

HD 688 + HD 1622
LATE TESTIMONY

United Laundry Services, Inc.
2291 Alahao Place
Honolulu, HI 96819

House Committee on Economic Revitalization, Business, & Military Affairs
Tuesday, March 24, 2009
7:00 a.m.
State Capitol - Conference Room 312

RE: SENATE BILL NO. 688 HD1 & 1622 HD1 SD1 RELATING TO EMPLOYMENT

Chair McKelvey, Vice Chair Choy, and members of the committee:

My name is Vicky Cayetano and I am President and CEO of United Laundry Services, Inc. I respectfully submit this testimony to state my opposition to Senate Bill No. 688 HD1 and SB 1622 SD1 and HD1, relating to Employment.

In the current economic environment we face, it is certainly not the time to impose legislation that will discourage potential buyers from acquiring struggling businesses.

The underlying goal is to save as many jobs as we can during this tough economic time. Most employers will agree with that goal. Unfortunately sometimes a new employer has to make a painstaking decision to reduce its workforce in order to save the business or turn it around.

Thus, although some jobs may be lost, the majority may be saved. If a potential buyer does not purchase a company due to the stringent requirements, then all jobs could possibly be lost.

Thus, I respectfully request your consideration that these measures be held.

Thank you for the opportunity to submit this statement.



Vicky Cayetano

LATE TESTIMONY

**House Committee on Economic Revitalization, Business, & Military Affairs
Tuesday, March 24, 2009
7:00 a.m.
State Capitol - Conference Room 312**

RE: SENATE BILL NO. 688 HD1 & 1622 HD1 SD1 RELATING TO EMPLOYMENT

Chair McKelvey, Vice Chair Choy, and members of the committee:

My name is Rick Blangiardi, President and General Manager of KGMB-TV. I am here to state my opposition to Senate Bill No. 688 HD1 and SB 1622 SD1 and HD1, relating to Employment. These measures, if passed, will discourage any potential investment in a failing company.

While I understand the intent of the measures and am sympathetic to the prospect of an employee losing a job, the passage of these bills will make it more difficult and possibly impossible to sell the business as an ongoing operation. Therefore, the bills may have the unintended consequence of more employees losing their jobs than saved, thus increasing the unemployment rate in our state.

We cannot afford to have this type of legislation especially as Hawaii weathers this tough economic storm.

Thus, I respectfully request that these measures be held.

Thank you for the opportunity to testify.

LATE TESTIMONY

From: nationsm@wbu.edu
Sent: Monday, March 23, 2009 2:25 PM
To: EBMtestimony
Subject: Take Action Now

Marlene Nations
Wayland Baptist University
99-080 Kauhale St., D14
Aiea, HI 96701-4114

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday,
March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

I am strongly opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

LATE TESTIMONY

From: BMASON@HAWTHORNECAT.COM
Sent: Monday, March 23, 2009 2:37 PM
To: EBMtestimony
Subject: SB 1622 and 688

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

My name is Robert Mason, Division Manager for Hawthorne Pacific Corporation. We are the local Caterpillar Tractor distributor and employ over 250 people in the State of Hawaii. I am strongly opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

LATE TESTIMONY

From: kpearce@alohanursing.com
Sent: Monday, March 23, 2009 2:39 PM
To: EBMtestimony
Subject: Opposition to SB1622 and SB 688

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

I am strongly opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

LATE TESTIMONY

From: f-smoot@phoenixhawaii.com
Sent: Monday, March 23, 2009 2:46 PM
To: EBMtestimony

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

I am very much opposed to SB 1622.

Some of the reasons why I oppose are:

1) SB 1622 has stringent requirements that would discourage a buyer/investor from acquiring an existing business and could prevent a turn around of the existing company in making it more efficient.

2) It removes the new employer's ability to select new employees that are appropriate for its goals and objectives.

I do not believe this bill addresses job security. A good employee will probably keep the job under a new owner. A bad employee probably helped to create the in-efficiency of the acquired company. The new owner would probably replace the bad employee anyway for no job lost.

This bill will remove the flexibility of the new owner to achieve efficiency in the business, which in turn may create more jobs in the long term.

I don't think this bill represents a pro-business attitude for our state.

Therefore, please do not move this bill forward.

Thank you for the opportunity to submit this testimony.

LATE TESTIMONY

From: Clinton.Owen@resortquesthawaii.com
Sent: Monday, March 23, 2009 4:15 PM
To: EBMtestimony
Subject: Take Action Now

Clinton Owen
110 Kaanapali Shores Place
Lahaina, HI 96761

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

I am strongly opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

LATE TESTIMONY

From: Mary_Daws@glic.com
Sent: Monday, March 23, 2009 8:41 PM
To: EBMtestimony
Subject: Take Action Now

Mary Daws 1357 Kapiolani Blvd., Suite 1500 Honolulu, HI 96814-4541 Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m. State Capitol - Room 312 Re: SB 1622 and SB 688 Chair McKelvey, Vice Chair Choy and members of the committee: I am strongly opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies." Some of the reasons why I oppose are: 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient. 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security. 3) Removes the new employer's rights to select employees appropriate for its goals and objectives. These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41. Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

LATE TESTIMONY

From: highwayinnhr@hawaiiantel.net
Sent: Monday, March 23, 2009 3:03 PM
To: EBMtestimony
Subject: I strongly OPPOSE SB1622 & SB 688

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

I am strongly opposed to SB 1622 and SB 688. There is a reason why Hawaii is rated as one of the worst States to do business and this bill is one of them. Simply stated, stop the OVER REGULATION! These are unprecedented times. Government should be spending their time finding ways to support business not push into insolvency.

These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

Sincerely,
Monica Toguchi
VP of Planning & Administration
Highway Inn Inc.

LATE TESTIMONY

From: JOHN@EXPEDITERSHAWAII.COM
Sent: Monday, March 23, 2009 3:53 PM
To: EBMtestimony
Subject: Take Action Now

John K. Souza
PO Box 30849
Honolulu, HI 96849

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

I am strongly opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

LATE TESTIMONY

From: Administrator@CCoh.US
Sent: Monday, March 23, 2009 2:35 PM
To: EBMtestimony
Subject: Take Action Now

Gerald Powers
1900 Bachelot Street
Honolulu, HI 96817-2431

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

I am strongly opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

LATE TESTIMONY

From: jforma@csi-hi.com
Sent: Monday, March 23, 2009 2:36 PM
To: EBMtestimony
Subject: Opposition of Bill

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

I am strongly opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives. I can't believe that this is constitutional...making it mandatory to keep an employee.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

LATE TESTIMONY

From: KCook@HawaiiTradeReferral.com
Sent: Monday, March 23, 2009 2:44 PM
To: EBMtestimony
Subject: A Dozen More OPPOSED to SB 1622 and SB 688

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

My ENTIRE Family and I are strongly opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

On behalf of our entire family, please see clearly that we need to stop all legislation that hurts Hawaii and Hawaii Businesses. This would have a very detrimental impact on Hawaii!

Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

LATE TESTIMONY

From: bdennett@pacificcurrent.us
Sent: Monday, March 23, 2009 2:39 PM
To: EBMtestimony
Subject: Save Hawaii Jobs. Strongly Opposed to SB 1622 and SB 688

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

I am strongly opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

Why has there been such an insurgence of Anti-Business legislation in Hawaii. The Business Community is our States livelihood. The State of Hawaii needs to be promoting a more positive place to do business, not destroying it, not detouring business and punishing those businesses who would ordinarily thrive in our Great State.

Therefore, Please, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

Brad Dennett
Pacific Current Contractors
(808) 226-8343
bdennett@pacificcurrent.us

LATE TESTIMONY

From: babygirliebug@hotmail.com
Sent: Tuesday, March 24, 2009 9:48 AM
To: EBMtestimony
Subject: Please Stop The "Guaranteed Bankruptcy" Bill

Testimony to the Economic Revitalization, Business and Military Affairs Committee Tuesday, March 24, 2009 at 7:00 a.m.
State Capitol - Room 312

Re: SB 1622 and SB 688

Chair McKelvey, Vice Chair Choy and members of the committee:

I am STRONGLY opposed to SB 1622 and SB 688. These bills, if passed, will lead to "Guaranteed Bankruptcies."

Some of the reasons why I oppose are:

- 1) Discourages investment in a struggling business due to the stringent requirements and inability to turn around the company so that it is more efficient.
- 2) In turn, net loss of jobs will be higher because the existing company will go bankrupt and go out of business, thus the term, "Guaranteed Bankruptcy" bill. This contradicts the intent of the bill which is job security.
- 3) Removes the new employer's rights to select employees appropriate for its goals and objectives.

These bills undermine efforts to revitalize the economy as passage will paint a negative image on doing business in Hawaii, which has slipped in the rankings as the best place to do business from 38 to 41.

Therefore, I urge you to hold these bills so that jobs can be saved. Thank you for the opportunity to submit written testimony.

RECEIVED
MAR 24 2009

HAWAII TEAMSTERS AND ALLIED WORKERS LOCAL 996 STATE TESTIMONY

Affiliated with the International Brotherhood of Teamsters

1817 Hart Street
Honolulu, Hawaii 96819-3205

Telephone: (808) 847-6633
Fax: (808) 842-4575

Rep. Angus McKelvey, Chair
Rep. Isaac Choy, Vice-Chair
Committee on Economic Revitalization, business, and Military Affairs

Glenn Ida
Representative

Tuesday, Mar. 24, 2009, 7 AM
Conference Room 312

The Hawaii Teamsters Local 996, strongly **Supports SB 1622, SD1, HD1**, Relating to Employment Security.

Although similar to SB 688, this bill will require a 90 day transition period where by the new employer shall retain the necessary workers by seniority within job classifications to maintain operations.

The new employer shall keep a preferential hiring list of those employees not retained at the time of sale and no employee can be discharged without cause.

These provisions will ensure workplace stability by keeping qualified workers on the job.

The Hawaii Teamsters Local 996, strongly **Supports SB 1622, SD1, HD1**.

Thank you for allowing me to testify this morning.