



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. 1047

July 11, 2005

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

I am transmitting herewith SB1554 SD1 HD2 CD1, without my approval, and with the statement of objections relating to the measure.

SB1554 SD1 HD2 CD1

A BILL FOR AN ACT RELATING TO
THE ENVIRONMENT.

Sincerely,

LINDA LINGLE

EXECUTIVE CHAMBERS

HONOLULU

July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1554

Honorable Members
Twenty-Third 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. 1554, entitled "A Bill for an Act Relating to the Environment."

This bill is objectionable because, while it seeks to permanently establish an environmental workforce attached to the Research Corporation of the University of Hawaii (RCUH) to assist the counties in controlling and eradicating invasive species throughout the State, it fails to provide an appropriation to carry out the work. Without funding, the workforce would require use of other funds of the RCUH or the University of Hawaii, which is objectionable to these organizations since this would adversely affect their mission. Without funding, it is unclear as to how the workforce would function and meet its stated purpose. Further the bill is unclear how the workforce would integrate with existing county invasive species committees and the Hawaii Invasive Species Council.

Second, the bill would require the purported environmental workforce to employ individuals who are not subject to civil service and collective bargaining laws. Section 307-4, Hawaii Revised Statutes exempts the Research Corporation of the University of Hawaii from State personnel statutes. As such, because RCUH has existing authority to hire employees exempt from the civil service, the reference to Chapter 76, Hawaii Revised Statutes in this statute is unnecessary. However, there is a fundamental objection to establishing a whole new cadre of state employees outside the scope of civil service procedures.

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Allowing such exemptions for these types of workforces, without adequate justification or rationale, should be discouraged.

Third, this bill is objectionable because the environmental workforce proposed in this measure is not consistent with RCUH's fundamental mission of supporting research and training programs for the University of Hawaii including advanced research for specific scientific endeavors. At best the workforce in this bill appears to fit under RCUH only during the initial phase of research and testing relating to the control and eradication of invasive species. As such, once this phase is completed, the workforce would no longer be compatible with the purpose of RCUH and would need to be transferred to the proper agency, something which this bill fails to contemplate.

For the foregoing reasons, I am returning Senate Bill No. 1554 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE
Governor of Hawaii