

DAVID Y. IGE
GOVERNOR



WESLEY K. MACHIDA
DIRECTOR

LAUREL A. JOHNSTON
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON
SENATE BILL NO. 1290, S.D. 1

February 27, 2017
1:35 p.m.
Room 211

RELATING TO THE TRANSIENT ACCOMMODATIONS TAX

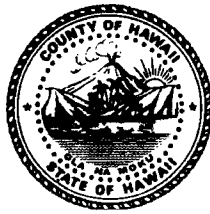
Senate Bill (S.B.) No. 1290, S.D. 1, adjusts the allocation of transient accommodations tax (TAT) to the counties to equal 45% of the revenues remaining after all other allocations are made.

The Department of Budget and Finance has serious concerns with this measure, as it will have a significant adverse impact on the Administration's General Fund Financial Plan. The general fund loss will limit the Administration's and Legislature's flexibility in dealing with fiscal contingencies and jeopardize the Administration's biennium budget request.

Using the Council on Revenues' January 4, 2017 forecast for TAT collections and applying the changes to Section 237D-6.5, HRS, included in S.B. No. 1290, S.D. 1, the State general fund stands to incur a reduction of \$74.9 million for FY 18 and \$83.4 million for FY 19. Higher losses can be expected in FY 20 and beyond.

Thank you for your consideration of our comments.

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokalole Hwy., Bldg. C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

February 24, 2017

Senator Jill N. Tokuda
Chair, Senate Committee on Ways and Means
Hawai'i State Capitol
Honolulu, HI 96813

Dear Chair Tokuda and Members:

RE: SB1290 SD1

Thank you for this opportunity to testify in support of SB 1290, SD1, which deals with the Transient Accommodations Tax.

My understanding is that the TAT was originally established to assist the counties, but the Legislature has always had the prerogative to determine how it will be apportioned. Given Hawaii County's limited resources (and seemingly unlimited needs), we are fortunate that the Legislature has never wavered in allowing the counties to share in the TAT, and we thank you for that.

Since the State and the counties serve the same constituents, it is important that we continue to work as partners in meeting the needs of our communities. As demand for services is ever increasing (and so is the cost of those services), it is equally important that revenue be appropriately shared so that the demands can be met to the best of our combined abilities.

Although I could hope for even more, SB 1290, SD1 seems to be a reasonable division of revenue among the various parties that are looking for a piece of the TAT pie. SB1290, SD1 recognizes that there should not be a cap on the counties' share, and that without TAT, the counties would be forced to raise property taxes and/or reduce services to levels that most would find unacceptable.

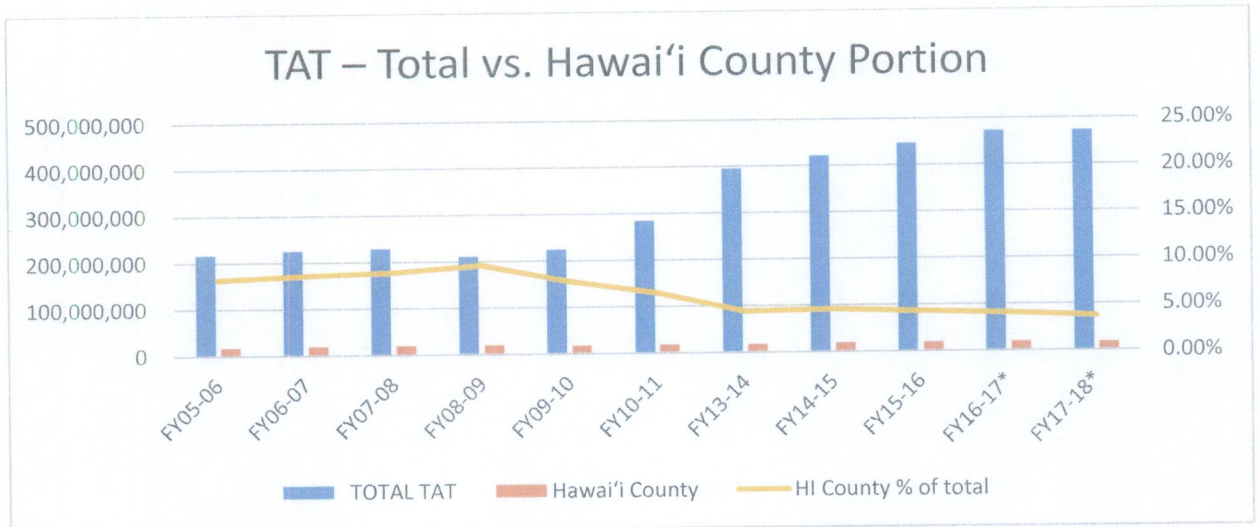
Many may not realize how important the TAT is to the County of Hawaii (and to the other counties). It is, in fact, Hawaii County's second largest source of revenue, behind only the property tax. Unless we continue to receive a reasonable share of the TAT, we will be pressed to raise property taxes about \$19M (5.1% of our total budget), and that would worsen the pressures on the portion of the population that is currently managing a paycheck-to-paycheck financial existence. It would hurt a major portion of

County of Hawai'i is an Equal Opportunity Provider and Employer.

our population, affecting renters and homeowners alike. Property taxes, after all, are not simply absorbed by a landlord, they are passed on, in whole or in part, to a tenant.

The chart below reflects how small a portion of the TAT comes to Hawaii County, and how the percentage has shrunk over the years.

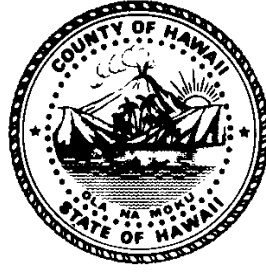
Please help us help our fellow constituents by removing the cap and restoring the percentage of TAT that is such a vital component of the county budgets.



Respectfully submitted,

Harry Kim
Mayor

JEN RUGGLES
Council Member
District 5 – Puna Mauka,
Pahoa Mauka, Kalapana



*Public Works & Parks and Recreation
Committee Chair
Public Safety & Mass Transit
Committee Chair*

Phone: 808-961-8236
Fax: 808-961-8912
Email: Jen.Ruggles@hawaiiicounty.gov

*Hawai'i County Building
25 Aupuni St. Suite 2404
Hilo, HI 96720*

HAWAI'I COUNTY COUNCIL

February 27, 2017

To: Hawai'i State Senate Committee on Ways and Means

From: Jennifer Ruggles, Council Member

Re: Testimony in support of Senate Bill 1290 SD1 relating to the Transient Accommodations Tax

Dear Honorable Chair Jill N. Tokuda and members of the Ways and Means Committee,

I urge you to pass Senate Bill 1290 SD1 relating to the allocation of 45% of the Transient Accommodations Tax to the Counties. As a County Council Representative for the poorest district of Hawaii County, which according to mayor Harry Kim is the poorest County in the state, please understand how significant of a need that there is for our County to receive these funds.

The TAT is the second largest source of revenue for our County, second only to real property tax. With an ever greater need to service our community, allocating 45% of the TAT to the counties will help us to provide basic services which are currently being threatened by a lack of County funds.

Considering that the Counties are responsible for providing such a large part of the infrastructure and basic services for the island, such as maintaining the majority of the islands roads, and paying for our police and fire departments among other things, the passage of this bill will significantly impact the people of this island in a positive way.

If you have any questions regarding my support for this bill please do not hesitate to contact my office.

Council Chair
Mike White

Vice-Chair
Robert Carroll

Presiding Officer Pro Tempore
Stacy Crivello

Councilmembers
Alike Atay
Elle Cochran
Don S. Guzman
Riki Hokama
Kelly T. King
Yuki Lei K. Sugimura



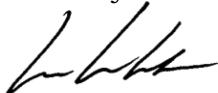
Director of Council Services
Sandy K. Baz

COUNTY COUNCIL

COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 26, 2017

TO: The Honorable Jill Tokuda, Chair
Senate Committee Ways and Means

FROM: Mike White
Council Chair 

SUBJECT: **HEARING OF FEBRUARY 27, 2017; TESTIMONY IN SUPPORT OF SB 1290, SD 1, RELATING TO THE TRANSIENT ACCOMMODATIONS TAX**

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this bill is to (1) adjust the allocation of transient accommodations tax revenues to the tourism special fund for inflation; and (2) adjust the allocation to the counties to equal 45 percent of the amount of revenues remaining after all other allocations are made.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

In addition to serving as chair of the Maui County Council, my testimony is also informed by my visitor industry experience as general manager of the Kaanapali Beach Hotel for 30 years, and through my service as a state legislator from 1993 to 1998.

I **support** this measure for the following reasons:

1. I support the recommended 45 percent allocation of the remaining TAT revenue to the counties after specific appropriations, with the State receiving 55 percent. This split is consistent with the comprehensive study by the State-County Functions Working Group created under Act 174 (2014) noting the counties are responsible for 54 percent of net expenditures directly supporting tourism, while the State provides 46 percent.
2. The TAT was established to help the counties fund **visitor-related expenses** based on a **percentage of earned revenue**. Reducing the counties share of the TAT contradicts the purpose for the tax.
3. Pursuant to Act 185 (1990), 95 percent of the TAT revenue was returned to the counties. The dramatic reallocation of the TAT in 2009 was a temporary measure to help balance the State budget due to the economic downturn. At the

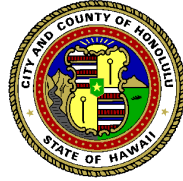
time, the State increased the TAT and arbitrarily capped the counties' share to help balance the State's budget. Since then, the cap for the counties has remained in place and the State has offered no significant assistance as the counties have experienced greater economic challenges in the ensuing years.

4. From Fiscal Year 2007 to 2015, the State's annual share of TAT revenue has increased by \$196.6 million, while counties only received an additional \$2.2 million. As partners in Hawaii's governance, it is critical that the State provide a greater share of TAT to the counties, which provides essential services to residents and visitors.
5. During the same period, counties have incurred \$170 million in cost **increases** in fire, police, roads, and park services. County expenditures for tourism-related services continue to rise at a pace far exceeding the current distribution of TAT revenue. Sound fiscal practices favor a policy that **increases** the distribution of TAT revenue to the counties at the same rate that revenues grow.
6. The policy for TAT revenue distribution should again be based on a formula that **returns a set percentage of revenue to the counties** where it is earned. A formula-based policy allows distributions to the counties to increase as visitor numbers grow, without a need to change State law. Further, a capped-distribution policy gives the wrong impression that returning TAT revenue to the counties is a kind of charitable donation that must be sought by the counties year after year. TAT revenues are not charity to the counties, but money owed to cover county costs associated with hosting tourists.

I commend this bill for recognizing that the TAT has indeed evolved and appreciate the incorporation of amendments the counties have been fighting for years. For the foregoing reasons, I **support** this measure.

OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 300 • HONOLULU, HAWAII 96813
PHONE: (808) 768-4141 • FAX: (808) 768-4242 • INTERNET: www.honolulu.gov



KIRK CALDWELL
MAYOR

ROY K. AMEMIYA, JR.
MANAGING DIRECTOR

GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

CITY AND COUNTY OF HONOLULU
BEFORE THE COMMITTEE ON
WAYS AND MEANS
MONDAY, FEBRUARY 27, 2017; 1:35 PM

LATE

TO: THE HONORABLE JILL N. TOKUDA, CHAIR
THE HONORABLE DONOVAN M. DELA CRUZ, VICE CHAIR
AND MEMBERS OF THE COMMITTEE ON WAYS AND MEANS

FROM: ROY K. AMEMIYA, JR., MANAGING DIRECTOR
CITY AND COUNTY OF HONOLULU

SUBJECT: SUPPORT OF SB1290, SD1 RELATING TO THE TRANSIENT
ACCOMMODATIONS TAX.

The City and County of Honolulu (City) supports the provisions of this measure that provide a fair, consistent, and predictable allocation of the balance of the transient accommodations tax (TAT) revenues between the State and the counties by allocating 45 percent of the remaining revenues to the counties at the current split.

According to the Auditor's State-County Functions Working Group December 2015 Report, the City spends approximately \$116 million on visitor-related expenses and this number continues to grow. The other counties also spend significant amounts on visitor-related expenses. This measure recognizes the counties' contributions towards our visitor industry.

Thank you for your consideration of this testimony in support of the provisions that amend the counties' allocation of the TAT.

Hawai`i State Association of Counties (HSAC)


Counties of Kaua`i, Maui, Hawai`i and City & County of Honolulu


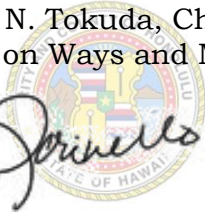
200 S. High Street, Wailuku, Hawaii 96793 (808) 270-7665

www.hicounties.com



February 27, 2017

TO:  The Honorable Jill N. Tokuda, Chair
Senate Committee on Ways and Means

FROM: Stacy Crivello
HSAC President  

SUBJECT: **HEARING OF FEBRUARY 27, 2017; PROVIDING COMMENTS ON SB 1290 SD1, RELATING TO THE TRANSIENT ACCOMMODATIONS TAX**

Thank you for the opportunity to provide comments on behalf of the Hawaii State Association of Counties. The purpose of this measure is to (1) adjust the allocation of transient accommodations tax revenues to the tourism special fund for inflation; and (2) adjust the allocation to the counties to equal 45 percent of the amount of revenues remaining after all other allocations are made.

Over the years, HSAC has fought for a more equitable distribution of the TAT and returning a fair share to the counties. I am providing comments on behalf of the Hawaii State Association of Counties:

1. **HSAC supports the measure's 45 percent allocation to the counties** of the remaining TAT revenue. The distribution is consistent with the work done in 2015 by the State-County Functions Working Group, tasked by the Legislature to recommend an appropriate allocation of the transient accommodations tax revenues between the State and counties.
2. Without a fair share of the TAT, **county residents are burdened** by expenses that should be paid for by the visitors' tax. Operational costs have increased dramatically for county-maintained services such as water and sewer service; police, fire and ocean safety protection; development and upkeep of most roads; and park development and maintenance.
3. **HSAC supports lifting the fixed cap** in favor of using a fair formula for the distribution of TAT. This would provide consistency, stability and add predictability in view of the need to invest visitor programs. We fully agree in the bill's intent to increase or decrease the share proportionately with the amount of TAT collected.

Mahalo for your consideration.

HSAC:FY2017:17Testimony:SB1290b_mkz

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 304

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: TRANSIENT ACCOMMODATIONS, Distribution to Counties

BILL NUMBER: SB 1290, SD-1

INTRODUCED BY: Senate Committees on Economic Development, Tourism, and Technology and Public Safety, Intergovernmental, and Military Affairs

EXECUTIVE SUMMARY: Adjusts allocation of transient accommodations tax revenues to the tourism special fund for inflation. Adjusts allocation to the counties to equal forty-five per cent of the amount of revenues remaining after all other allocations are made.

SYNOPSIS: Amends section 237D-6.5, HRS, to allocate the proceeds from the transient accommodations tax as follows:

1. \$82 million goes to the tourism special fund, of which
 - a. \$1 million is allocated for the operation of a Hawaiian center and museum of Hawaiian music and dance at the Hawaii convention center;
 - b. 0.5% is transferred to a sub-account to provide funding for a safety and security budget, and
 - c. funds are transferred to the tourism emergency special fund to maintain a \$5 million balance;
2. \$26.5 million is deposited into the convention center enterprise special fund;
3. \$3 million is allocated to the special land and development fund; and
4. \$1.5 million goes to the Turtle Bay conservation easement special fund.

Of the balance, 45% is transferred to the various counties, and any remaining revenues then go to the general fund.

Makes conforming amendments to HRS sections 87A-42 and 171-19.

EFFECTIVE DATE: July 1, 2017.

STAFF COMMENTS: Act 161, SLH 2013, made permanent the TAT rate of 9.5% and changed the allocations of TAT from a percentage basis to a specific dollar amount. Currently, TAT revenues are allocated as follows: (1) \$1.5 million goes to the Turtle Bay conservation easement special fund; (2) \$26.5 million is deposited into the convention center enterprise special fund; (3) \$82 million goes to the tourism special fund; (4) \$103 million is transferred to the various counties; and (5) \$3 million is allocated to the special land and development fund. Any remaining revenues then go to the general fund.

This measure would increase the siphon of TAT revenues to the tourism special fund and would perpetuate the earmarking of TAT revenues. Most of us understand that tourism promotion is a worthy goal. But does that justify grabbing a pot of TAT money without going through the

normal budgeting process that also considers sweltering primary schools, underfunded state pensions, or homelessness?

Rather than the continual earmarking of TAT revenues, a direct appropriation of general funds would be preferable. Earmarking the TAT revenues for a particular purpose decreases transparency and accountability.

The measure recites that “the application of the transient accommodations tax and the allocation of its revenues should be simplified and stabilized to be clear, consistent, and predictable over time, in view of the need to invest in tourism. Instead of fixed dollar amounts, caps, floors, or similar restrictions on allocations, the State and county allocations should increase or decrease proportionately with increasing or decreasing transient accommodations tax revenues.” Are these two sentences even consistent? Isn’t a fixed amount that is now in the law clear, consistent, and predictable over time, much more so than inflation-adjusted amounts or percentages?

This proposal indicates that county governments have grown well beyond their means and are desperately searching for more available revenue. The counties have justified their share of the TAT by rationalizing that the funds go to pay for the impact visitors have on county facilities and services; however, at the same time all four counties have managed to impose much higher tax rates on hotel/resort real property and in one case a special rate on resort time share property.

The search for more and higher taxes must stop somewhere. Both levels of government need to resize their operations and set priorities for what limited resources taxpayers can share with government.

Digested 2/23/2017



Maui Hotel & Lodging

ASSOCIATION

Testimony of

Lisa H. Paulson

Executive Director

Maui Hotel & Lodging Association

on

SB1290 HD1

RELATING TO THE TRANSIENT ACCOMODATIONS TAX

COMMITTEE ON WAYS AND MEANS

Monday, February 27, 2017, 1:35pm

Conference Room 211

Dear Chair Tokuda, Vice Chair Dela Cruz and Members of the Committee,

The Maui Hotel & Lodging Association (MHLA) is the legislative arm of the visitor industry. Our membership includes over 175 property and allied business members in Maui County – all of whom have an interest in the visitor industry. Collectively, MHLA's membership employs over 25,000 residents and represents over 19,000 rooms. The visitor industry is the economic driver for Maui County. We are the largest employer of residents on the Island - directly employing approximately 40% of all residents (indirectly, the percentage increases to 75%).

MHLA supports SB1290 HD1, which adjusts allocation of transient accommodations tax revenues to the tourism special fund for inflation. Adjusts allocation to the counties to equal forty-five per cent of the amount of revenues remaining after all other allocations are made.

MHLA believes our county governments should receive a more equitable amount of funding support from the state government. Repealing the cap and substituting it with a specific share of the revenues would be a significant step in achieving the above. Our counties absorb many of costs associated with community growth and provide public services to residents and visitors alike that include all forms of public safety: roads; parks and public facilities; water and sewage infrastructure; public transportation. Oftentimes, the counties are not reimbursed for services that they provide at the request or on behalf of the federal and state governments, particularly in the area of public safety.

MHLA recognizes and appreciates the efforts of all of the county governments in sustaining the visitor industry as we, in turn, continue to support our county government in their efforts to secure an equitable share of tourism-generated revenue from the Legislature.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 24, 2017 9:04 AM
To: WAM Testimony
Cc: victor.ramos@mpd.net
Subject: *Submitted testimony for SB1290 on Feb 27, 2017 13:35PM*

SB1290

Submitted on: 2/24/2017

Testimony for WAM on Feb 27, 2017 13:35PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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In support of the fair allocation of TAT at the 45% to all counties in The State of Hawaii. The remaining Share at 55% to the various agencies and departments as addressed in the Senate Bill.

Michael Victorino
HSCA Lobbyist

Sent from my iPad

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 24, 2017 1:44 PM
To: WAM Testimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB1290 on Feb 27, 2017 13:35PM*

SB1290

Submitted on: 2/24/2017

Testimony for WAM on Feb 27, 2017 13:35PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 24, 2017 9:55 AM
To: WAM Testimony
Cc: robert.carroll@mauicounty.us
Subject: Submitted testimony for SB1290 on Feb 27, 2017 13:35PM

SB1290

Submitted on: 2/24/2017

Testimony for WAM on Feb 27, 2017 13:35PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
robert carroll	Individual	Support	No

Comments: I support SB 1290 sd1 and its intent to allocate the TAT to the counties to equal forty-five per cent of the amount of revenues remaining after all other allocations are made.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2017 1:29 PM
To: WAM Testimony
Cc: paulalee@hawaii.rr.com
Subject: Submitted testimony for SB1290 on Feb 27, 2017 13:35PM

SB1290

Submitted on: 2/26/2017

Testimony for WAM on Feb 27, 2017 13:35PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Paula Phillips	Individual	Support	No

Comments: Please support this bill to give the counties a greater % of the TAT. The money is greatly needed for our infrastructure here on Maui. Mahalo

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2017 9:13 AM
To: WAM Testimony
Cc: pbc5@mac.com
Subject: Submitted testimony for SB1290 on Feb 27, 2017 13:35PM

SB1290

Submitted on: 2/27/2017

Testimony for WAM on Feb 27, 2017 13:35PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Cadiz	Individual	Support	No

Comments: I strongly SUPPORT this bill to increase the County 's fair share of the TAT. Maui County generates approximately \$130,000,000 in TAT. We need our fair share to maintain basic service levels. The TAT is designed to offset costs incurred by the counties for basic services. Our parks, roads, fire and police departments are underfunded to the point of compromising public safety. I STRONGLY SUPPORT this bill.

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2017 10:33 AM
To: WAM Testimony
Cc: robert.carroll@mauicounty.us
Subject: Submitted testimony for SB1290 on Feb 27, 2017 13:35PM

SB1290

Submitted on: 2/27/2017
Testimony for WAM on Feb 27, 2017 13:35PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
robert carroll	Individual	Comments Only	No

Comments: I want to reiterate the comments forwarded by HSAC President Stacy Crivello.

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2017 12:00 PM
To: WAM Testimony
Cc: micahalameda@gmail.com
Subject: *Submitted testimony for SB1290 on Feb 27, 2017 13:35PM*

SB1290

Submitted on: 2/27/2017

Testimony for WAM on Feb 27, 2017 13:35PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Micah Alameda	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2017 12:11 PM
To: WAM Testimony
Cc: tulsigreenlee@icloud.com
Subject: *Submitted testimony for SB1290 on Feb 27, 2017 13:35PM*

SB1290

Submitted on: 2/27/2017
Testimony for WAM on Feb 27, 2017 13:35PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Tulsi Greenlee	Individual	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2017 12:22 PM
To: WAM Testimony
Cc: gifts9954@gmail.com
Subject: *Submitted testimony for SB1290 on Feb 27, 2017 13:35PM*

SB1290

Submitted on: 2/27/2017
Testimony for WAM on Feb 27, 2017 13:35PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Vickery	Individual	Support	No

Comments:

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