
A BILL FOR AN ACT

RELATING TO COMMERCIAL MARINE LICENSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 189-2, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "§189-2 Commercial marine license. (a) No person shall
4 take marine life for commercial purposes whether the marine life
5 is caught or taken within or outside of the State, without first
6 obtaining a commercial marine license as provided in this
7 section.
8 (b) Additionally, any person providing vessel charter
9 services in the State for the taking of marine life in or
10 outside of the State shall obtain a commercial marine license.
11 (c) The department may adopt rules pursuant to chapter 91
12 necessary for the purpose of this section and to set fees for
13 commercial marine licensing.
14 (d) The fees for commercial marine licenses and duplicate
15 commercial marine licenses shall be established by the
16 department by rules adopted in accordance with chapter 91.



1 (e) The department shall suspend, shall refuse to renew,
2 reinstate, or restore, or shall deny any license issued under
3 this section if the department has received certification from
4 the child support enforcement agency pursuant to section 576D-13
5 that the licensee or applicant is not in compliance with an
6 order of support or has failed to comply with a subpoena or
7 warrant relating to a paternity or child support proceeding.
8 The department shall issue, renew, reinstate, or restore such a
9 license only upon receipt of authorization from the child
10 support enforcement agency, the office of child support
11 hearings, or the family court.

12 (f) The department shall not renew or reinstate, or shall
13 deny or suspend any license or application, if the department
14 has received certification from an administering entity pursuant
15 to chapter 436C that the licensee or applicant is in default or
16 breach of any obligation under any student loan, student loan
17 repayment contract, or scholarship contract that financed the
18 licensee's or applicant's education, or has failed to comply
19 with a repayment plan.



1 The department in receipt of a certification pursuant to
2 chapter 436C shall, as applicable, and without further review or
3 hearing:

4 (1) Suspend the license;

5 (2) Deny the application or request for renewal of the
6 license; or

7 (3) Deny the request for reinstatement of the license,
8 and unless otherwise provided by law, shall renew, reinstate, or
9 grant the license only upon receipt of an authorization from the
10 administering entity.

11 (g) Prior to granting any license under this section, the
12 department shall require the applicant to provide a copy of the
13 employment and agency contracts of every fisher employed by the
14 prospective licensee under a foreign labor worker contract. The
15 department shall retain the records of foreign labor worker
16 contracts for record-keeping purposes only."

17 SECTION 2. New statutory material is underscored.

18 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Commercial Marine Licenses; Copy of Fisher's Work Contract

Description:

Requires prospective commercial marine licensees to provide the Department of Land and Natural Resources with a copy of the work contract of all fishers that it employs under a foreign labor worker contract, prior to being granted a license. (HB438 HD1)

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