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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
WATER AND LAND
Tuesday, January 28, 2025
9:00AM
House Conference Room 411 & Via Videoconference

In consideration of
HOUSE BILL 1144
RELATING TO EMPLOYMENT IN THE STATE HISTORIC PRESERVATION PROGRAM

House Bill 1144 amends sections 6E-3 and 76-16(b), HRS, to allow the Department of Land and Natural Resources to employ both civil service and non-civil service professional and technical staff in its State Historic Preservation Program. **The Department of Land and Natural Resources (Department) strongly supports this measure and offers the following comments.**

The framework for a comprehensive statewide historic preservation program in Hawai'i is established under Chapter 6E, HRS. However, in order to meet the historic preservation program requirements identified in statute and to ensure that historic preservation reviews conducted pursuant to sections 6E-8, 6E-10, 6E-42, and 6E-43, HRS, are completed in a timely manner, it is imperative that the Department employ and retain qualified subject matter experts within the State Historic Preservation Division (Division).

To address this need, the Legislature has already provided the Division with the means to establish new positions and provide staff with compensation that is both competitive yet commensurate with similar positions within the federal government and private sector. However, maintaining these competitive salaries and retaining staff requires the ability to sustain non-civil service exempt positions beyond the current three-year allowable period.

This bill will amend language within section 6E-3, HRS, that requires the historic preservation program to convert all non-civil service positions to civil service positions three years after the non-civil service position is created. It will also amend language within 76-16(b), HRS to exempt professional and

technical staff within the state historic preservation division of the department of land and natural resources from requiring the Division staff to be reclassified as civil service. These changes will strengthen the Division's ability to attract and retain skilled professionals and ensure the efficient execution of the Division's responsibilities.

Mahalo for the opportunity to provide testimony on this measure.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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The Thirty-Third Legislature, State of Hawaii
House of Representatives
Committee on Water & Land

Testimony by
Hawaii Government Employees Association

January 28, 2025

H.B.1144 – Relating to Employment in the
State Historic Preservation Program

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposes the purpose and intent of H.B.1144, which amends sections 6E-3 and 76-16 (b), Hawaii Revised Statutes, to allow the Department of Land and Natural Resources (DLNR) the option to employ professional and technical staff which may be exempt from civil service status.

The HGEA has serious concerns and questions of the need to blanketly grant DLNR the authority to exempt professional and technical employees within the State Historic Preservation Division. 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 employees, and that is inherently unfair. We have consistently opposed the creation of more exempt positions in state government and have advocated for sensible civil service reform.

This proposed measure goes to the larger issue which is that the civil service system must become more flexible, competitive, and adaptive to the current job market and public demands. The state needs to invest in its current and future workforce – increasing the position pay and offering modern and attractive recruitment and retention incentives, along with reforming the Department of Human Resources and Development (DHRD) administrative rules on hiring time is paramount. Hiring of exempt employees is a band-aid fix to address the underlying issues within the state government workforce. For the past few legislative sessions, we have seen many bills targeted at exempting positions, and we suspect that it is due to the DHRD’s inability to reduce its hiring time. Furthermore, the Legislature passed Act 234, 2024 which codifies a repricing process for positions, therefore we urge DLNR to negotiate in repricing of these positions if they are not competitive with the market rate.

Thank you for the opportunity to testify in opposition of H.B.1144.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Randy Perreira', written in a cursive style.

Randy Perreira
Executive Director