

**TESTIMONY**

**HCR207**



Testimony of C. Mike Kido  
External Affairs  
The Pacific Resource Partnership  
Committee on Labor  
Senator Dwight Takamine, Chair  
Senator Brian Taniguchi, Vice Chair

HCR 207, HD1 – REQUESTING A JOINT AGENCY STUDY ON THE IMPACT  
OF ILLEGAL IMMIGRATION IN HAWAII

Friday May 1, 2009  
2:45 p.m.  
Conference Room 312

Chair Takamine, Vice Chair Taniguchi and Members of the Committee on Labor:

My name is C. Mike Kido, External Affairs of the Pacific Resource Partnership (PRP), a labor-management consortium representing over 240 signatory contractors and the Hawaii Carpenters Union.

**PRP strongly supports HCR 207, HD1** – Requesting a Joint Agency Study on the Impact of Illegal Immigration in Hawaii. We support this bill for the following reasons:

- On May 1, 2007, Governor Lingle signed Act 52 into law prohibiting the State and its counties from hiring illegal and/or undocumented workers.
- In December of the same year, 19 illegal workers were arrested at The Pinnacle condominium located in downtown Honolulu, and another 11 being housed at a warehouse in Halawa Industrial Park.
- In 2008, an additional estimated 150 and illegal or undocumented workers were arrested across our state. Of this number 127 of the illegal workers were employed in the construction industry.
- Since the occurrence of these raids, the DCCA and its licensing entities have been silent on this issue, and have shown no sign of taking any action against the licenses of these unscrupulous contractors who take part in the illegal and morally bankrupt business practice of hiring illegal aliens.
- New Pew Hispanic Center report released on April 14, 2009 indicates an increase in the undocumented immigrant population of Hawaii since their last report in 2006. In, 2006 the Pew Hispanic Center estimated Hawaii's total undocumented immigrant population to

be between 20-35 thousand.<sup>1</sup> The current Pew Hispanic Center's estimate stands between 25-45 thousand undocumented workers in our state.<sup>2</sup>

- Among unauthorized immigrants in the labor force, the construction industry continues to hold a strong second place at 21%, behind the services industry at 30%.<sup>3</sup>
- According to the Pew Hispanic Center, the construction occupations are a group in which the participation of unauthorized immigrants has grown substantially in recent years. In 2003, the Pew Hispanic Center reports that 10% of construction workers were unauthorized immigrants as compared to 2008 where 17% of the construction occupations were unauthorized immigrants.<sup>4</sup> About 40% of the undocumented workers in the construction industry are brickmasons, and 37% are drywall installers.<sup>5</sup>
- Temporary project by project employment, and subcontracting practices in the construction industry provide fertile ground for violations of labor, tax, insurance and other laws. There is a growing realization across the nation that in both public and private sector construction, workers are misclassified as independent contractors, or are completely "off the books". In this way, workers both legally authorized and not authorized to work in the U.S. are cheated, and millions of dollars in tax revenues are lost to each State and the Federal government.
- The purpose of this resolution therefore, is to ascertain the degree to which our state and local citizen's are being impacted by the unscrupulous practice of exploiting illegal labor and to recover any and all monies illegally withheld from the State as a result of this practice, to prevent companies from hiring illegal workers in our state, and to prevent businesses that engage in the practice of hiring illegal workers from doing business in our state.

Thank you for the opportunity to share our views with you and we respectfully ask for your consideration on HCR 207, HD1.

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<sup>1</sup> Pew Hispanic Center, Jeffery S. Passel, Estimates of Unauthorized Immigrant Population for States Based on the March 2005 CPS, Fact Sheet, April 26, 2006.

<sup>2</sup> Pew Hispanic Center, Jeffery S. Passel and D'Vera Cohn, A Portrait of Unauthorized Immigrants in the United States, p. 2, April 14, 2009.

<sup>3</sup> Id. at p. 14.

<sup>4</sup> Id. at p. 15

<sup>5</sup> Id.



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**PRESENTATION OF THE  
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION**

TO THE SENATE COMMITTEE ON LABOR

TWENTY-FIFTH STATE LEGISLATURE  
REGULAR SESSION of 2009

Friday, May 1, 2009  
2:45 p.m.

**TESTIMONY ON HOUSE CONCURRENT RESOLUTION NO. 207, H.D. 1,  
REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL  
IMMIGRATION IN HAWAII.**

TO THE HONORABLE DWIGHT Y. TAKAMINE, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is Celia Suzuki, Program Specialist with the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs ("Department"). We appreciate the opportunity to present testimony on H.C.R. No. 207, H.D. 1. We request an amendment for clarification purposes, to page 3, line 9 of the H.D. 1.

Specifically, our requested amendment relates to the naming of "All appropriate licensing boards of the Department of Commerce and Consumer Affairs" to be members of the task force that will take immediate investigation and enforcement

Testimony on H.C.R. No. 207, H.D. 1

May 1, 2009

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actions to prevent the hiring of undocumented workers. As the Department's Regulated Industries Complaints Office ("RICO") is the agency with delegated investigatory and enforcement authority on behalf of the boards, it would be most appropriate to name RICO on page 3, line 9, rather than the "licensing boards". The licensing boards will certainly be a resource to RICO.

Thank you very much for this opportunity to present testimony on H.C.R. No. 207, H.D. 1.

**Date:** 05/01/2009

**Committee:** Senate Labor

**Department:** Education

**Person Testifying:** Patricia Hamamoto, Superintendent of Education

**Title of Resolution:** HCR 207,HD1(HSCR1790) REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII.

**Purpose of Resolution:** Illegal Immigration; Undocumented Workers

**Department's Position:** The Department of Education (DOE) supports HCR 207, HD 1

(HSCR1790) for the following reasons:

The mission of the DOE is to educate all students whose parents live in the geographic area served by the school, including children who are homeless or children of illegal immigrants (the DOE is unaware of the immigration status of our students). Currently, the DOE hires legal immigrants who possess the appropriate employment authorization forms--obtained through the United States Bureau of Citizenship and Immigration and the Department of Labor to work in this country. The DOE does not sponsor visas or work permits for immigrants.

The DOE supports sharing information or data with other agencies involved in the joint study as long as it does not violate the confidentiality of personal information.