
HOUSE RESOLUTION

URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REQUIRE APPLICANTS FOR COMMERCIAL MARINE LICENSES TO PROVIDE COPIES OF THE AGENCY CONTRACTS OF EVERY FOREIGN LABOR WORKER EMPLOYED BY THE PROSPECTIVE LICENSEE.

1 WHEREAS, section 189-2, Hawaii Revised Statutes, provides
2 that any person who takes marine life for commercial purposes in
3 or outside of the State, or any person providing vessel charter
4 services in or outside of the State, shall first obtain a
5 commercial marine license; and
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7 WHEREAS, the Department of Land and Natural Resources
8 (Department) is authorized to grant commercial marine licenses
9 and to adopt rules necessary to regulate commercial marine
10 fishing; and
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12 WHEREAS, there are approximately 700 foreign workers in the
13 commercial marine fishing industry in Hawaii, who catch up to
14 \$110,000,000 worth of seafood annually; and
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16 WHEREAS, foreign workers are often deprived of certain
17 labor rights that are available to American workers in this
18 industry because commercial fishing boat owners in the State are
19 exempt from certain federal labor laws; and
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21 WHEREAS, foreign workers are highly vulnerable to
22 exploitation because they are often detained on the boats where
23 U.S. Customs and Border Protection requires boat captains to
24 hold the fishers' passports, which results in a lack of access
25 to legal services for the workers; and
26

27 WHEREAS, all workers in the commercial marine fishing
28 business, both foreign and domestic, should have the right and
29 opportunity to sufficiently understand the details of their work
30 contracts prior to signing; and



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1 WHEREAS, more comprehensive records are needed to provide
 2 greater accountability in the employment of foreign workers in
 3 this industry; now, therefore,
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5 BE IT RESOLVED by the House of Representatives of the
 6 Twenty-ninth Legislature of the State of Hawaii, Regular Session
 7 of 2017, that the Department of Land and Natural Resources is
 8 urged to require that, prior to granting any commercial marine
 9 license, the applicant shall provide the Department with copies
 10 of the agency contracts of every foreign labor worker employed
 11 by the prospective licensee; and
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13 BE IT FURTHER RESOLVED that the records of agency contracts
 14 should be required only for foreign labor workers' agency
 15 contracts and will be retained only for record keeping purposes;
 16 and
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18 BE IT FURTHER RESOLVED that certified copies of this
 19 Resolution be transmitted to the Chair of the Board of Land and
 20 Natural Resources.
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OFFERED BY:

MAR 10 2017

