

JAN 22 2021

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 as an additional
4 income for many small-scale commercial fishers who often sell a
5 portion of their catch to cover costs of fuel or fishing gear.

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



1 The legislature also finds that although existing statutory
2 language requires vessel-based fishing charters to obtain a
3 commercial marine license, it is unclear whether shore-based
4 charters are also required to obtain a commercial marine
5 license.

6 The purpose of this Act is to:

- 7 (1) Specify that a single commercial marine vessel license
8 satisfies the licensure requirement for all persons
9 aboard the licensed vessel; and
10 (2) Require any person providing fishing charter services
11 to obtain a commercial marine license.

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

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



1 (b) [~~Additionally, any~~] 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."

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: *Shane R. Jones*



S.B. NO. 255

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.

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