
A BILL FOR AN ACT

RELATING TO NATIVE HAWAIIAN COMMUNITIES.

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

1 SECTION 1. The legislature finds that the Hawaiian culture
2 is used as a major driver for tourism in the islands. Many
3 hotels incorporate the Aloha spirit, local entertainers, and
4 native imagery in the form of paintings and photography to
5 welcome worldwide visitors. By generously sharing the Hawaiian
6 culture with many tourists, it is only right for the tourism
7 industry to give a portion of the revenue generated back to the
8 Hawaiian people. Moreover, millions of tourists visit the
9 Hawaiian Islands annually. In 2015, a record of 8.6 million
10 visitors came to Hawai'i. Lodging is the largest expenditure
11 category for visitors, spending \$6,300,000,000 in 2015.

12 The legislature further finds that the transient
13 accommodations tax is a 9.25 per cent tax levied on gross rental
14 income derived from renting living accommodations for one
15 hundred eighty consecutive days or fewer. In fiscal year 2015,
16 the transient accommodations tax generated \$421,000,000.
17 Portions of the transient accommodations tax are allocated to



1 the counties and various special funds relating to tourism and
2 conservation. The remainder is deposited into the general fund.
3 Currently, \$1,000,000 of the money allocated to the tourism
4 special fund is earmarked to operate a Hawaiian center and the
5 museum of Hawaiian music and dance at the Hawai'i Convention
6 Center. However, this center and museum are currently not in
7 existence. The legislature believes this money should be
8 allocated to support organizations and programs that enhance,
9 strengthen, and perpetuate Hawaiian culture and health in
10 communities.

11 To address these issues, Senate Resolution No. 60, Regular
12 Session of 2014, created a native Hawaiian health task force to
13 specifically improve the health of Native Hawaiians with
14 implications for other Pacific Islanders and all people of
15 Hawai'i. The goal of the task force is to articulate priority
16 areas that will help to advance health equity for Native
17 Hawaiians and, in turn, the health of Hawai'i's entire population
18 and proposed recommendations to that end. The framework and
19 recommendations discussed were embraced by community members,
20 agencies, government, and individuals in addition to those who
21 view themselves as native-serving institutions. This work was



1 community- and land-focused and emphasizes Native Hawaiian
2 values and aspirations. The task force also recognized the past
3 efforts in this matter. The task force used nā pou kihi as the
4 cultural framework to organize and situate the findings and
5 recommendations of this task force. Consistent with the hale
6 (home) as a metaphor for establishing a healthy and vibrant
7 Native Hawaiian population, nā pou kihi reflects the four corner
8 posts of a hale necessary to support the weight of the hale and
9 everyone who resides under its roof.

10 One of nā pou kihi, referred to by the task force as ka
11 mālama nohona, focuses on the quality of the environments where
12 Native Hawaiians live, work, learn, play, and age that affect
13 their health and well-being. Native Hawaiian values and
14 practices are rooted in the relationships between and amongst
15 people (kānaka), their physical places (‘āina), and spirituality
16 (ho‘omana). They are exemplified through the traditional values
17 and practices that strive for aloha (compassion and kindness),
18 lōkahi (harmony), and mālama ‘āina (caring for our land and
19 natural resources). Native Hawaiians believe that personal
20 health and well-being are intimately and reciprocally linked to
21 the health and well-being of ‘ohana (family, friends, and



1 community) and 'āina. Ka mālama nohona (caring for the people
2 around us and the places we share) is essential to promoting the
3 health and well-being of all people in Hawai'i.

4 Research findings have identified the beneficial effects of
5 healthy communities on the social, physical, and emotional
6 health of individuals. For example, people who live in
7 communities with access to healthier food options and less fast
8 food establishments; easy and affordable access to recreational
9 facilities, including walking, biking, and hiking trails; safe
10 and low density neighborhoods; opportunities for social
11 networking; and active community members and strong local
12 leadership are more likely to have residents who are not plagued
13 by violence and crime in their neighborhoods or by chronic
14 diseases, such as obesity, diabetes, and stress-related
15 emotional problems. Ensuring healthy communities,
16 neighborhoods, and families of Native Hawaiians will decrease
17 the risk for chronic mental and physical diseases.

18 The purpose of this Act is to redistribute the revenues
19 from the transient accommodations tax currently allocated to the
20 operation of a Hawaiian center and the museum of Hawaiian music
21 to structural improvements to parks and public facilities to



1 create a space for health promotion activities, physical
2 activities, and creating a native Hawaiian sense of place.

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;



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] for
15 structural improvements to parks and public
16 facilities to be determined with community
17 input, including creating space for health
18 promotion activities, physical activities,
19 and creating a Native Hawaiian sense of
20 place; and~~



1 (ii) 0.5 per cent of the \$82,000,000 shall be
2 transferred to a sub-account in the tourism
3 special fund to provide funding for a safety
4 and security budget, in accordance with the
5 Hawaii tourism strategic plan 2005-2015; and
6 (C) Of the revenues remaining in the tourism special
7 fund after revenues have been deposited as
8 provided in this paragraph and except for any sum
9 authorized by the legislature for expenditure
10 from revenues subject to this paragraph,
11 beginning July 1, 2007, funds shall be deposited
12 into the tourism emergency special fund,
13 established in section 201B-10, in a manner
14 sufficient to maintain a fund balance of
15 \$5,000,000 in the tourism emergency special fund;
16 (4) \$103,000,000 for fiscal year 2014-2015, \$103,000,000
17 for fiscal year 2015-2016, \$103,000,000 for fiscal
18 year 2016-2017, and \$93,000,000 for each fiscal year
19 thereafter shall be allocated as follows: Kauai
20 county shall receive 14.5 per cent, Hawaii county
21 shall receive 18.6 per cent, city and county of



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

19

INTRODUCED BY:

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10/1/17

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H.B. NO. 1486

Report Title:

TAT Revenues; Native Hawaiian Communities

Description:

Reallocates \$1,000,000 from the transient accommodations tax revenues for the operation of the Hawaiian center and the museum of Hawaiian music and dance at the Hawaii convention center to structural improvements to parks and public facilities to be determined with community input; provided that the improvements include creating 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.

