



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
Senate Committee on Higher Education  
Thursday, January 30, 2020 at 2:50pm

by

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and

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### SB 2673 – RELATING TO INTERCOLLEGIATE ATHLETICS

Chair Kim, Vice Chair Kidani, and members of the committee:

Thank you for this opportunity to submit this joint testimony of the University of Hawai'i's athletic departments at Mānoa and at Hilo, requesting SB 2673 be held.

SB 2673 would allow student athletes participating in collegiate athletics at the University of Hawai'i, and other postsecondary educational institutions, to be compensated for the use of their "name, image or likeness" (NIL). SB 2673 includes provisions that have requirements on the student-athletes, as well as on the educational institution, and athletics associations and conferences.

The issue being addressed in SB 2673, the compensating of student athletes for use of their NIL, is also before multiple other forums. Most significantly:

In 2019, the State of California passed legislation (SB206), and the NCAA announced its intent, to allow student athletes to be compensated for the use of their NIL. However, recognizing that there remains considerable development of how the legislation and/or NCAA intent is to be implemented, both are not scheduled to take effect in the near future to allow time for more work to be done on the issue.

Last week, at its convention in Anaheim, California, NCAA President, Mark Emmert stated that the NCAA working committee crafting new NIL rules is targeted to provide recommendations to the NCAA Board of Governors in April 2020. Those rules would be the basis for NCAA legislation to be voted on next January.

At the same time, various members of the U.S. Congress have indicated a willingness to have Congress involved in addressing the NIL issue. For example a bill has been introduced by Rep. Mark Walker (North Carolina) and a bipartisan

working group headed by Sen. Chris Murphy (Connecticut) and Mitt Romney (Utah) has been announced.

While all movement is toward providing student athletes the opportunity to be compensated for use of their NIL, the changes are expected to have far reaching and significant impact across collegiate athletics. Recognizing the far reaching impact of the changes, and the complex and interrelated nature of collegiate athletics, the implementation dates for the changes have been deferred (i.e., 2023) to allow more time to define the rules under how it will be done.

The University of Hawai'i believes in the importance of continuing to make advancements for our student athletes and has actively participated in recent changes such as student-athlete stipends and improved nutrition. There is more that we need to do and hopefully the new NCAA initiative will improve the collegiate experience.

While the recent developments regarding the NIL issues are important to address, it is imperative that we look after the interests of all of our student athletes and carefully avoid unintended consequences, but also implement any changes to provide the benefits intended.

It is for those reasons that the University of Hawai'i's recommendation is that Hawai'i-specific legislation be held off for now to allow it to benefit from the further definition of the issue that is ongoing. Allowing the time to have the issue develop more fully will benefit the eventual introduction of any needed legislation so that it better benefits the University of Hawai'i's student-athletes.

The University of Hawai'i at Mānoa Athletics Department and the University of Hawai'i at Hilo Athletics Department respectfully request that SB 2673 be held and thank you for your consideration of this joint testimony.

**SB-2673**

Submitted on: 1/28/2020 1:52:57 PM

Testimony for HRE on 1/30/2020 2:50:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joshua Walker	Individual	Support	No

Comments:

I support this bill as someone who works in college athletics and someone who was a college athlete as well. The NCAA has put a lot of limits on Student-Athletes (SA) as far as what they can/can't be compensated for the sake of amateurism. The issue is being a SA is 2 full time jobs. When I was in college I had at least a full 12 credit hour schedule, which is mandated in order to be an eligible SA, and I was fully committed to my team at least 4 hours a day. That's not including if we had matches that would occur on weekends. As in anything if you want to be great at something you have to spend time doing it. If you want to be a great student, you have to spend time studying outside of class. If you want to be a great athlete, you have to spend time improving your craft outside of practice time. Despite my days being full of trying to be the best version of myself as a student and athlete, I still needed a part time job on campus to help pay for my school. I was blessed to be able to get a job on campus with flexible hours, but that's not the case for most student athletes. There's just not enough time in the day to be the best student and athlete you can be and have enough time to be able to hold a job that most college students would have the ability to add in their schedule.

With student-athletes being able to make some money off of their own name/image/likeness it will catch them up with the rest of the student body as far as being able to make money without having to add another skill set for a different job. It will also give the SA the ability to save more time since they would not have to have another part time job to try to make money.

The final point I'll make is not all athletes receive a full room and board scholarship. Most athletes are in equivalency sports, so they have to pay something to cover the rest their school costs anyway. In the case for me and a lot of other SAs that includes having to take out loans to cover the remaining amount, or having the burden fall on their parents. I feel SAs should be able to make money off of their name/image/likeness simply because they shouldn't have pay back more money loans or put a bigger burden on their parents because they don't have time to get a job to help with payments like their peers that don't participate in college athletics.