

JAN 24 2018

A BILL FOR AN ACT

RELATING TO COMMERCIAL FISHING.

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) The department of
4 land and natural resources shall issue commercial marine
5 licenses for the taking of marine life for commercial purposes.
6 The department may establish different subtypes of commercial
7 marine licenses, including but not limited to fishery and gear
8 specific commercial licenses, commercial fishing vessel
9 licenses, and professional or part-time commercial fishing
10 licenses, and specify the requirements and qualifications for
11 the issuance of these subtype licenses.

12 (b) No person shall take marine life for commercial
13 purposes whether the marine life is caught or taken within or
14 outside of the State, without first obtaining a commercial
15 marine license or subtype license, if applicable, as provided in
16 this section.



1 ~~[(b)]~~ (c) Additionally, any person providing vessel
2 charter services in the State for the taking of marine life in
3 or outside of the State shall obtain a commercial marine
4 license~~[-]~~ or subtype license, if applicable.

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

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

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

18 The department shall issue, renew, reinstate, or restore such a
19 license only upon receipt of authorization from the child
20 support enforcement agency, the office of child support
21 hearings, or the family court.



1 [~~(f)~~] (g) The department shall not renew or reinstate, or
2 shall deny or suspend any license or application, if the
3 department has received certification from an administering
4 entity pursuant to chapter 436C that the licensee or applicant
5 is in default or breach of any obligation under any student
6 loan, student loan repayment contract, or scholarship contract
7 that financed the licensee's or applicant's education, or has
8 failed to comply with a repayment plan.

9 The department in receipt of a certification pursuant to
10 chapter 436C shall, as applicable, and without further review or
11 hearing:

12 (1) Suspend the license;

13 (2) Deny the application or request for renewal of the
14 license; or

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

19 SECTION 2. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



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

2

INTRODUCED BY: 
By Request



S.B. NO. 2847

Report Title:

Commercial Marine License; Subtype Licenses; Department of Land and Natural Resources

Description:

Authorizes the department of land and natural resources to issue commercial marine licenses and subtypes of commercial marine licenses for the taking of marine life.

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