

JAN 25 2017

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# A BILL FOR AN ACT

RELATING TO NATIVE HAWAIIAN COMMUNITY ENHANCEMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the department of  
2 Native Hawaiian health, as part of the University of Hawaii John  
3 A. Burns school of medicine, completed a two-year study entitled  
4 "Assessment and Priorities for Health and Well-Being in Native  
5 Hawaiians and Other Pacific Peoples". The study's findings were  
6 presented to a joint legislative committee on September 23,  
7 2013, along with recommendations and priorities to improve the  
8 health and well-being of the State's indigenous and Pacific  
9 Islander populations. The study also detailed successful  
10 programs that have led to reduced risk factors for diabetes,  
11 heart disease, and stroke, and these programs include weight and  
12 blood pressure management.

13           The legislature further finds that pursuant to S.R. No. 60,  
14 S.D. 1, regular session of 2014, the University of Hawaii John  
15 A. Burns school of medicine convened a Native Hawaiian health  
16 task force to formulate policies and procedures to eliminate the  
17 disproportionate impact of the social determinants of health and



1 chronic disease on all individuals, with a particular focus on  
2 Native Hawaiians and other Pacific peoples. The task force used  
3 nā pou kihi, or the corner posts of a home, as a metaphor to  
4 create a cultural framework for its findings and  
5 recommendations. The four nā pou kihi are:

- 6 (1) Ke ao 'ōiwi: Native Hawaiian social and cultural space  
7 associated with health and well being;
- 8 (2) Ka mālama nohona: The quality of the environments  
9 where Native Hawaiians live, work, learn, play, and  
10 age that affect health and well being;
- 11 (3) Ka hana pono: Lifestyle choices and aspirations as  
12 Native Hawaiians striving for optimal health and well  
13 being; and
- 14 (4) Ka wai ola: Achieving social justice through  
15 educational achievement and economic success for  
16 Native Hawaiians.

17 The legislature finds a reliable source of financial support is  
18 necessary to improve the community infrastructure of Native  
19 Hawaiian communities in line with the nā pou kihi framework.

20 The purpose of this Act is to reallocate \$1,000,000 of  
21 transient accommodations tax revenue from the operation of a



1 Hawaiian center and museum of Hawaiian music and dance to Native  
2 Hawaiian community enhancement purposes.

3 SECTION 2. Section 237D-6.5, Hawaii Revised Statutes, is  
4 amended by amending subsection (b) to read as follows:

5 "(b) Revenues collected under this chapter shall be  
6 distributed in the following priority, with the excess revenues  
7 to be deposited into the general fund:

8 (1) \$1,500,000 shall be allocated to the Turtle Bay  
9 conservation easement special fund beginning July 1,  
10 2015, for the reimbursement to the state general fund  
11 of debt service on reimbursable general obligation  
12 bonds, including ongoing expenses related to the  
13 issuance of the bonds, the proceeds of which were used  
14 to acquire the conservation easement and other real  
15 property interests in Turtle Bay, Oahu, for the  
16 protection, preservation, and enhancement of natural  
17 resources important to the State, until the bonds are  
18 fully amortized;

19 (2) \$26,500,000 shall be allocated to the convention  
20 center enterprise special fund established under  
21 section 201B-8;



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- 1           (3) \$82,000,000 shall be allocated to the tourism special  
2           fund established under section 201B-11; provided that:
- 3           (A) Beginning on July 1, 2012, and ending on June 30,  
4           2015, \$2,000,000 shall be expended from the  
5           tourism special fund for development and  
6           implementation of initiatives to take advantage  
7           of expanded visa programs and increased travel  
8           opportunities for international visitors to  
9           Hawaii;
- 10          (B) Of the \$82,000,000 allocated:
- 11           (i) \$1,000,000 shall be allocated [~~for the~~  
12           ~~operation of a Hawaiian center and the~~  
13           ~~museum of Hawaiian music and dance at the~~  
14           ~~Hawaii convention center; and] to improve  
15           community infrastructure of Native Hawaiian  
16           communities, including parks and open spaces  
17           in the three predominantly Native Hawaiian  
18           communities of Waianae, Waimanalo, and  
19           Molokai; provided that the improvements  
20           include creating safe spaces for health  
21           promotion activities and physical activity,~~



1                   and creating a Native Hawaiian sense of  
2                   place;

3                   (ii) 0.5 per cent of the \$82,000,000 shall be  
4                   transferred to a sub-account in the tourism  
5                   special fund to provide funding for a safety  
6                   and security budget, in accordance with the  
7                   Hawaii tourism strategic plan 2005-2015; and

8                   (C) Of the revenues remaining in the tourism special  
9                   fund after revenues have been deposited as  
10                  provided in this paragraph and except for any sum  
11                  authorized by the legislature for expenditure  
12                  from revenues subject to this paragraph,  
13                  beginning July 1, 2007, funds shall be deposited  
14                  into the tourism emergency special fund,  
15                  established in section 201B-10, in a manner  
16                  sufficient to maintain a fund balance of  
17                  \$5,000,000 in the tourism emergency special fund;

18                  (4) \$103,000,000 for fiscal year 2014-2015, \$103,000,000  
19                  for fiscal year 2015-2016, \$103,000,000 for fiscal  
20                  year 2016-2017, and \$93,000,000 for each fiscal year  
21                  thereafter shall be allocated as follows: Kauai



1 county shall receive 14.5 per cent, Hawaii county  
2 shall receive 18.6 per cent, city and county of  
3 Honolulu shall receive 44.1 per cent, and Maui county  
4 shall receive 22.8 per cent; provided that commencing  
5 with fiscal year 2018-2019, a sum that represents the  
6 difference between a county public employer's annual  
7 required contribution for the separate trust fund  
8 established under section 87A-42 and the amount of the  
9 county public employer's contributions into that trust  
10 fund shall be retained by the state director of  
11 finance and deposited to the credit of the county  
12 public employer's annual required contribution into  
13 that trust fund in each fiscal year, as provided in  
14 section 87A-42, if the respective county fails to  
15 remit the total amount of the county's required annual  
16 contributions, as required under section 87A-43; and  
17 (5) \$3,000,000 shall be allocated to the special land and  
18 development fund established under section 171-19;  
19 provided that the allocation shall be expended in  
20 accordance with the Hawaii tourism authority strategic  
21 plan for:



- 1 (A) The protection, preservation, maintenance, and
- 2 enhancement of natural resources, including
- 3 beaches, important to the visitor industry;
- 4 (B) Planning, construction, and repair of facilities;
- 5 and
- 6 (C) Operation and maintenance costs of public lands,
- 7 including beaches, connected with enhancing the
- 8 visitor experience.

9 All transient accommodations taxes shall be paid into the  
 10 state treasury each month within ten days after collection and  
 11 shall be kept by the state director of finance in special  
 12 accounts for distribution as provided in this subsection.

13 As used in this subsection, "fiscal year" means the twelve-  
 14 month period beginning on July 1 of a calendar year and ending  
 15 on June 30 of the following calendar year."

16 SECTION 3. Statutory material to be repealed is bracketed  
 17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect on July 1, 2017.

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INTRODUCED BY: 



# S.B. NO. 1063

**Report Title:**

TAT Revenues; Native Hawaiian Community Enhancement

**Description:**

Reallocates \$1,000,000 from the transient accommodations tax revenues for the operation of a Hawaiian center and the museum of Hawaiian music and dance at the Hawaii convention center to improving community infrastructure of Native Hawaiian communities, including parks and open spaces in the three predominantly Native Hawaiian communities of Waianae, Waimanalo, and Molokai; provided that the improvements include creating safe space for health promotion activities and physical activity, and creating a Native Hawaiian sense of place.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

