



**DEPARTMENT OF BUSINESS,  
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Statement of  
**MIKE MCCARTNEY**  
Director

Department of Business, Economic Development, and Tourism  
before the

**SENATE COMMITTEE ON WAYS AND MEANS**

Wednesday, February 23, 2022  
10:05 AM

State Capitol, Conference Room #221

In consideration of  
**SB 3054**

**RELATING TO THE HAWAII FILM AND CREATIVE INDUSTRIES  
DEVELOPMENT SPECIAL FUND.**

Chair Dela Cruz, Vice Chair Agaran and members of the Committee. The Department of Business, Economic Development and Tourism (DBEDT) strongly supports SB 3054, which seeks to increase financial resources for Hawaii Film and Creative Industries Development (CID) special fund (HRS 201-113) by depositing rental fees from DBEDT/CID managed facilities to expand funding sources for the purposes of the fund.

Act 228, Session Laws of Hawaii 2019 (HRS 201-113) renamed the Hawaii television and film development special fund as the Hawaii film and creative industries development special fund to align with the state's focus on knowledge-based industries development, workforce programs expansion and support for marketing efforts for the creative and film projects in their IP distribution and export activities.

In SLH 2021, the Legislature approved a ceiling and ability for DBEDT to expend up to \$750,000 per year to effectuate the purposes of Act 228. This addresses a need within our community to support seed funding for Hawaii's emerging filmmakers and

creatives with projects, which require access to capital to advance their projects, establish entrepreneurial businesses in creative sectors and accelerate IP creation and licensing opportunities.

These amendments would solidify the ability to deposit lease and rental revenues from infrastructure managed by DBEDT/CID (Kalaeloa Stages, Entrepreneurs Sandbox CreativeSpace & Studio, and future facilities) and provide investment from rental of stage facilities to build a sustainable model for projects which would not qualify for participation in Section 235-17, HRS, Hawaii Motion Picture, Digital Media, and Film Industry Tax Credit Program.

We look forward to working with the Legislature, industry, and government partners to advance this measure through the session to support our growing local IP export industry.

Thank you for the opportunity to testify.



UNIVERSITY  
of HAWAII®  
MĀNOA

College of Arts and Humanities  
Academy for Creative Media

To: Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair  
Members of the Committee on Ways and Means

From: Christine Acham, Chair, Academy for Creative Media, Mānoa *Christine Acham*

Date: Wednesday, February 23, 2022

Time: 10:05 A.M.

Place: Via Conference Room 211 & Video Conference, State Capitol

RE: SB3054 Relating to the Hawaii Film and Creative Industries Film Fund

As Chair of the Academy for Creative Media at the University of Hawai'i, I am writing in enthusiastic support of SB3054. At this time ACM Mānoa, the film school of the University of Hawai'i system, is educating the future filmmakers, cinematographers, sound designers, editors, directors, animators etc., media professionals who seek to join the local film and television industries.

When students graduate from ACM Mānoa it is crucial for them to have continued support for their media projects, especially during this critical point of transition into the Hawai'i workforce. Funds like these, using rental fees of facilities as a revenue source, can help these media makers to create projects which express local viewpoints. These films also become their industry calling cards and can open doors to their future in the media industries of Hawai'i.

Thank you for this opportunity to testify.

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# TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 305

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: MISCELLANEOUS, Expand Scope of Hawaii Film and Creative Industries Development Special Fund

BILL NUMBER: HB 2086, SB 3054

INTRODUCED BY: HB by SAIKI by request; SB by KOUCHI by request (Governor's Package)

EXECUTIVE SUMMARY: Expands funding sources and authorized uses of the Hawaii Film and Creative Industries Development Special Fund. Makes an appropriation out of the special fund.

SYNOPSIS: Amends section 201-113, HRS, to provide that effective July 1, 2022, all revenues, fees, and income received by the department from its management of public facilities that support media and entertainment workforce and business development, with the exception of the Hawaii Film Studio, shall be deposited into the special fund. Also specifies that moneys in the fund may be used for repair, maintenance, and related costs of the department's management of public facilities that support media and entertainment workforce and business development.

EFFECTIVE DATE: Upon Approval

STAFF COMMENTS: This is an Administration measure submitted by DBEDT and identified as BED-10 (22).

Special funds are pots of money that exist for a specific purpose, and largely bypass the legislative appropriation process. The existence of hundreds of these special funds has often confounded those who seek answers to simple questions like "How much money does the State have?"

Our Legislature is supposed to be the steward of all state moneys, but special funds make it very easy to lose track of where the money is and how it is being spent. Departments are supposed to tell the Legislature if they have special funds and how much is in them, but they don't always. Recently, in Report No. 20-01, the State Auditor took DBEDT to task for failing to report \$6.5 million in non-general fund moneys. DBEDT's response? Just that they'll "take corrective action." Not even a "Whoops! We screwed up and promise to do better next time!" This followed closely on the heels of Report No. 19-16, where the Auditor found that \$1.04 million in non-general fund moneys administered by the Attorney General wasn't reported. That department responded that they "shall establish procedures to assure required reports are issued." Is it any wonder that it's getting harder and harder to follow the money and rein in government spending?

Another tactic that appears to be gaining traction among special fund supporters, and one that is present in the current bill, is "scope creep." It involves expanding the scope of what the special

fund moneys may be spent on. If special fund moneys can be spent on more and more things, then there tends to be more spending, and then the funds need to be fed more and more to stay afloat. Then who is going to do the feeding? Probably we, the taxpayers.

The moral of the story is that special funds are often used to obfuscate and confuse, to put a smokescreen between those who spend the money and those who are charged with making sure the money is well spent. Let's do all of ourselves a favor and get rid of the special funds we don't really need, and make sure that the operations of the ones we do need are transparent and accountable.

Digested: 2/9/2022