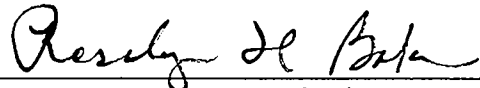
- (1) Inserting language requiring the Department of Land and Natural Resources to submit a report to the Legislature no later than thirty days prior to the convening of the Regular Session of 2022 concerning the status of its administrative rules establishing a new commercial marine vessel license category; and
- (2) 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 255, S.D. 1, as amended herein, and recommends



that it pass Third Reading in the form attached hereto as S.B.
No. 255, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



ROSALYN H. BAKER, Chair



