



TESTIMONY OF
DANIEL NĀHO'OPI'I
Interim President & CEO
Hawai'i Tourism Authority
before the
HOUSE COMMITTEE ON LABOR

Tuesday, March 18, 2025
9:30 a.m.
State Capitol, Room 309

In consideration of
SB 1571 SD 2 HD 1
RELATING TO TOURISM

Aloha Chair Sayama, Vice Chair Lee, and Members of the Committee,

The Hawai'i Tourism Authority (HTA) respectfully offers comments on SB 1571 SD 2 HD 1, which exempts all positions within the HTA from the state civil service law. It also provides that the powers described in section 201B-3, HRS, shall be granted to the HTA except as otherwise provided by law. Furthermore, it amends the definition of "convention center facility" for purposes of chapter 201B, HRS, and the eligibility requirements to serve on the Hawaii Tourism Authority board of directors. It sets the effective date to July 1, 2050.

Please consider the implications of the proposed changes to the HTA's governance and Hawai'i State Planning Act. We look forward to a more complete discussion with the legislators and interested parties to discuss the issues raised.

1. Adding language exempting all positions within the HTA from state civil service law allows for the hiring of the best-qualified professionals.
2. We should maintain a strong "Hawaiian sense of place" at the Hawai'i Convention Center in alignment with our Strategic Plan's Hawaiian Culture pillar goal of growing the uniqueness and integrity of the Native Hawaiian culture and community through genuine experiences for both visitors and residents.
3. HTA's role as a "policy-making and advisory board" needs clarification. We are already experiencing confusion and difficulties with the recent changes that have blurred some lines between the Authority and the Department. Adding the word "advisory" would

create additional confusion and uncertainty. The high importance of industry and community input to HTA's work is vital to the purpose, mission, and impact of the Authority's work. Moving that to an advisory duty should first include greater discussion with all stakeholders. We look forward to having a more complete discussion around the powers/authority between the Authority/Board and the Department before amendments like this are made.

4. Removing the two-year waiting period for individuals who served on the Hawai'i Visitors and Convention Bureau board of directors to join HTA's board diminishes the safeguards against the appearance of impropriety. The committee may consider strengthening the safeguards by broadening the provision to any entity contracted for a significant portion of HTA's budget.
5. The amendment changing the phrasing from "limited by this chapter" to "provided by law" undermines the authority of Chapter 201B, subjecting HTA to HRS 26-35, the administration of boards and commissions, and impacting its operational autonomy.
6. Regarding HRS 226-8, the amendment to remove 'form' and replace it with 'allow the formation of' weakens the objective of the current policy to establish community partnerships to ensure Native Hawaiian cultural integrity.

Mahalo for the opportunity to provide our comments.



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

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 LABOR

Tuesday, March 18, 2025
9:30 AM
State Capitol, Conference Room 309

In consideration of
SB 1571, SD2, HD1
RELATING TO TOURISM.

Chair Sayama, Vice Chair Lee, and members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) supports SB 1571, SD2, HD1 which exempts all positions within the Hawai'i Tourism Authority (HTA) from the state civil service law, designates the HTA Board of Directors (Board) as an advisory board, and amends the eligibility requirements to serve on the HTA Board, in addition to other clarifications and amendments.

With regards to removing the language referring to the two-year waiting period for individuals who have served on the Hawai'i Visitors and Convention Bureau board of directors, DBEDT is in agreement with removing the reference to a specific entity. However, the committees may want to consider changing this to any entity that receives over a certain threshold in funding from the Hawai'i Tourism Authority or percentage of its overall budget. Furthermore, we may also want to consider a one-year waiting period to be consistent with other ethics rules for state of Hawai'i employees.

In addition, DBEDT offers the following amendment to Hawai'i Revised Statutes Section 201B-2 Subsection (b) Item (4) to require that at least one member shall have knowledge, experience, and expertise in the area of labor as follows:

(4) At least six members shall have knowledge, experience, and expertise in the area of accommodations, transportation, retail, entertainment, or attractions, [~~and~~] at least one member appointed by the governor shall have knowledge, experience, and expertise in the area of Hawaiian cultural practices, **and at least one member shall have knowledge, experience, and expertise in the area of labor**; provided that no more than three members shall represent, be employed by, or be under contract to any sector of the industry represented on the board;

DBEDT looks forward to collaborating with the committees and participating in any discussions as it relates to the proposed changes to the governance of the HTA.

Mahalo for the opportunity to testify on this measure.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Third Legislature, State of Hawaii
The House of Representatives
Committee on Labor

Testimony by
Hawaii Government Employees Association

March 18, 2025

S.B. 1571, S.D. 2, H.D. 1 – RELATING TO TOURISM

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposes the purpose and intent of S.B. 1571, S.D. 2, H.D. 1, Section One, which exempts all positions within the Hawai'i Tourism Authority from the state civil service law. **Furthermore, we respectfully request an amendment to delete Section One of this measure.**

Our records indicate that all current members, including clerical employees, within this agency are already exempted from civil service, therefore we question the need for Section One of this bill. Although all current members are already exempted from civil service, the passage of this measure would prohibit the creation and hiring of future civil servants within this agency. The use of exempt employees, which are considered "at will" by the state, is completely contrary to the principles of civil service. Exempt employees do not have the same rights and benefits of civil service employee specifically – they are not afforded the right to grieve/appeal any disciplinary action taken against them. We have consistently opposed the creation of more exempt positions in state government and have advocated for sensible civil service reform.

This measure goes to the larger conversation within our state government's workforce. In recent legislative sessions, we have seen an uptick in measures aiming to exempt employees across various agencies and departments from civil service. According to the Executive Branch Workforce Profile report submitted to this body each year, in 2020 there was 1715 exempt employees within the State Executive Branch under the personnel system administered by DHRD, today there is 2390 exempt employees, which reflects a significant increase in the use of exempt positions. To note, the total number of civil service employees have decreased within that highlighted timeframe. We fear that this trajectory will continue upwards unless our civil service system becomes more flexible and competitive. More and more employees will become "at-will", which will ultimately hurt our state's effort to recruit and retain employees because fair and reasonable job security is one of the core components that make's state employment attractive.

Thank you for the opportunity to testify in opposition of S.B.1571, S.D. 2, H.D. 1, Section One.

Respectfully submitted,



Randy Perreira
Executive Director

Council for Native Hawaiian Advancement
91-1270 Kinoiki St., Bldg. 1
Kapolei, HI 96707

Hawai'i State House Committee on Labor

SB1571 – Relating to Tourism

RE: Strong opposition of SB1571

March 18, 2025

The Council for Native Hawaiian Advancement (CNHA) writes in **strong opposition of SB1571**. Since its creation, the mission of the Hawai'i Tourism Authority (HTA) has been to manage tourism in a sustainable manner that balances economic goals, cultural values, preservation of natural resources, community desires, and visitor industry needs. The changes proposed by SB1571 throws HTA out of balance with the necessary checks and balances of proper governance. This bill proposes concerning changes with the operation, structure, and driving ideology of an authentic and respectful tourism industry.

Section 1 of SB1571 exempts HTA employees from civil service process, an exemption also granted to positions filled by the legislature, employees in the Governor's office, and UH faculty members. No reason is given as to why all positions within HTA is exempt from a process that otherwise applies to all other agencies. Additionally, Section 3 of SB1571 eliminates the two-year prohibition from serving on the HTA board after serving on the Hawaii Visitors and Convention Bureau. This change is also made without a specified reason. These two sections create significant worry for conflicts of interest and abolishing necessary safeguards for critical government processes.

Section 2 of SB1571 changes the convention center definition to reflect a "Hawaii sense of place" rather than a "Hawaiian sense of place." While this section simply replaces one word in the definition, it is the most concerning change suggested by SB1571. It is difficult to succinctly understand how to include all of Hawai'i's diverse communities without decentering Native Hawaiians when in their homeland; this is a complex, nuanced conversation. The suggested change is too simplified and reductive of the issue and requires significantly more discussion to find a way to properly define the intention put forth.

The tourism industry is an enormous component of Hawai'i's economic realities and it is critical for the agency guiding visitor experience can do so properly. For these reasons, we humbly ask that you **DEFER SB1571**.

Me ka ha'aha'a,

Madelyn McKeague

Director of Advocacy, CNHA