



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

H.B. NO. 1025, RELATING TO THE CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST, INC.

BEFORE THE:

HOUSE COMMITTEE ON CULTURE & ARTS

DATE: Friday, February 7, 2025 **TIME:** 10:00 a.m.

LOCATION: State Capitol, Room 309

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Randall S. Nishiyama, Deputy Attorney General

Chair Kapela and Members of the Committee:

The Department of the Attorney General provides the following comments regarding this bill.

This bill exempts the Center for Cultural and Technical Exchange Between East and West, Inc., better known as the East-West Center (EWC), from the qualifying standards and conditions relating to the receipt of funds contained in chapter 42F, Hawaii Revised Statutes (HRS), to allow it to regularly receive state funds without filing a grant application as required by chapter 42F.

1. A Preamble Should be Added to the Bill to Promote the Public's Understanding of the Legislature's Intent of this Measure

We note that the Legislature in Act 82, Session Laws of Hawaii 1975, established the EWC as an educational non-profit public corporation. Act 82, section 5, specifies the following purposes of the EWC, stating among other things:

- (a) To promote better relations and understanding between the United States and the nations of the East through the administration and operation of the East-West center as an educational institution operating in furtherance of the objectives of the act of the United States Congress authorizing the established of the East-West Center . . . ;

(b) To promote among the nations of the East and the West the use of the East-West center by qualified persons for cooperative study, training and research in matters of East-West significance, and thus lead to better relations and understanding as to such matters;

Consequently, we believe that the EWC's purposes serve a public purpose – to "promote better relations and understanding between the United States and the nations of the East."

Further, article VII, section 4, of the Hawaii Constitution, prohibits the appropriation of public moneys for private purposes. Given that the Legislature explicitly recognized the public purpose mission of the EWC, we believe that authorizing an annual appropriation in the State's executive budget to the EWC, exempt from the requirements of chapter 42F, HRS, complies with the public purpose requirement of article VII, section 4, of the Hawaii Constitution.

To facilitate the public's understanding of what the Legislature is trying to accomplish regarding providing public funding for the EWC, we suggest that this information outlining the history of the EWC, its establishment under Act 82, and the public benefits that have accrued from its existence should be added to the bill's preamble.

2. Chapter 42F Exemptions for Non-Profits Other than the EWC are Constitutionally Problematic

We note that granting chapter 42F exemptions to non-profits other than the EWC is likely to violate article VII, section 4, of the Hawaii Constitution. This is because such non-profits do not share the same state-established heritage as the EWC. The EWC's unique historical connection to the State gives it a special status that other organizations cannot claim, making exemptions for those other entities constitutionally problematic.

We respectfully ask the Committee to consider our comments.

**Testimony of James K. Scott, EdD
Interim President, East-West Center**

House Committee on Culture and Arts (CAA)
Friday, February 7, 2025

**HB NO. 1025: RELATING TO THE CENTER FOR CULTURAL AND TECHNICAL
INTERCHANGE BETWEEN EAST AND WEST, INC.**

Dear Chair Kapela, Vice Chair Kong, and members of the House Committee on Culture and Arts:

Mahalo for this opportunity for the East-West Center to provide testimony in **support** of HB1025. The measure authorizes General Fund appropriations exempt from the requirements of chapter 42F, Hawai'i Revised Statutes.

The designation of the East-West Center as the Center for Cultural and Technical Interchange Between East and West, Inc., underscores the state's recognition of the Center's pivotal role in international and intercultural exchange. This acknowledges not only the Center's stature but also reaffirms Hawai'i's commitment to fostering global understanding and cooperation.

Furthermore, authorizing General Fund appropriations exempt from the requirements of chapter 42F, Hawai'i Revised Statutes, provides the Center with the financial flexibility necessary to effectively plan and implement its programs. This exemption acknowledges the unique nature of the Center's work and the importance of timely and efficient allocation of resources to support its mission.

The East-West Center's programs have a profound impact on Hawai'i's communities. By hosting international scholars, conducting research on critical regional issues, and facilitating dialogues among leaders from various sectors, the Center enriches the cultural fabric of our state and contributes to its economic vitality. The Center's activities attract global attention, bringing scholars, policymakers, and students to Hawai'i, thereby enhancing its reputation as a hub for international engagement.

In conclusion, the East-West Center supports HB1025. Thank you for the opportunity to submit testimony on this important measure.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**
KA 'OIHANA HO'OMOHALA PĀ'OIHANA, 'IMI WAIWAI
A HO'OMĀKA'IKĀ'I

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

JAMES KUNANE TOKIOKA
DIRECTOR

DANE K. WICKER
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: dbedt.hawaii.gov

Telephone: (808) 586-2355
Fax: (808) 586-2377

Statement of
JAMES KUNANE TOKIOKA
Director
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON CULTURE & ARTS

Friday, February 7, 2025
10:00 AM
State Capitol, Conference Room 309

In consideration of
HB1025
**RELATING TO THE CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE
BETWEEN EAST AND WEST, INC.**

Chair Kapela, Vice Chair Kong and members of the Committee. The Department of Business, Economic Development, and Tourism (DBEDT) supports **HB1025**, which designates the Center for Cultural and Technical Interchange Between East and West, Inc., as the State of Hawaii Center for Cultural and Technical Interchange Between East and West, Inc., and authorizes General Fund appropriations exempt from the requirements of chapter 42F, Hawaii Revised Statutes (HRS), to the center.

The East–West Center (EWC), or the Center for Cultural and Technical Interchange Between East and West, is an invaluable education and research organization in Hawaii and the country established by the U.S. Congress in 1960 to strengthen relations and understanding among the peoples and nations of Asia, the Pacific, and the United States.

Its research program conducts studies on economic development, trade, energy, governance, politics, security, conflict reduction, population, health, environment, and the Pacific Islands.

Its education program offers educational opportunities for students and professional development seminars and workshops for educators from the U.S. and the region, in partnership with the University of Hawaii and other universities in Hawaii and the continental U.S

Its seminars bring professionals from government, civil society, business and the media together for short-term dialogue and exchange programs to share knowledge and address issues of regional and global concern.

These programs significantly contribute to Hawaii's role and position in international affairs, and align with Hawaii's goals in economic development, international relations and education.

Regular support from State resources would help ensure that the East-West Center continues its good work and presence in Hawaii.

Thank you for this opportunity to testify.

HB-1025

Submitted on: 2/6/2025 4:08:41 PM

Testimony for CAA on 2/7/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
amy agbayani	Hawai'i Friends of Civil Rights	Support	Written Testimony Only

Comments:

Testimony in support of HB1025

submitted by Amy Agbayani and Pat McManaman, co-chairs Hawai`i Friends of Civil Rights

I came to Hawai'i 60 yerars ago as an EWC student grantee from the Philippines and currently am an active EWC volunteer alumni coordinating a small program providing volunteer mentors from the community and university to new students. I am an enthusiastic supporter of the EWC's research, student and professional programs that promote understanding and exchange with Asia and the Pacific. I support this bill because there are tremendous benefits for the state of Hawai'i and the University of Hawai'i. The EWC needs adequate resources from many sources, including state funds to meet its international mission and programs that support Hawai'i.

I want to express my sincere appreciation to the EWC for providing me with a wonderful graduate education experience that has been life-changing and allowed me to provide professional and community service to our state.

Please support hb1025