STAND. COM. REP. NO. 616

Honolulu, Hawaii Februar 17^{, 2017}

RE: H.B. No. 438 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian Affairs, to which was referred H.B. No. 438 entitled:

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

begs leave to report as follows:

The purpose of this measure is to require prospective commercial marine licensees, prior to being granted a license, to provide the Department of Land and Natural Resources with a copy of the work contract of all of the fishers that it employs.

The Conservation Council for Hawaii and one individual testified in support of this measure. The Hawaii Longline Association, Hawaii Seafood Council, Hawaii Industry Task Force, United Fishing Agency, Hawaii Goes Fishing, and one concerned individual testified in opposition to this measure. The Department of Land and Natural Resources commented on this measure.

Your Committee notes that this measure does not in any way attempt to intervene in the employment contracts between the commercial marine licensees and their employees. Rather, this measure is concerned with the rights and safety of foreign and migrant workers, and this measure only applies to foreign labor worker contracts.



STAND. COM. REP. NO. 616 Page 2

Your Committee has amended this measure by:

- Clarifying that the records of employment and agency contracts are required only for foreign labor workers and that they will be retained only for record keeping purposes; and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 438, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 438, H.D. 1, and be referred to your Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committee on Ocean, Marine Resources, & Hawaiian Affairs,



State of Hawaii House of Representatives

The Twenty-ninth Legislature **House of Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs**

Bill/Resolution No.: Commit	tee Referral:	1H, JUD Date:	02/14/	17
θThe committee is reconsidering its previous decision on the measure.The recommendation is to:θPass, unamended (as is)				
1. ING, Kaniela (C)	\checkmark			
2. GATES, Cedric Asuega (VC)	V		navozata zertika estara	The second s
3. CREAGAN, Richard P.				
4. DeCOITE, Lynn				
5. LoPRESTI, Matthew S.				
6. TAKAYAMA, Gregg				
7. THIELEN, Cynthia			destrik, filosonstilletin etsiligiget	an alayashasiyin yirayasha alayada ayaa ayaa
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TOTAL (7)	5	2.		
The recommendation is: Adopted If joint referral, committee acronym(s) 				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				