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April 6, 2009

To: The Honorable Marcus R. Oshiro, Chair  
and Members of the House Committee on Finance

Date: Monday, April 6, 2009  
Time: 2:00 p.m.  
Place: Conference Room 308  
State Capitol

From: Darwin L.D. Ching, Director  
Department of Labor and Industrial Relations

**Comments Regarding  
Re: S.B. 713 SD2 HD1, Making an Appropriation for the Emergency  
Environmental Workforce**

**I. OVERVIEW OF PROPOSED LEGISLATION**

S.B. 713 SD2 HDI, appropriates funds to continue the Emergency Environmental Workforce Program to provide short-term employment for individuals who have lost their jobs due to recent national and local economic downturns and to continue to provide emergency environmental workforce services during periods of warfare or significant economic hardship.

**II. CURRENT LAW**

Under the current Act 4, Third Special Session Laws of Hawaii 2001, as a response to the 9/11 terrorist attacks, four hundred and fifty workers who were laid off were given jobs in the emergency environmental workforce program for a three month period.

### **III. HOUSE BILL**

The Department of Labor and Industrial Relations opposes this bill.

1. The Department opposes the \$1,500,000 appropriation out of the general fund as it is inconsistent with the objectives of the executive biennium budget.
2. Given our current budget situation the Department objects to any additional general fund appropriations.

**The Research Corporation of the University of Hawaii**

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Human Resources Department

April 4, 2009  
DP040401.NS6

Testimony of the Research Corporation of the University of Hawaii  
Supporting S. B. 713, SD2, HD1  
**MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE**  
Before the House Committee on Finance  
Conference Room 308  
April 4, 2009

Committee Chair Marcus R. Oshiro, Vice Chair Marilyn B. Lee and Committee Members:

The Research Corporation of the University of Hawaii (RCUH) supports the intent of S. B. 713 SD2 HD1 with recommended changes.

Act 004 of the Third Session of the 2001 Hawaii State Legislature established the Emergency Environmental Workforce (EEWF). The Act provided funding for the RCUH to employ Hawaii residents economically displaced by the aftermath of the September 11, 2001 terrorist attacks. The RCUH in collaboration with the Pacific Cooperative Studies Unit (PCSU) of the University of Hawaii, numerous private organizations, and government agencies (federal, state, and county) employed 225 individuals. These RCUH employees augmented existing programs combating the State's serious environmental problems relating to invasive species. The RCUH is prepared to do the same job for the State to employ Hawaii residents economically displaced by our current economic crisis.

The RCUH supports S. B. 713 SD2 HD1 with the following changes:

1. We recommend the S.B.713 SD2 HD1 be amended from Section 2 with the Section 3 through 7 of H.B. 281 HD3 SD1 (see below). If adopted, Section numbers must be revised.

*SECTION 3. There is established the emergency environmental workforce to be attached to the research corporation of the University of Hawaii for administrative purposes. The emergency environmental workforce program shall:*

- (1) Provide support and prevent layoffs in existing environmental programs;*
- (2) Employ approximately four hundred to four hundred fifty individuals who were terminated or laid off from their jobs as a result of the local economic downturn. The individuals shall be employed as short-term employees; and*
- (3) Deploy employees to all state or county agencies certifying a need for environmental clearance and eradication services to supplement current services being provided for the eradication of invasive species or other ongoing environmental improvement programs.*

*SECTION 4. (a) In connection with the establishment under section 3 of this Act of the emergency environmental workforce program, the research corporation of the University of Hawaii shall:*

- (1) Together with the Pacific cooperative studies unit of the University of Hawaii, develop a planning, administration, implementation, and evaluation strategy, including a program duration plan and a budget for contract and administrative expenses;
- (2) Consult with private employers whose workforces have been, or that may be, affected by layoffs from the recent economic downturn to develop a recruitment and public information plan;
- (3) Develop a strategy for the interviewing and selection of emergency environmental workforce program participants;
- (4) Work with state and county agencies requesting services to administer physical examinations, as may be necessary, to qualifying applicants prior to final offers;
- (5) Submit review and assessment reports to the governor, the president of the senate, and the speaker of the house of representatives every sixty days for the duration of the program; and
- (6) Undertake all other necessary activities for development and implementation of the emergency environmental workforce program.

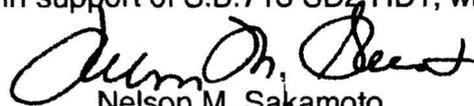
(b) In connection with the establishment under section 3 of this Act of the emergency environmental workforce program, the employees described in section 3(2) and (3) of this Act shall be subject to the research corporation of the University of Hawaii's policies and procedures relating to employment; provided that any applicable unemployment insurance coverage for such employees shall be the responsibility of the State of Hawaii. In addition, all procurement actions related to the emergency environmental workforce program shall be subject to the applicable research corporation of the University of Hawaii policies.

**SECTION 5.** There is appropriated out of federal funds received by the State from the American Recovery and Reinvestment Act of 2009 and any other applicable federal acts the sum of \$            or so much thereof as may be necessary for fiscal year 2009-2010 for the department of business, economic development, and tourism to identify and develop a policy framework strategy for action to establish partnerships and seek funding opportunities to develop the highly skilled and well-trained "green collar" workforce needed for an emerging "green economy" sector as required by this Act. The sum appropriated shall be expended by the department of business, economic development, and tourism for the purposes of this Act.

**SECTION 6.** There is appropriated out of federal funds received by the State from the American Recovery and Reinvestment Act of 2009 and any other applicable federal acts the sum of \$            or so much thereof as may be necessary for fiscal year 2009-2010 to fund the emergency environmental workforce created by this Act. The sum appropriated shall be expended by the research corporation of the University of Hawaii for the purposes of this Act.

**SECTION 7.** This Act shall take effect on July 1, 2009.

Thank you for considering our testimony in support of S.B.713 SD2 HD1, with changes.



Nelson M. Sakamoto  
Director of Human Resources