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# A BILL FOR AN ACT

RELATING TO COMMERCIAL MARINE LICENSES.

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

1           SECTION 1. The legislature finds that fishing is an  
2 important pastime for many Hawaii residents, providing not only  
3 recreational and subsistence benefits, but also a source of  
4 additional income for many small-scale commercial fishers who  
5 often sell a portion of their catch to cover costs of fuel or  
6 fishing gear.

7           The legislature further finds that the current commercial  
8 marine license laws are unnecessarily burdensome on boat-based  
9 fishers due to the requirement that each individual on a fishing  
10 vessel have a commercial marine license to participate in a  
11 commercial fishing trip where the resulting catch may be sold.  
12 This places logistical and financial burdens on vessel captains  
13 when part-time crew members are needed for a commercial fishing  
14 trip, or when unscheduled or infrequent visitors are invited  
15 aboard. It also leads to confusion regarding who is responsible  
16 for submitting commercial catch reports for fishing activities  
17 on board the vessel.



1           This Act clarifies that a single valid commercial marine  
2 vessel license satisfies the licensure requirement for  
3 commercial purposes aboard a licensed vessel. A single  
4 commercial marine vessel license covering all parties engaging  
5 in commercial fishing aboard a vessel will be more convenient  
6 and cost effective for Hawaii boat-based fishers and will  
7 clarify who is responsible for submitting commercial catch  
8 reports for the vessel. The department has the discretion  
9 through the public rulemaking process contained in chapter 91,  
10 Hawaii Revised Statutes, to determine the specifications and  
11 qualifications for these licenses.

12           The legislature also finds that although existing statutory  
13 language requires vessel-based fishing charters to obtain a  
14 commercial marine license, it is unclear whether shore-based  
15 charters are also required to obtain a commercial marine  
16 license. This Act clarifies that the commercial marine license  
17 requirement applies to any person providing fishing charter  
18 services. The amendment will allow the department to better  
19 understand and manage marine charter fishing activities in the  
20 State.



1 The purpose of this Act is to amend the commercial marine  
2 license statute to:

3 (1) Specify that a single commercial marine vessel license  
4 satisfies the licensure requirement for all persons  
5 aboard the licensed vessel; and

6 (2) Require any person providing fishing charter services  
7 to obtain a commercial marine license.

8 SECTION 2. Section 189-2, Hawaii Revised Statutes, is  
9 amended by amending subsections (a) and (b) to read as follows:

10 "(a) No person shall take marine life for commercial  
11 purposes whether the marine life is caught or taken within or  
12 outside of the State, without first obtaining a commercial  
13 marine license as provided in this section~~[-]~~; provided that a  
14 single valid commercial marine vessel license shall satisfy the  
15 licensure requirement for all persons taking marine life for  
16 commercial purposes aboard the validly-licensed vessel.

17 (b) [~~Additionally, any~~] Any person providing [~~vessel~~]  
18 charter services in the State for the taking of marine life in  
19 or outside of the State shall obtain a commercial marine  
20 license."



1           SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3           SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Commercial Marine Licenses; Commercial Marine Vessel Licenses;  
Charter Services

**Description:**

Provides that a single commercial marine vessel license satisfies the licensure requirement for all persons aboard the licensed vessel. Requires any person who provides fishing charter services to obtain a commercial marine license. Effective 7/1/2050. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

