

EXECUTIVE CHAMBERS

HONOLULU

July 13, 2004

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2134

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2134, entitled "A Bill for an Act Relating to the Environment."

The purpose of the bill is to establish an emergency environmental workforce program to be administered by the Research Corporation of the University of Hawaii (RCUH) to assist the counties in their fight against invasive species throughout the State. The bill requires the environmental workforce to employ individuals who are not subject to civil service and collective bargaining laws. The bill further requires RCUH to submit an annual report to the Legislature on the status of the environmental workforce program.

This bill is objectionable for the following reasons:

1. Section 307-4, Hawaii Revised Statutes, exempts RCUH from state personnel statutes. Because RCUH has existing authority to hire employees exempt from the civil service law, chapter 76, HRS, this bill is unnecessary.

2. While earlier versions of the bill appropriated money to fund positions necessary for the workforce, the bill as passed does not contain an appropriation. Instead, the Legislature, via the budget bill, appropriated moneys to fund the workforce through moneys allocated to the Hawaii Invasive Species Council, an agency attached to the Department of Land and Natural Resources (DLNR). The funding mechanism may limit the Hawaii Invasive Species Council to contracting with RCUH for its labor needs. Furthermore, due to the limited amount of funds

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available, DLNR has concerns as to whether the Hawaii Invasive Species Council will realistically be able to allocate adequate funds for the workforce. In addition, an awkward problem with the bill is that the moneys are dispersed to DLNR, yet, RCUH is responsible for administering the program.

3. Finally, administering an environmental workforce is not consistent with RCUH's fundamental mission of supporting research and training programs for the University of Hawaii, or enhancing research, development, and training for Hawaii's citizens in general.

For the foregoing reasons, I am returning Senate Bill No. 2134 without my approval.

Respectfully,

LINDA LINGLE
Governor of Hawaii