



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Twenty-Fifth Legislature, State of Hawaii
House of Representatives
Committee on Economic Revitalization, Business & Military Affairs

Testimony by
Hawaii Government Employees Association
March 24, 2009

S.B. 688, H.D. 1 – RELATING
TO EMPLOYMENT

The Hawaii Government Employees Association strongly supports the purpose and intent of S.B. 688, H.D. 1 which provides for job security for employees in the event of a divestiture of a covered establishment employing 100 or more persons, and assesses penalties for noncompliance with worker retention requirements.

Hawaii's unemployment rate is the highest it's been in the last two and one-half decades, and rising business closures have already created a serious climate of uncertainty. The measure establishes a fair and dignified transition for employees in a business takeover, what is surely a disruptive and distressing circumstance, and will benefit the employees, their families and our community as a whole.

Thank you for the opportunity to testify in support of S.B. 688, HD 1.

Respectfully submitted,

Nora A. Nomura
Deputy Executive Director

HOUSE OF REPRESENTATIVES
Committee on Economic Revitalization, Business & Military Affairs
Rep. Angus L.K. McKelvey, Chair
Rep. Isaac W. Choy, Vice Chair

State Capitol, Conference Room 312
Tuesday, March 24, 2009; 7:00 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 688, HD1
RELATING TO EMPLOYMENT**

The ILWU Local 142 strongly supports S.B. 688, HD1, which establishes job security requirements upon the divestiture of a covered establishment employing 100 or more persons.

As is the rest of the country and the world, Hawaii is experiencing tough economic times with businesses challenged as never before. In this climate, some companies will likely be up for sale. S.B. 688, HD1 is intended to minimize disruption in such sales, particularly for employees. The bill calls for all incumbent workers to be retained by the new employer while permitting any pre-hire screening not prohibited by law and allowing employers to retain management rights. If the business is substantially changed, however, the new employer may retain fewer employees, commensurate with the reduction in business. If the employer fails to comply with the law, the employer is obligated to compensate the dislocated worker the difference between his salary under the former employer and his unemployment insurance benefits.

The bill would prevent fewer layoffs due to the sale of a business. This objective is in keeping with the State's desire to keep people employed, thus allowing them the income to purchase goods and services and help to stimulate the economy. Instead of job creation, S.B. 688, HD1 is designed for job preservation. Management will retain the right to evaluate employees and assess their ability to meet the company's needs. However, the initial changeover of business should be as seamless as possible under this law.

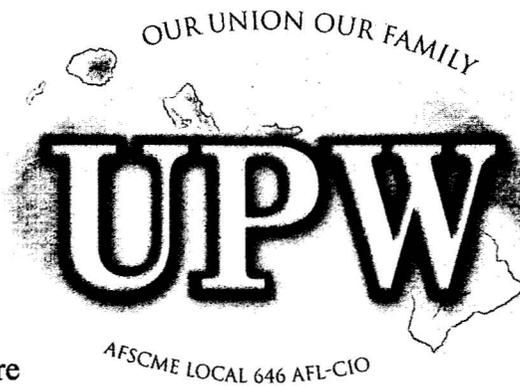
Most companies concede that this type of seamless transition is important to continuity of business. For example, when Outrigger took over management of Pacific Beach Hotel in January 2007, no one was displaced and business continued uninterrupted. However, when the owner of Pacific Beach Hotel cancelled its management contract with Outrigger and decided to operate the hotel again, everyone had to reapply for their old jobs and 32 were terminated. In the Pacific Beach Hotel situation, there are other issues at play, but if worker retention was law, the workers may be faring far better than they are today.

Another example is Hawaii Naniloa Resort. In 2006, the owner lost its State land lease to another bidder, which required all employees to reapply for their jobs. The result was that some 100 workers were laid off and only 20 retained. Many of the workers, especially those with long seniority were out of work for an extended period of time. Some of them tried occupational training for a new career, others had to drive from Hilo to the Kohala Coast for work. For most of them, their lives were irrevocably disrupted by the new employer's actions.

S.B. 688, HD1 makes good business sense. When a business is taken over by a successor employer, the requirement to retain incumbent employees will provide for an orderly transition from one employer to another. The employees, their families and the community can be spared needless disruption and distress resulting from a mass layoff. The employer will retain management rights and can be assured of productivity and loyalty from an experienced and skilled incumbent workforce. We think it's a win-win situation by any standard.

S.B. 688, HD1 amended the original bill by including language that "covered establishment" is defined "for the purposes of this subsection" as a business entity that employs 100 or more persons in the preceding 12-month period. We wish to have the committee report clarify that this definition of covered establishment only applies to worker retention requirements when a business is sold and not for notice requirements under the State Dislocated Worker Law.

The ILWU urges strongly passage of S.B. 688, HD1. Thank you for the opportunity to share our views and concerns.



House of Representatives
The Twenty-Fifth Legislature
Regular Session of 2009

Committee on Economic Revitalization, Business & Military Affairs
Rep. Angus L.K. McKelvey, Chair
Rep. Issac Choy, Vice Chair

DATE: Tuesday, March 24, 2009
TIME: 7:00 a.m.
PLACE: Conference Room 312

**TESTIMONY OF THE UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO
ON SB 688, HD1, RELATING TO EMPLOYMENT**

My name is Dayton M. Nakanelua, state director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). On behalf of the approximately 13,000 members, of which over a thousand are in the private sector, the UPW supports this measure which requires successor employers to retain incumbent employees upon divestiture of a covered establishment.

We believe passage of this bill is in the state's best interest. In this recessionary, high unemployment environment, policies should be made to ensure that jobs are retained.. The mass layoffs that accompany the sale or transfer of a business (for example the Grand Wailea and Naniloa resorts), not only cause needless disruption in the lives of the affected workers but also stresses the entire economic system: loss of income for the worker and family, less buying power to support businesses, more social services at a time when our safety net is already stretched thin. Businesses also benefit from the smooth transition of an experienced and well-trained workforce.

For these reasons we urge the passage of SB 688, HD1.

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HAWAII - 362 East Lanikaula Street ♦ Hilo, Hawaii 96720-4336 ♦ Phone: (808) 961-3424
KAUAI - 4211 Rice Street ♦ Lihue, Hawaii 96766-1325 ♦ Phone: (808) 245-2412
MAUI - 841 Kolu Street ♦ Wailuku, Hawaii 96793-1436 ♦ Phone: (808) 244-0815

EDWIN D. HILL
International President

LINDELL K. LEE
International
Secretary-Treasurer

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS®



House of Representatives
Twenty-Fifth Legislature
Regular Session of 2009

Committee on Economic Revitalization, Business & Military Affairs

Rep. Angus L.K McKelvey, Chair
Rep. Isaac W. Choy, Vice Chair

Hearing: Tuesday March 24, 2009
Time: 7:00 a.m.
Place: Conference Room 312

Testimony of the International Brotherhood of Electrical Workers
(IBEW)

Re: S.B 688, HD1, Relating To Employment

S.B 688, HD1, would establish job security requirements to protect employees when the business for which the employees work is sold or transferred to another employing entity.

The IBEW strongly supports this measure.

Today, all too often when businesses are sold or change ownership it is the poor employees who are used as pawns to broker the deal. Workers are heartlessly dumped and made to reapply for their old jobs at reduced pay and benefits. Employees should be treated as a valued stakeholder in any sale or ownership change in this State and at a minimum be afforded this type of protection, dignity and respect.

Thank you for the opportunity to provide testimony.

Harold J. Dias, Jr
International Representative
IBEW

HAWAII TEAMSTERS AND ALLIED WORKERS, LOCAL 996

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, 7:00 AM
Conference Room 312

Support of SB 688, HD1, Relating to Employment

The Hawaii Teamsters Local 996 negotiates and enforces over 50 contracts covering more than 6000 members. One of our companies was, ASIG, the WikiWiki Tram Service employees at the Airport.

Local 996 had represented these members for over 20 years through 4 management changes. Last year the contract was awarded to Robert's Hawaii after the results of the first bid was revealed to all bidders. Our contract with ASIG expired at the same time. The Airport Project Manager added the service to a satellite parking location to the contract, which resulted in a second round of bids. Two of the bids are higher than the original bid to meet the additional service required. Robert's Hawaii, however, puts in a bid that is lower than their original bid before the increase in service and won the contract by being the lowest bidder.

Robert's then re-hires only enough of the previous workforce because they have security clearances, Ramp badges and CDL licenses necessary to drive all the WikiWiki Tram routes throughout the airport and to provide training to new hires. The rest of the new hires will drive the shuttles that pass through the general/public areas in the front of the airport until such time as they can upgrade their drivers' licenses to CDL and get security clearances and ramp badges.

The Hawaii Teamsters Local 996 strongly supports SB 688, HD1, not only to stabilize the employment of these highly qualified and credentialed workers but also as a means to support the Homeland Security requirements of all workers at the Airport.

Thank you for allowing me to testify this morning.



HAWAII CREDIT UNION LEAGUE

1654 South King Street
Honolulu, Hawaii 96826-2097
Web Site: www.hcul.org

Telephone: (808) 941-0556
Fax: 808) 945-0019
Email: info@hcul.org



Testimony before the House Committee on Economic Revitalization, Business, & Military Affairs
Tuesday, March 24, 2009 at 7:00 a.m.

Testimony opposing SB 688, Relating to Employment

To: The Honorable Angus McKelvey, Chair
The Honorable Isaac Choy, Vice-Chair
Members of the Committee on Economic Revitalization, Business, & Military Affairs

My name is Stefanie Sakamoto and I am testifying on behalf of the Hawaii Credit Union League, which represents 91 credit unions serving approximately 810,000 credit union members throughout the state.

We understand the commendable intent of SB688. However, we respectfully ask that this measure be held because it will likely have adverse effects on our credit union members. Our concern is that this measure would not allow a surviving credit union (in the event of a merger) to reorganize and improve their internal structure, which may be necessary to continue services to their members. Credit unions have a goal of serving those of modest means, and others who would otherwise be unbanked. Legislation such as this holds great potential in hindering credit unions' ability to maintain a high level of service.

Thank you for the opportunity to testify.

Testimony in **SUPPORT** of
SB, 688, SD1
Relating to Employment

By Al Lardizabal, Director of Government Relations
Laborers' International Union of North America, Local 368

To the Committee on Economic Revitalization, Business and Military
Affairs

Tuesday, March 24, 2009, 7:00 a.m., Room 312

Honorable Angus L.K. McKelvey, Chair; Honorable Isaac W. Choy, Vice
Chair and Members of the Committee:

The Laborers' Union **supports this measure that** establishes job security requirements upon the divestiture of a covered establishment employing more than 100 persons at any time in the preceding twelve-month period. The definition of "covered establishment" was added to the original bill (SB688).

The successor employer's interest in the human resources area is reasonably protected. It may require incumbent employees to go through pre-hire screening not prohibited by law, including criminal history checks, to ensure a standard of quality among incumbent employees. The successor employer is also able to retain fewer than the total number of incumbent employees in certain situations, and to retain the right to manage all its employees.

One of the first acts of President Barack Obama was to establish a policy to retain workers when there was a change in federal service contractors. This is to provide some stability in the delivery of services and mitigate employee dislocation.

Similarly, this bill, SB 688, SD1, by amending HRS 348B of the Dislocated Worker law provides employment and service stability.

Thank you for the opportunity to submit this testimony.

BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

March 24, 2009

Representative Angus McKelvey, Chair
Committee on Economic Revitalization, Business &
Military Affairs
State Capitol, Room 312
Honolulu, HI 96813

RE: SB688, HD1 “Relating to Employment”

Chair McKelvey and Members of the Committee on Economic Revitalization, Business & Military Affairs:

I am Karen Nakamura, Chief Executive Officer of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-Hawaii strongly opposes SB688, HD1, “Relating to Employment” (otherwise known as the Successor Employer bill).

SB688, HD1 interferes with the basic principles of doing business. The measure removes the successor employer’s rights to select employees appropriate for its goals and objectives. When a company decides to go out of business, that decision is made after all the factors of staying in business are considered. One of the important factors could be whether or not the current number of employees could be retained. To saddle the person who might be willing to buy the company and continue the same type of business with the same number of employees is truly a burden. Such a mandate will deter new investment or even the infusion of new capital to keep an existing business in operation.

In light of the National and State economic climate, we are seeing large and small business ceasing their operations, causing even greater strain on our unemployment system. These closing businesses are operating under the current law and still have not been able to continue to survive. Just imagine what the economic picture will look like when businesses cannot survive and will not have a hope of another company buying them because of this worker retention legislation that prevents them from managing their businesses.

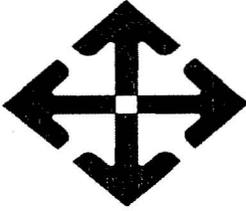
Forcing potential buyers to continue in the same business as the one they are acquiring will surely further exacerbate the unemployment situation.

We ask that you carefully evaluate the effects of this bill and hold the bill.

Thank you for the opportunity to share our views with you.

A handwritten signature in black ink, reading "Karen L. Nakamura". The signature is written in a cursive style with a large initial 'K' and a long, sweeping tail on the 'a'.

Chief Executive Officer
BIA-Hawaii



The Hawaii Business League

820 Mililani St., Ste. 810 Honolulu, Hawaii 96813-2938

Phone: (808) 533-6819 ♦ Facsimile: (808) 533-2739

March 24, 2009

Testimony To: House Committee on Economic Revitalization, Business, & Military Affairs
Representative Angus L.K. McKelvey, Chair

Presented By: Tim Lyons
President

Subject: S.B. 688, HD 1 – RELATING TO EMPLOYMENT
S.B. 1622, SD 1, HD 1 – RELATING TO EMPLOYMENT SECURITY

Chair McKelvey and Members of the Committee:

I am Tim Lyons, President of the Hawaii Business League, a small business service organization.

We are opposed to the passage of both these bills.

These bills make an attempt at placating the employment security of employees who find their company sold. We think it will have an extremely "chilling" effect on the sale of businesses throughout the state and we think that is ill advised.

It is typical that when an employer purchases a company they do so because they think that they can manage it, administer it, and direct it better than the previous employer. All employers have their own way of doing things and most of them would feel that it is beneficial to be given the flexibility to operate the new business in such a way that meets with their management

style. In many cases, the businesses that are purchased are ones that are already in trouble financially and the employer needs to be able to react quickly. The ninety (90) day transition period provided for in these bills is a disincentive to buy, in fact the entire bill based on that clause plus, the seniority clause and the discharge clause all add up to purchasing a worthless business. The employer would be better off to start a new business and not worry about it. That affects and undermines the efforts of the previous owner and their goal of building a business to the point where it is worth something and they can sell it and retire.

It is our feeling that we would be much better off providing for employment and training programs so that employees that are displaced by the purchase by a new owner are able to move if they do not like the new employer or if the new employer does not like them.

In essence, these bills are a disaster to the small business community throughout the state and we would urge your Committee to reject them.

Thank you.



**Before the House Committee on Economic Revitalization,
Business & Military Affairs**

DATE: March 24, 2009
TIME: 7:00 a.m.
PLACE: Conference Room 312

**Re: SB 688 HD1
Relating to Employment
Testimony of Melissa Pavlicek for NFIB Hawaii**

Thank you for the opportunity to testify. On behalf of the business owners who make up the membership of the National Federation of Independent Business in Hawaii, we ask that you reject SB 688 HD1. NFIB opposes this measure in its current form.

The National Federation of Independent Business is the largest advocacy organization representing small and independent businesses in Washington, D.C., and all 50 state capitals. In Hawaii, NFIB represents more than 1,000 members. NFIB's purpose is to impact public policy at the state and federal level and be a key business resource for small and independent business in America. NFIB also provides timely information designed to help small businesses succeed.

We believe that is impracticable and anti-business and has the potential to hasten the demise of struggling businesses, ultimately hurting Hawaii's economy.

We respectfully ask that you do not advance this measure.

From: Dave Rolf [drolf@hawaiiidealer.com]
Sent: Monday, March 23, 2009 7:02 AM
To: EBMtestimony
Subject: HADA testimony in opposition to SB688 for hearing in EBM, 7 a.m. 3-24-09 in Rm 309

March 23, 2009

Testimony in STRONG OPPOSITION to SB688 HD1
RELATING TO EMPLOYMENT, WORKER RETENTION
Presented to the House Committee on Economic Revitalization, Business & Military
at the public hearing to be held 7 a.m. Tuesday, March 24, 2009
in Conference Room 309
Hawaii State Capitol

Testimony submitted by the David H. Rolf for
The Hawaii Automobile Dealers Association
Hawaii's franchised new car dealers

Chair McKelvey and members of the committee:

Because a measure like SB 688 HD1 would RESULT IN INCREASED UNEMPLOYMENT FOR HAWAII, we respectfully oppose the measure.

Some have called bills like SB 688 and SB 1622 the "Guaranteed Bankruptcy" bills because such measures put businesses at such risk, lowering the value of businesses and reducing their capabilities to borrow.

Since this is a "business" committee we are sure the committee members understand the need for businesses to borrow on lines of credit-- sometimes to sustain operations, sometimes to expand them.

By making Hawaii businesses MORE UNATTRACTIVE TO POTENTIAL BUYERS, through provisions that force preserving inefficiencies in a company's workforce, this committee's action would LOWER THE VALUE OF BUSINESSES.

Just yesterday, the Star-Bulletin in its editorial "Again, Hawaii ranks low for business," reported: "The survey of 543 of the nation's CEOs by Chief Executive magazine put the quality of Hawaii's workforce dead last."

This bill would signal to future buyers of Hawaii businesses that THE LEGISLATURE CHOOSES TO MAKE IT DIFFICULT TO CHANGE THE COMPOSITION OF THE WORKFORCE AT A BUSINESS THAT IS PURCHASED. This lowers the market value of a business and its ability to borrow. Without that ability to borrow, many businesses will close.

Last March (2008), when Hawaii unemployment was at 4% HADA predicted that in March (2009) that newspaper stories would be carrying news of 7% unemployment. On Friday, March 20, 2009, the Honolulu Advertiser reported a UHERO projection for 7% unemployment. Just as we had predicted.

Today, we tell you with certainty, that if bills like SB 688, SB 1622, and Card Check measures are passed in Hawaii that unemployment will hit 10% in 2010. DOUBLE-DIGIT UNEMPLOYMENT.

That's 10% of the workforce unemployed in '10!

The number of jobless in Hawaii would climb to a devastating 60,000 in 2010.

RUINING THE VIABILITY OF THE EMPLOYERS IN THE MARKETPLACE IS THE SUREST WAY TO INCREASE JOBLESSNESS.

Thus, this bill and others like it, achieve the opposite of its intent.

INSTEAD OF SAVING JOBS.....THIS BILL LOSES JOBS.

We respectfully request that you hold this bill.

Respectfully submitted,
The Hawaii Automobile Dealers Association
Hawaii's New Car Dealers

By David H. Rolf, HADA, 1100 Alakea St. Suite 2601, Honolulu, Hi. 96813 Tel: 808 593-0031



Representative Angus McKelvey, Chair
Representative Isaac Choy, Vice Chair
Committee on Economic Revitalization, Business & Military Affairs

HEARING Tuesday, March 24, 2009
 7:00 am
 Conference Room 312
 State Capitol, Honolulu, Hawaii 96813

RE: SB688, HD1 Relating to Employment

Chair McKelvey, Vice Chair Choy, and Members of the Committee:

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members and over 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii.

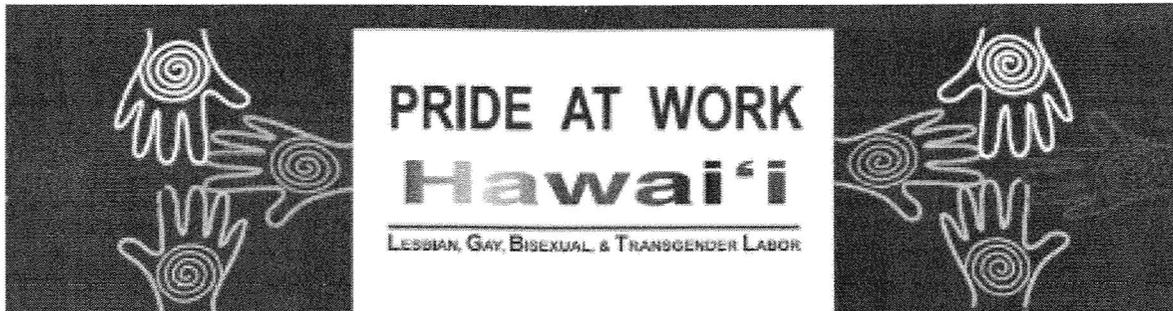
RMH strongly opposes SB688, HD1, relating to employment, which essentially requires successor employers to retain certain incumbent employees upon the divestiture of a covered establishment.

This bill is an infringement on the basic rights of ownership that seriously impacts the value of a business and the ability of an owner to divest, sell or transfer that business operation. It further discourages investment in Hawaii by severely restricting the options for potential new owners by dissuading any development and/or diversification possibilities. At a time when Hawaii should be encouraging new enterprise in our state to accelerate economic recovery, this bill is a giant step in the opposite direction and could have the undesirable result of more companies just closing their doors for lack of viable alternatives.

The members of the Retail Merchants of Hawaii respectfully request that you **hold SB688, HD1**. Thank you for your consideration and for the opportunity to comment on this measure.

Carol Pregill, President

RETAIL MERCHANTS OF HAWAII
1240 Ala Moana Boulevard, Suite 215
Honolulu, HI 96814
ph: 808-592-4200 / fax: 808-592-4202



PO Box 22416 Honolulu, HI 96822

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prideatworkhawaii@hawaiiantel.net

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March 24, 2009

Hawaii State House of Representatives
Committee on Economic Revitalization, Business and Military Affairs
Chair, Rep. McKelvey
Vice Chair, Rep. Choy

Testimony in favor of S.B. 688 HD1 – RELATING TO EMPLOYMENT

Pride At Work Hawai'i, whose mission is to mobilize lesbian, gay, bisexual, and transgender (LGBT) workers and their supporters for full equality and to build mutual support between the labor movement and the LGBT community, strongly supports SB 688, which establishes job security requirements upon the divestiture of a covered establishment.

SB 688, at its core, is about job preservation during the initial sale or takeover of a company. It is intended to minimize disruption in such sales, particularly for the employees. The bill calls for all current workers to be retained by the new employer while permitting reasonable latitude for management. It also helps insure that employers comply with the law by obligating violators to compensate the dislocated worker the difference between his salary under the former employer and his or her unemployment insurance benefits.

In these difficult and uncertain economic times, it is more likely than ever that more companies will be sold to new owners or managements, leaving workers vulnerable during the changeover. It is the employees who make a business work, and when new owners buy or take over a company, they should keep the same employees. Passage of this bill is especially important for lesbian, gay, bisexual, and transgender workers, who are even more vulnerable when businesses are taken over by new owners - even in Hawai'i, despite legal protections against discrimination.

A bill that increases job security for workers will help build confidence among Hawaii's workforce and stimulate spending; without such a measure workers are apt to continue to prepare for the worst. That's why passage of this worker retention bill is truly a step in the right direction at this critical time.

Thank you for the opportunity to testify in support of S.B. 688. On behalf of all LGBT workers in Hawai'i, we hope you will support this bill.

Respectfully submitted by Steve Dinion, President, on behalf of Pride At Work Hawai'i

1065 Ahua Street
Honolulu, HI 96819
Phone: 808-833-1681 FAX: 839-4167
Email: info@gcahawaii.org
Website: www.gcahawaii.org



GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

March 23, 2009

TO: THE HONORABLE REPRESENTATIVE ANGUS L. K. MCKELVEY, CHAIR
AND MEMBERS OF COMMITTEE ON REVITALIZATION, BUSINESS, &
MILITARY AFFAIRS

SUBJECT: S.B. 688, HD1, RELATING TO EMPLOYMENT

NOTICE OF HEARING

DATE: Tuesday, March 24, 2009
TIME: 7:00 A.M.
PLACE: Conference Room 312

Dear Chair McKelvey and Committee Members:

The General Contractors Association of Hawaii (GCA), an organization comprised of over five hundred and sixty (560) general contractors, subcontractors, and construction related firms, **opposes** the passage of S.B. 688, HD1, Relating to Employment.

The GCA believes that this bill will make it much more difficult for Hawaii businesses to sell or/and receive the full value of a going business in this difficult economic climate. Non-profitable businesses may be forced into bankruptcy in order to reorganize without retaining all employees employed under existing contracts because no new buyer would be willing to take over if it has to retain all existing employees. The new buyer must be able to reorganize and change operations, which may require staff reduction.

The GCA believes that this bill runs counter to the concept of free enterprise and infringes on the ability of a business to manage its operations.

The GCA **opposes** the passage of S.B. 688, HD1 and recommends that this bill not be passed.

Thank you for the opportunity to provide our views on this issue.

From: mgr.11443@store.walgreens.com
Sent: Monday, March 23, 2009 9:20 AM
To: EBMtestimony
Subject: Take Action Now

Scott Sutton
1488 Kapiolani Blvd.
Honolulu, HI 96814-3716

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.

From: jlippert@asbhawaii.com
Sent: Monday, March 23, 2009 9:18 AM
To: EBMtestimony
Subject: Take Action Now

Jason Lippert
P.O. Box 2300
Honolulu, HI 96804-2300

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~~

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

From: julie.arigo@waikikiparc.com
Sent: Monday, March 23, 2009 9:18 AM
To: EBMtestimony
Subject: Take Action Now

Julie Arigo
2233 Helumoa Road
Honolulu, HI 96815-1962

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

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- 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.

From: acheng@cochawaii.org
Sent: Monday, March 23, 2009 9:32 AM
To: EBMtestimony
Subject: Gauranteed Bankruptcies

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:

April Cheng 1132 Bishop Street, Suite 402 Honolulu, HI 96813-2830 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.

From: barkle@alsco.com
Sent: Monday, March 23, 2009 9:25 AM
To: EBMtestimony
Subject: Take Action Now

Brian Arkle
2771 Wai Wai Loop
Honolulu, HI 96819-1941

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."

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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.

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From: ericengland@hawaii.rr.com
Sent: Monday, March 23, 2009 9:39 AM
To: EBMtestimony
Subject: "guaranteed bankruptcy" bills

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."

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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.

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-Eric England
91-1456 Halahua Street
Kapolei HI 96707
808-392-6108
ericengland@hawaii.rr.com

From: kokamura47@hotmail.com
Sent: Monday, March 23, 2009 9:38 AM
To: EBMtestimony
Subject: 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."

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