

JAN 20 2017

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) Every applicant for a commercial marine license shall
12 appear in person before the department.

13 [~~e~~] (d) The department may adopt rules pursuant to
14 chapter 91 necessary for the purpose of this section and to set
15 fees for commercial marine licensing.



1 ~~[(d)]~~ (e) The fees for commercial marine licenses and
2 duplicate commercial marine licenses shall be established by the
3 department by rules adopted in accordance with chapter 91.

4 (f) The department shall not issue or renew a commercial
5 marine license to an alien crew member who has not been granted
6 permission to land temporarily pursuant to federal law.

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

18 ~~[(f)]~~ (h) The department shall not renew or reinstate, or
19 shall deny or suspend any license or application, if the
20 department has received certification from an administering
21 entity pursuant to chapter 436C that the licensee or applicant



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1 is in default or breach of any obligation under any student
2 loan, student loan repayment contract, or scholarship contract
3 that financed the licensee's or applicant's education, or has
4 failed to comply with a repayment plan.

5 The department in receipt of a certification pursuant to
6 chapter 436C shall, as applicable, and without further review or
7 hearing:

8 (1) Suspend the license;

9 (2) Deny the application or request for renewal of the
10 license; or

11 (3) Deny the request for reinstatement of the license,
12 and unless otherwise provided by law, shall renew, reinstate, or
13 grant the license only upon receipt of an authorization from the
14 administering entity."

15 SECTION 2. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



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1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Kal Rhoad

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Report Title:

Commercial Marine Licenses; DLNR

Description:

Requires commercial marine license applicants to appear in front of DLNR in person. Prohibits DLNR from issuing or renewing a commercial marine license to an alien crew member who has not been granted permission to land temporarily pursuant to federal law.

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