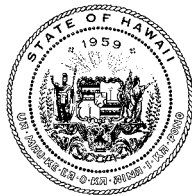


LINDA LINGLE
GOVERNOR

JAMES R. AIONA, JR.
LT. GOVERNOR



KURT KAWAFUCHI
DIRECTOR OF TAXATION

STANLEY SHIRAKI
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF TAXATION
P.O. BOX 259
HONOLULU, HAWAII 96809

PHONE NO: (808) 587-1510
FAX NO: (808) 587-1560

SENATE COMMITTEE ON WAYS AND MEANS

TESTIMONY REGARDING GM 457

SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE TAX REVIEW COMMISSION, GUBERNATORIAL NOMINEE, MICHAEL T. MCENERNEY, FOR A TERM TO EXPIRE 6-30-2012.

TESTIFIER: KURT KAWAFUCHI, DIRECTOR OF TAXATION (OR DESIGNEE)

DATE: APRIL 16, 2010

TIME: 9:30AM

ROOM: 211

The Department of Taxation (Department) supports the nomination of Michael T. McEnerney to the Tax Review Commission and encourages this committee to confirm the nomination.

Mr. McEnerney is a qualified candidate to serve on the Tax Review Commission. Mr. McEnerney is a Certified Public Accountant, as well as a licensed attorney. He is also an Accredited Senior Appraiser. Mr. McEnerney received a Masters of Business Administration degree from the University of Hawaii, as well as a law degree from Northwestern University. Mr. McEnerney has extensive tax and accounting experience as a tax professional, as well as extensive experience as a tax and business course instructor at the University of Hawaii and Chaminade University. Mr. McEnerney is also an expert witness consulting in valuation matters.

Beyond his professional experience, Mr. McEnerney has a proven record of community service. He has served as a member of the Child Support Guideline Committee of Family Court.

It is the Department's position that Mr. McEnerney maintains the necessary knowledge, skills, and abilities to effectively and competently assist with the Tax Review Commission's study of Hawaii tax policy.

The Department supports his nomination and respectfully requests the Senate's favorable confirmation.

April 15, 2010

Senator Donna Mercado Kim, Chair
Senator Shan S. Tsutsui, Vice Chair
Committee on Ways and Means

Re. Tax Review Commission, Gubernatorial Nominee, Michael T. McEnerney

Hearing Friday, April 16, 2010 at 9:30 am, Conference Room 211 State Capitol

Dear Senator Kim and Tsutsui:

I am writing this letter of recommendation in support of Michael T. McEnerney's nomination as a member of the Hawaii Tax Review Commission.

I have worked with Mike for over 25 years, initially as fellow employees at Grant Thornton and subsequently as shareholders in the accounting firms, McEnerney and Shimabukuro, CPAs, AAC and McEnerney, Shimabukuro, Okazaki & Fujita, CPAs, AAC. Accordingly, I am writing this because it is my sincere belief that he is highly qualified to be a member of the Hawaii Tax Review Commission.

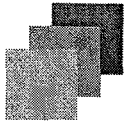
Over these many years, Mike has demonstrated to me time and again that he is an excellent communicator and very knowledgeable in federal and Hawaii tax law and understanding our economic and business environment. As a CPA, he has prepared thousands of various tax returns and has been a regular speaker at technical seminars offered to accountants and lawyers, and as an Accredited Senior Appraiser, he has valued many Hawaii businesses for litigation, family court, buy-sell, and estate and gifts purposes. In spite of these formidable gifts, he is a humble and approachable person who loves to share his extensive knowledge with members of our firm and fellow practitioners.

In closing, it is with sincerity that I enthusiastically recommend that Mr. Michael T. McEnerney be selected as a member of the Hawaii Tax Review Commission.

Sincerely,



Steven H. Shimabukuro, CPA



CGA

Carr, Gouveia + Associates, CPAs, Inc.

April 15, 2010

Hawaii State Senate
Committee on Ways and Means
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: Testimony in support of appointment of Michael T. McEnerney to the Tax Review Commission
GM457
Friday, April 16, 2010 at 9:30am
State Capital, Conference Room 221

Donna Mercado Kim, Chair, Shan S. Tsutsui, Vice-Chair and Members of the Committee:

My name is David Carr. I am a Certified Public Accountant licensed in the State of Hawaii (since 1977) and currently serve as chair of the Tax Committee of the Hawaii Society of Certified Public Accountants.

I have known Michael T. McEnerney for close to 30 years in both a professional and personal relationship. We worked together at the firm of Jack Tyrrell & Company, CPAs, Inc. from October 1981 until April 1984. At that time, Mike and I started our own firm, McEnerney & Carr, CPAs.

We decided to establish separate CPA firms in 1985. Since then I have worked with Mike in several capacities, including serving joint clients and serving on various professional committees. He and I consult with each other regularly and have so over the last 25 years on tax and other professional issues.

I know Mike McEnerney as well as any professional that I have ever worked with.

Mike will serve very well on the Tax Review Commission for several reasons.

Mike is a preparer of tax returns, but is not a "fill in the forms" type of practitioner. Mike always sees the tax issues in a business or personal return, including issues that are not immediately or easily apparent.

Mike considers tax issues and tax policy, even when dealing with clients, in a very broad way, including the effects of tax laws on human behavior.

Mike has a strong sense of fairness and equity, which encompasses, but goes far beyond the normal view of professional ethics.

Mike has a keen mind, which allows him to consider several competing issues at the same time, including how they interact, and may be reconciled with one another.

Mike also has a strong level of attention to detail, while still holding a "big picture" viewpoint.

Mike has a lack of bias in terms of favoring some groups of people over others which leads to a sense of fairness in dealing with others and the issues that affect them.

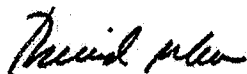
Mike is willing and able to consider issues on their merits, and come to an appropriate, independent conclusion, without being unduly influenced by others.

Mike is very conscientious about keeping his commitments and meeting responsibilities.

For the reasons named above, I wholeheartedly recommend Michael T. McEnerney for a position on the state Tax Review Commission.

If you have any questions I can be reached at 837-2509.

Sincerely,

A handwritten signature in cursive script, appearing to read "David M. Carr".

David M. Carr, CPA/PFS, CFP®

Michael T. McEnerney
1100 Ward Suite 720
Honolulu, Hawaii 96814

phone 808 523 0462 fax 808 521 2481
MikeM@MSOFCPAS.COM

Before the Senate Committee on

WAYS & MEANS

Friday April 16, 2010
9:30 am in Conference Room 211

Re: GM 457

Nomination of Michael T. McEnerney to the Tax Review Commission

Chair Kim, Vice Chair Tsutsui and Committee Members:

Thank you for the opportunity to appear before this Committee. I am here to provide some basic information about my qualifications and to answer any questions that you may have, in the hope that you will favorably consider my nomination.

I first arrived in Hawaii in January 1970 to attend the Business Graduate School at the University of Hawaii at Manoa. It was below zero in Chicago when I departed and on arrival in Honolulu I quickly realized this was the place for me. An added attraction was meeting Irene K. Yanamura, an accounting undergraduate at UH. I received my MBA in June of 1971 and shortly thereafter received my draft notice. I served as a Chaplain's assistant in Berlin Germany when the city was still a divided city. For my service there, among other awards, I received the Army Commendation Medal. Irene joined me there and we were married in Berlin.

I returned to Northwestern University School of Law. In June of 1976 I had two JD's, one Juris Doctorate and one John-David, the first of our four sons. In Chicago I passed the CPA exam while in law school and, along with passing the bar exam, went to work in the tax department of Alexander Grant & Company, now known as Grant Thornton LLP. In August of 1977 I returned to teach undergraduate and graduate taxation at the University of Hawaii Manoa. I also worked part time in the Honolulu office of Alexander Grant and became a full time employee in 1979. I later ran the tax department of a local CPA firm. I departed in 1984 to start my own firm, first with David Carr, CPA, then, later, with Steven Shimabukuro CPA. Steven and I joined Ted Okazaki CPA and Steve Fujita CPAs in 1995 to form our current firm, McEnerney Shimabukuro Okazaki & Fujita CPAs AAC.

I have taught taxation at Chaminade University and have made many presentations on tax matters to CPAs Public Accountants and Attorneys here in Hawaii. I have worked with committees, such as the Child Support Guideline Committee, handling tax related issues. In my professional career I am involved in business valuation and hold several accreditations in business valuation including Accredited Senior Appraiser (ASA) from the American Society of Appraisers, Accredited in Business Valuation (ABV) from the AICPA and Certified Valuation Analyst (CVA) from the National Association of Certified Valuation Analysts. As part of my business valuation work I have analyzed business records, including tax matters, of many differing sized and forms of businesses here in Hawaii. As part of our ongoing work for existing clients I have experience not only in Hawaii tax systems but also tax systems in other states. I have personally prepared well over 1,000 individual income tax returns and supervised and signed many more than that.

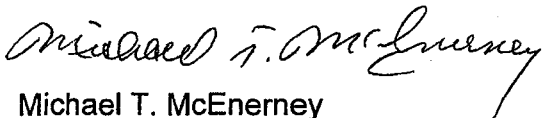
The Tax Review Commission is charged with conducting a systematic review of Hawaii's tax structure using such standards as equity and efficiency. This requires that the current tax structure be examined to assure that the necessary tax burden is distributed in a fair and equitable manner among those able to pay. The system needs to be efficient in the identification and collection of tax revenues. Efficiency includes assuring that rules and regulations are readily available and are clearly written. I believe that the Hawaii Department of Taxation's web available materials have moved well along this path. However, there are other tax systems in place in Hawaii that are not as far along.

I believe that a fair and equitable system of taxation is necessary for the continued economic growth of our state. I believe that the vast majority of Hawaii residents are willing, if reluctantly willing, to pay what they perceive as their fair share of the tax burden. I believe that the Tax Review Commission can provide a fair and impartial analysis of the Hawaii tax system and prepare recommendations that can assist in reaching a fair, equitable and understandable system of taxation in Hawaii.

I also support the nomination of Gregg M. Taketa, CPA, of Taketa, Iwata & Hara Associates, LLC. Mr. Taketa is a long time CPA and former president of HAPA.

I am honored to be among the nominees for the 2010 commission. I would be happy to respond to any questions that the Committee may have.

Respectfully submitted,


Michael T. McEnerney

PAUL R. MANCINI*
THOMAS D. WELCH, JR.
JAMES W. GEIGER

MANCINI, WELCH & GEIGER LLP
A LIMITED LIABILITY LAW PARTNERSHIP

THE KAHULUI BUILDING
33 LONO AVE., SUITE 470
KAHULUI, HAWAII
96732-1681

COUNSEL
ROSALYN LOOMIS

TELEPHONE:
(808) 871-8351

*A LAW CORPORATION

FACSIMILE:
(808) 871-0732

April 13, 2010

via email

Senator Donna Mercado Kim, Chair
Senator Shan S. Tsutsui, Vice Chair
Committee on Ways and Means
Friday, April 16, 2010, 9:30 a.m.
GM 457 Submitting for Confirmation
to the Tax Review Commission
Gubernatorial Nominee
Michael T. McEnerney
for a term to expire June 30, 2010

Dear Senators Kim and Tsutsui:

As a licensed attorney in Hawaii, I have worked with Michael T. McEnerney for over 20 years. When I was a family court judge, he testified in my courtroom as a business appraiser and tax expert in family law matters. He was skillful at educating the court and counsel about his subject in understandable terms. As a mediator, I have worked with him in his capacity as an appraiser for one or both of the parties. Because he is so highly regarded in our state as a business appraiser, it is not uncommon for both sides to agree to have one appraisal performed by him.

I consult with Mike frequently on behalf of my own clients and also feel fortunate to have hired him to perform appraisals and provide tax advice for me in my capacity as a family law advocate. His reports are well written. His explanations are easily understood. Mike is both a CPA and an attorney and is, therefore, able to understand the legal questions that relate to business appraisals and the tax ramifications of any proposed settlement. His tax advice is always based on the most current statutes and case law.

Recently, I worked with Mike on a very complicated matter involving the valuation of a business on Maui that was highly contested, controversial and involved other national appraisers. Although Mike had never valued the particular type of business that was at issue, prior to our employment engagement, he studied, understood and mastered all of the necessary concepts. He was essential in assisting us in resolving the case just prior to trial. His tax advice was critical in structuring the settlement to account for all tax ramifications of the settlement.

Senator Donna Mercado Kim, Chair
Senator Shan S. Tsutsui, Vice Chair
April 13, 2010
Page 2

Mike generously gives his time to various organizations for continuing education.

I highly recommend him for consideration and confirmation to the Tax Review Commission. Please call me if you have any questions.

Sincerely,

MANCINI, WELCH & GEIGER LLP



Rosalyn Loomis

RL/vab

April 13, 2010

Senator Donna Mercado Kim, Chair
Senator Shan S. Tsutsui, Vice Chair
Committee on Ways and Means
State Capitol, Conference Rm 211
415 South Beretania St.
Honolulu, HI 96813

Re: Tax Review Commission, Gubernatorial Nominee, Michael T. McEnerney

Ladies and Gentlemen:

I wish to submit this written testimony in support of Michael T. McEnerney's appointment to the Tax Review Commission for the term to expire June 30, 2012. My name is Steven Fujita and I have known Mr. McEnerney since 1979 having worked with him during my early years with a national CPA firm. Since then I have had the fortunate opportunity to become partners with him in our public accounting practice that was formed in early 1995.

Mr. McEnerney is a long time Hawaii practitioner and I have known him as one who always strives for technical excellence and doing things the right way. His resume speaks for itself. With his background in law, having earned his law degree and through years of providing litigation support services, in addition to his diverse background and experience in taxation and valuation services, he will bring a wealth of experience and knowledge to the Tax Review Commission. Mr. McEnerney is forward in his thinking, in tune with the current economic times and will bring creative and practical ideas to the commission during these challenging times.

Thank you,

Steven T. Fujita, CPA

Anthony Valdez

From: WAM Testimony
Sent: Wednesday, April 14, 2010 9:16 AM
To: Anthony Valdez
Subject: FW: Testimony in Support of GM 457 - Nomination of Michael T. McEnerney to Tax Review Commission
Attachments: GM 457 Testimony - Michael T. McEnerney for Tax Review Commission.pdf

From: hapapresident@aol.com [mailto:hapapresident@aol.com]
Sent: Tuesday, April 13, 2010 12:37 PM
To: WAM Testimony
Subject: Testimony in Support of GM 457 - Nomination of Michael T. McEnerney to Tax Review Commission

Ladies and Gentlemen:

Attached is testimony in support of GM 457 relating to consideration and confirmation of Michael T. McEnerney, M.B.A., J.D., CPA to the Tax Review Commission. The hearing is scheduled to be held on Friday, April 16, 2010 at 9:30 a.m. Please distribute copies as appropriate.

Thank you for your assistance.

Very truly yours,

John W. Roberts, M.B.A., CPA
State President
Hawaii Association of Public Accountants



HAWAII ASSOCIATION OF PUBLIC ACCOUNTANTS

Organized August 7, 1943
P.O. BOX 61043
HONOLULU, HAWAII 96839



Before the Committee on Ways and Means

Friday, April 16, 2010 at 9:30 a.m.

Conference Room 211

Re: Support for GM 457

Relating to Consideration and Confirmation of
Michael T. McEnerney, M.B.A., J.D., CPA
to the Tax Review Commission

John W. Roberts, MBA, CPA

Chair Kim, Vice Chair Tsutsui, and committee members:

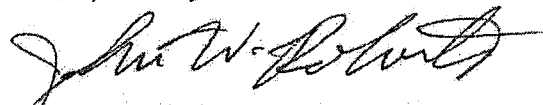
I am a certified public accountant (CPA), past member of the State of Hawaii Tax Review Commission, and current State President of the Hawaii Association of Public Accountants (HAPA). HAPA represents local public accounting practitioners throughout the State of Hawaii.

HAPA strongly supports the nomination of Michael T. McEnerney, M.B.A., J.D., CPA to the Tax Review Commission. Mr. McEnerney has been a leader in the public accounting community of Hawaii for many years. As president of McEnerney, Shimabukuro, & Fujita, CPA, AAC, he has extensive experience in Federal and State of Hawaii tax matters. Mr. McEnerney's technical expertise in tax, accounting, business valuation and other matters is highly-regarded in Hawaii's accounting and legal communities, and he has taught numerous courses for HAPA as well as for local universities.

Mr. McEnerney has the knowledge, experience, integrity, and commitment to public service that will make him an asset to the Tax Review Commission. HAPA urges you to confirm his nomination to the Tax Review Commission.

Thank you for this opportunity to testify.

Respectfully submitted,


John W. Roberts, M.B.A., CPA
HAPA State President

LAW OFFICES OF
WILLIAM C. DARRAH
A PRACTICE IN MATRIMONIAL LAW

WILLIAM C. DARRAH, ESQ.
Attorney at Law

737 Bishop Street, Suite 2820
Honolulu, Hawai'i 96813
Telephone: (808) 533-2930
Facsimile: (808) 536-5993
WCDLaw@hawaii.rr.com

April 13, 2010

Via Fax (586-6659)

Senator Donna Mercado Kim, Chair
Senator Shan S. Tsutsui, Vice Chair
Committee on Ways and Means

Post-it® Fax Note	7671	Date	4/13/10	# of pages▶	2
To	COMMITTEE ON		From WILLIAM C. DARRAH		
	WAYS & MEANS		Co.		
	Fri. 4-16-10 @ 9:30 a.m.		Phone #	533-2930	
Fax #	586-6659		Fax #	536-5993	

Re: Friday April 16, 2010, 9:30 am
GM 456 Submitting for confirmation
to the Tax Review Commission
Gubernatorial nominee Michael T. McEnerney
for a term to expire June 30, 2010

Dear Senators Kim and Tsutsui,

This letter is written in support of the nomination of Michael T. McEnerney to serve on the Tax Review Commission.

I have been an attorney in private practice in Hawaii for 34 years. I am a three-time former chairperson of the Hawaii State Bar Association's Family Law Section, a fellow in the American Academy of Matrimonial Lawyers, and a Best Lawyers in America "Hawaii Lawyer of the Year."

I have known Mr. McEnerney personally and professionally for nearly three decades. For nearly as long, he has been my personal accountant, and the accountant for my firm.

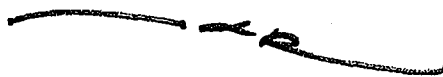
Mr. McEnerney is generally known as one of Hawaii's preeminent tax experts. He is also Hawaii's best-known family law tax and valuation expert. Mr. McEnerney has earned the respect and admiration of all of Hawaii family law professionals by his great knowledge and intelligence, his exemplary

Senator Donna Mercado Kim
Senator Shan S. Tsutsui
April 13, 2010
Page Two

work on individual cases, his extensive participation in our educational programs, and his other regular contributions to the quality of our practice. In his work, and in his personal life, Mr. McEnerney subscribes to the highest moral and ethical principles.

I unconditionally, and with great enthusiasm, support Mr. McEnerney's nomination. The Tax Review Commission would be very lucky indeed to have his help.

Very truly yours,



William C. Darrah

Copy to: Michael T. McEnerney via e-mail

Ronald I. Heller
700 Bishop Street, Suite 1500
Honolulu, Hawaii 96813

phone 808 523 6000 fax 808 523 6001
rheller@torkildson.com

Before the Senate Committee on

Ways & Means

Friday, April 16, 2010
9:30 am in Conference Room 211

Re: GM 457

Nomination of Michael T. McEnerney to the Tax Review Commission

Chair Kim, Vice Chair Tsutsui, and Committee members:

Thank you for the opportunity to present testimony this Committee. I support the confirmation of Michael T. McEnerney as a member of the Tax Review Commission.

I have known Mike for more than 25 years, and worked with him on a number of occasions. I can say without any question that he is an excellent choice for the Tax Review Commission. He has good technical knowledge of the tax law, and real-world experience in dealing with tax issues. Even more importantly, he has a practical, common-sense approach to solving problems, and an open-minded willingness to listen to ideas from others.

I urge this Committee to confirm Mike's nomination. Thank you for your attention.

Respectfully submitted,



Ronald I. Heller

LINDA LINGLE
GOVERNOR

JAMES R. AIONA, JR.
LT. GOVERNOR



KURT KAWAFUCHI
DIRECTOR OF TAXATION

STANLEY SHIRAKI
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF TAXATION
P.O. BOX 259
HONOLULU, HAWAII 96809

PHONE NO: (808) 587-1510
FAX NO: (808) 587-1560

SENATE COMMITTEE ON WAYS AND MEANS

TESTIMONY REGARDING GM 457

**SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE TAX
REVIEW COMMISSION, GUBERNATORIAL NOMINEE, MICHAEL T.
MCENERNEY, FOR A TERM TO EXPIRE 6-30-2012.**

TESTIFIER: KURT KAWAFUCHI, DIRECTOR OF TAXATION (OR DESIGNEE)

DATE: APRIL 16, 2010

TIME: 9:30AM

ROOM: 211

The Department of Taxation (Department) **supports** the nomination of Michael T. McEnerney to the Tax Review Commission and encourages this committee to confirm the nomination.

Mr. McEnerney is a qualified candidate to serve on the Tax Review Commission. Mr. McEnerney is a Certified Public Accountant, as well as a licensed attorney. He is also an Accredited Senior Appraiser. Mr. McEnerney received a Masters of Business Administration degree from the University of Hawaii, as well as a law degree from Northwestern University. Mr. McEnerney has extensive tax and accounting experience as a tax professional, as well as extensive experience as a tax and business course instructor at the University of Hawaii and Chaminade University. Mr. McEnerney is also an expert witness consulting in valuation matters.

Beyond his professional experience, Mr. McEnerney has a proven record of community service. He has served as a member of the Child Support Guideline Committee of Family Court.

It is the Department's position that Mr. McEnerney maintains the necessary knowledge, skills, and abilities to effectively and competently assist with the Tax Review Commission's study of Hawaii tax policy.

The Department supports his nomination and respectfully requests the Senate's favorable confirmation.