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To: The Honorable Donovan M. Dela Cruz, Chair
and Members of the Senate Committee on Ways and Means

Date: Monday, March 19, 2018
Time: 11:00 A.M.
Place: Conference Room 211, State Capitol

From: Linda Chu Takayama, Director
Department of Taxation

Re: H.B. 2354, H.D. 1, S.D. 1, Relating to the Income Check-Off

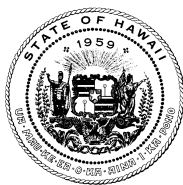
The Department of Taxation (Department) supports H.B. 2354, H.D. 1, S.D. 1, an Administration measure, and provides the following comments for your consideration.

H.B. 2354, H.D. 1, S.D. 1, amends the amounts that taxpayers may designate from their individual income tax refunds to the libraries special fund (libraries fund). Specifically, the bill amends the designation to the libraries fund from \$2 to an unspecified amount for any individual with a sufficient income tax refund, and from \$4 to an unspecified amount for a jointly filed return. The bill has a defective effective date of July 1, 2050, but otherwise applies to taxable years beginning after December 31, 2017.

The Department notes that in fiscal year 2017, there were 34,170 taxpayers donating \$2 each to the libraries fund for a total of \$68,340. This bill gives taxpayers the option to give more to the libraries from their income tax refunds.

The Department is able to administer changes to the check-off for the libraries fund for taxable years beginning after December 31, 2017 as this bill proposes modification of existing authorized income check-off.

Thank you for the opportunity to provide comments.



DAVID Y. IGE
GOVERNOR

STACIE A. ALDRICH
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SENATE COMMITTEE ON WAYS AND MEANS
Monday, March 19, 2018
11:00 a.m.
Conference Room 211
State Capitol

By
Stacey A. Aldrich
State Librarian

H.B. 2354, H.D.1 S.D.1 – Relating to the Income Tax Check-Off

To: Chair Dela Cruz, Vice-Chair Keith-Agaran and Members of the Committee on Ways and Means

The Hawaii State Public Library System (HSPLS) **strongly supports** H.B. 2354, H.D.1 S.D.1, which proposes to change the amount an individual taxpayer, who is receiving a state income tax refund, may donate to the Libraries Special Fund. The H.D.1 S.D.1 language allows for an unspecified amount that may be donated to the libraries special fund by individual taxpayers who are receiving refunds.

Since its adoption by the Legislature in 2003, the income tax check-off box has generated almost \$1 million dollars to support the HSPLS and its 50 branch libraries. For the last three calendar years, the check-off box has generated approximately \$68,000 each year. The proceeds received from the check-off box helps support the libraries and its programs.

Thank you for the opportunity to comment on this measure.

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 304

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SUBJECT: INCOME, Increase Tax Checkoff for Libraries

BILL NUMBER: HB 2354, HD-1

INTRODUCED BY: House Committee on Education

EXECUTIVE SUMMARY: Increases from \$2 to \$__ the amount of authorized income tax check-off that may be designated payable from an individual's state income tax refund to the libraries special fund. Permits designation of check-off in the amount of \$4 or \$__ to the library special fund. Effective for taxable years after December 31, 2017. A direct appropriation to the libraries would increase transparency and accountability.

SYNOPSIS: Amends HRS section 235-102.5 to allow individual taxpayers whose state income tax refund for any taxable year is \$4 or more, to designate \$__ to be paid to the libraries special fund. For joint taxpayers with an income tax refund of \$8 or more, each spouse may designate \$__ into the fund. Directs the director of taxation to revise the state income tax forms as necessary. Allows designations to be made by filing an amended income tax return if filed within 20 months and 10 days after the due date of the original return.

EFFECTIVE DATE: This Act shall take effect on July 1, 2050 and shall be applicable to taxable years beginning after December 31, 2017.

STAFF COMMENTS: This is an Administration bill sponsored by the Department of Education, designated as EDN-03 (18).

According to the justification sheet submitted with the bill, the libraries special fund is used to purchase library materials for the Hawaii state public library system collection. The libraries special fund receives funding from different sources, one of which is the income checkoff, but also includes fines and fees assessed for late return of library materials.

The amount an individual taxpayer may designate to the libraries special fund has not been increased since 2003, when the designation was initially adopted. In fiscal year 2016, the libraries special fund received approximately \$66,000.

In the long run, the cost of administering the checkoff merely siphons resources that should otherwise be used for providing needed public services.

If lawmakers believe certain programs are of great importance, then they can prioritize those programs through the appropriations process. With the Hawaii tax burden already so heavy, why should taxpayers turn any more of their hard-earned dollars over to government? What lawmakers also do not recognize is that by creating these checkoffs, they add to the cost of administering the law, a cost which steals funds from other programs including those enumerated for a checkoff designation.

Instead of further clouding the financial picture of the state, all earmarked funds and the programs they underwrite should be brought back to the general fund table so that lawmakers can properly exercise their oversight responsibility, including measuring the needs of those programs against all the other pressing needs of the state. Only then will lawmakers and taxpayers be able to set proper funding priorities.

Digested 2/20/2018

HB-2354-SD-1

Submitted on: 3/16/2018 2:38:41 AM

Testimony for WAM on 3/19/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

Good morning, my name is Melodie Aduja. I serve as Chair of the Oahu County Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on **HB2354 HD1 SD1**, relating to Income Tax; Check-off; and the Libraries Special Fund.

The OCC Legislative Priorities Committee is in favor of **HB2354 HD1 SD1** and supports its passage.

HB2354 HD1 SD1 is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it changes from \$2 to an unspecified amount of authorized income tax check-off that may be designated payable from an individual's state income tax refund to the libraries special fund; changes from \$4 to an unspecified amount permitted to joint filers in the designation of check-off to the Libraries Special Fund; and applies to taxable years beginning after December 31, 2017; effective July 1, 2050.

The DPH Platform states that the "[w]e believe that the future of our state, as well as our country, depends upon an educated and knowledgeable citizenry. We support the prioritization of our resources toward providing quality public education and library services to every student, regardless of learning capacity or ability to pay, in an environment conducive to the learning process. These resources shall be made available at every level, from pre-school through higher education, including life-long learning." (Platform of the DPH, P. 6, Lines 296-300 (2016)).

Given that **HB2354 HD1 SD1** changes from \$2 to an unspecified amount of authorized income tax check-off that may be designated payable from an individual's state income tax refund to the libraries special fund; changes from \$4 to an unspecified amount permitted to joint filers in the designation of check-off to the Libraries Special Fund; and applies to taxable years beginning after December 31, 2017; effective July 1, 2050, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Text/Tel.: (808) 258-8889

