

DAVID Y. IGE
GOVERNOR OF
HAWAII



DEPT. COMM. NO. 51

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 1, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki, Speaker
and Members of the House of
Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the Status Of Administrative Rules Establishing A New Commercial Marine Vessel License Category report, as required by Section 3 of Act 43, Session Laws of Hawaii 2021. In accordance with Section 93-16, Hawaii Revised Statutes, a copy of this report has been transmitted to the Legislative Reference Bureau and the report may be viewed electronically at <https://files.hawaii.gov/dlnr/reports-to-the-legislature/2022/AR22-Commercial-Marine-Vessel-License-Rpt-FY21.pdf>.

Sincerely,

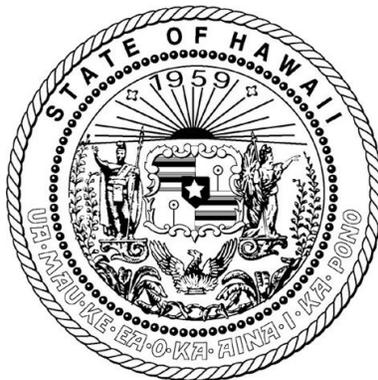
A handwritten signature in cursive script that reads "Suzanne D. Case".

SUZANNE D. CASE
Chairperson

Enclosure

Report to the Thirty-First Legislature
2022 Regular Session

**STATUS OF ADMINISTRATIVE RULES ESTABLISHING A NEW
COMMERCIAL MARINE VESSEL LICENSE CATEGORY**



Prepared by the

State of Hawaii
Department of Land and Natural Resources
Division of Aquatic Resources

In response to SECTION 3 of Act 43, Session Laws of Hawaii 2021

November 2021

STATUS OF ADMINISTRATIVE RULES ESTABLISHING A NEW COMMERCIAL MARINE VESSEL LICENSE CATEGORY

Introduction

The Department of Land and Natural Resources (“Department”), Division of Aquatic Resources (DAR) manages commercial fishing in the State through the issuance of commercial marine licenses and the collection of fishing data from licensees. Licensing and reporting requirements for commercial fishing and other fishery-related activities are set forth in Chapter 13-74, Hawaii Administrative Rules (HAR).

Act 43, Session Laws of Hawai'i 2021, established a new commercial marine vessel license category for commercial fishers. Pursuant to SECTION 3 of the Act, the Department is required to submit a report, including any proposed legislation, to the Legislature no later than thirty days prior to the convening of the Regular Session of 2022, concerning the status of its administrative rules establishing a new commercial marine vessel license. Accordingly, the Department submits this report to update the Legislature on its status.

Status Report

DAR is currently in the process of drafting a comprehensive amendment and compilation of Chapter 13-74, HAR, pursuant to Chapter 91, Hawaii Revised Statutes (HRS), to update existing license provisions and to implement a number of new licenses, including the commercial marine vessel license.

The draft rules will be reviewed by the Department of the Attorney General, the Small Business Regulatory Review Board, the Board of Land and Natural Resources, and the Governor for approval to hold public hearings on the draft. After public hearings are completed, DAR will return to the aforementioned entities for approval to adopt and implement the rules with any changes deemed necessary based on public hearing testimony.

It is anticipated that, barring any unforeseen circumstances, the Commercial Marine Vessel License rules will be approved and take effect around July 2022. At this time the Department does not propose any legislation related to the implementation of Act 43.