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December 21, 2011

Mr. Randall Y. Iwase Chair, Tax Review Commission PO Box 259 Honolulu, HI 96809

#### Dear Chair Iwase:

This letter responds to the request for more information during the briefing to the Tax Review Commission on October 31, 2011.

Please find attached the following information -

- 1. Federal poverty level
- 2. Individual income tax data
- 3. Comparison of various taxes across States
- 4. Accounts receivable data
- 5. Who pays Hawaii's taxes?
- 6. Estimated general excise tax from sales of food and non-prescription drugs

Please feel free to contact Donald Rousslang, Acting Tax Research and Planning Officer, at 587-1572 or Johnnel Nakamura, Rules Officer, at 587-1553 if you have any further questions.

Sincerely,

Frederick D. Pablo

Director of Taxation

### **Tax Review Commission**

## Follow-Up Questions to the Presentation on "Overview of Hawaii Taxes"

#### POVERTY LEVEL

According to the 2011 U. S. Department of Health and Human Services Poverty Guidelines, the poverty level for a single person in Hawaii is \$12,540 and for a family of four in Hawaii is \$25,710 as compared to the poverty level for a single person in 48 contiguous States and D.C. at \$10,890 and for a family of four at \$22,350.

Persons in Family	48 Contiguous States and D.C.	Alaska	<b>Hawaii</b> \$12,540	
1	\$10,890	\$13,600		
2	14,710	18,380	16,930	
3	18,530	23,160	21,320	
4	22,350	27,940	25,710	
5	26,170	32,720	30,100	
6	29,990	37,500	34,490	
7	33,810	42,280	38,880	
8	37,630	47,060	43,270	
For each additional person, add	3,820	4,780	4,390	

#### INDIVIDUAL INCOME TAX DATA

Preliminary data for tax year 2009 is the most recent individual income tax data available. The data is derived from Hawaii resident tax returns filed on Form N-11 (Individual Income Tax Return – Resident) only and is reflected in Figures 1-A through 1-C.

Figure 1-A shows the number of tax returns grouped in brackets of \$50,000, up to \$500,000 of Hawaii Adjusted Gross Income ("AGI"). The total number of N-11 tax returns filed for tax year 2009 is 560,875. Of the total number of N-11 tax returns filed for tax year 2009: 69.2% reported Hawaii AGI of less than \$50,000; 29.6% reported Hawaii AGI of \$50,000 to \$250,000; and 1.2% reported Hawaii AGI over \$250,000.

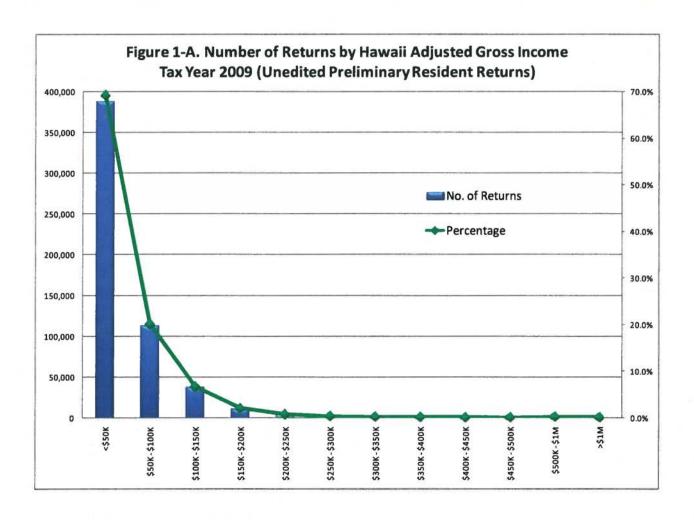


Figure 1-B shows the amount of Hawaii AGI grouped in brackets of \$50,000, up to \$500,000. Taking into account the total of all Hawaii AGI reported on Form N-11 only, taxpayers making under \$50,000 account for 25.3% of the total taxable income; taxpayers with Hawaii AGI between \$50,000 to \$250,000, account for 57.8% of the total taxable income; and taxpayers with Hawaii AGI over \$250,000 account for 16.9% of the total.

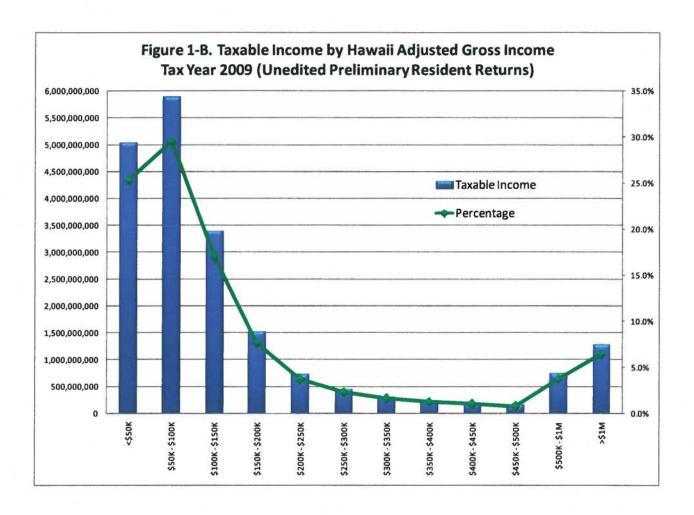
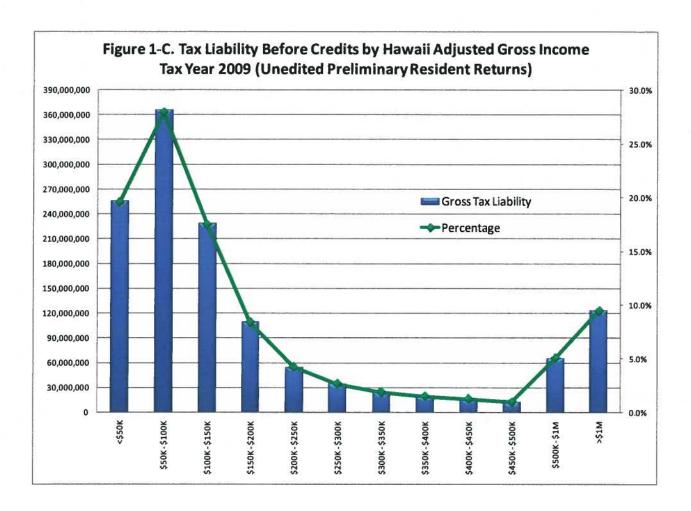


Figure 1-C reflects the distribution of tax liability of Form N-11 taxpayers, before tax credits, by Hawaii AGI. Taxpayers with Hawaii AGI under \$50,000, accounted for 19.5% of the total N-11 tax liability; taxpayers with Hawaii AGI between \$50,000 and \$250,000, accounted for 57.9% of the total N-11 tax liability; and taxpayers over \$250,000, paid 2.6% of the total N-11 tax liability.



The table below summarizes the data presented in Figure 1A, 1B, and 1C.

AGI	% of Total Number of Returns	% of Taxable Income	% of Tax Liability Before Credits	
Under \$50,000	69.2%	25.3%	19.5%	
\$50,000 - \$250,000	29.6%	57.8%	57.9%	
Over \$250,000	1.2%	16.9%	22.6%	
Total	100.0%	100.0%	100.0%	

## COMPARISON OF VARIOUS TAXES ACROSS STATES

Table 1 - Comparison of State Taxes											
State Sales 8 Use Tax	Salara				Revenue From Each Tax as % of Total State & Local Tax Revenues 4/			Taxes as %	Sales Tax Base as %	State & Local Tax	
	Use Tax 1/	Individual Income 2/	Corporate Income 1/	Property 3/	Sales Tax	Inc. Taxes	Prop. Tax	Revenue	of GSP 5/	Per Capita 6/	
Alabama	4.00	2.0-5.0	6.50	0.65	47.74	26.48	15.51	57.4	35.79	3,002	
Alaska	0.00	na	1.0-9.4	1.80	9.92	16.46	20.89	47.4	na	14,147	
Arizona	6.50-6.60	2.59-4.54	6.97	1.21	48.46	20.25	26.68	71.6	40.98	3,538	
Arkansas	6.00	1.0-7.0	1.0-6.5	0.88	53.23	27.55	14.63	69.7	50.71	3,280	
California	8.25	1.0-10.3	8.84	0.68	31.32	37.35	24.12	68.0	29.08	5,085	
Colorado	2.90	4.63	4.63	1.08	35.35	28.34	30.41	62.8	32.69	3,979	
Con.	6.00	3.0-6.5	7.50	1.72	23.53	33.95	38.24	81.6	28.57	6,599	
Delaware	0.00	2.2-6.95	8.70	0.68	12.72	37.63	15.51	57.4	na	4,237	
Florida	6.00	na	5.50	1.20	48.86	3.34	36.72	65.9	47.83	3,981	
Georgia	4.00	1.0-6.0	6.00	1.52	38.51	29.58	28.70	68.3	35.96	3,469	
Hawaii	0.15-4.00	1.4-11.0	4.4-6.4	0.40	51.84	25.24	17.33	73.3	90.03	5,233	
Idaho	6.00	1.6-7.8	7.60	1.42	35.68	33.49	23.32	63.9	39.72	3,234	
Illinois	6.25	5.00	7.30	1.79	33.83	22.51	37.06	74.2	21.71	4,503	
Indiana	7.00	3.40	8.50	2.12	37.20	29.41	29.09	62.9	34.57	3,593	
lowa	6.00	0.36-8.98	6.0-12.0	2.15	31.60	27.96	33.02	63.3	29.35	3,855	
Kansas	6.30	3.5-6.45	4.0-7.1	2.09	35.35	28.87	30.42	71.0	36.87	4,246	
Kentucky	6.00	2.0-6.0	4.0-7.0	0.96	37.08	37.67	18.91	67.7	36.28	3,302	
Louisiana	4.00	2.0-6.0	4.0-8.0	1.02	53.12	22.55	14.84	67.4	46.35	4,032	
Maine	5.0-10.0	2.0-9.5	3.5-8.93	1.75	30.04	27.43	36.49	72.9	42.41	4,496	
Maryland	6.00	2.0-5.5	7.00	1.06	23.45	42.56	24.24	75.9	32.40	4,887	
Mass.	6.25	5.30	0.10	1.07	19.17	42.07	34.34	72.5	23.94	5,196	
Michigan	6.00	4.35	4.90	1.91	32.07	23.38	39.18	63.3	35.42	3,764	
Minn.	6.875	5.35-7.85	9.80	1.27	31.84	35.59	25.79	69.4	35.29	4,727	
Mississippi	7.00	3.0-5.0	3.0-5.0	1.44	47.92	20.35	25.32	62.4	46.08	3,233	
Missouri	4.225	1.5-6.0	6.25	1.42	37.65	28.92	27.41	66.4	33.92	3,336	
Montana	0.00	1.0-6.9	6.75-7.0	1.65	16.40	30.91	33.91	63.4	na	3,582	
Nebraska	5.00	2.56-6.84	5.58-7.81	2.15	32.37	26.11	33.44	65.5	40.59	4,213	
Nevada	2.00	na	na	0.83	58.24	na	27.50	68.0	35.14	4,048	
New Hamp.	0.00	5.00	8.50	2.21	15.48	14.76	61.36	69.1	na	3,754	

Table 1 - Comparison of State Taxes (Continue)											
		Tax Rat	es (in %)			ue From Each Tax as % of ate & Local Tax Revenues		Taxes as %	Sales Tax	State & Local Tax	
	Sales &	Individual	Corporate Princome 1/	Property	4/			of Total	Base as %	Per Capita	
	Use Tax 1/	Use Tax 1/ Income 2/		3/	Sales Tax	Inc. Taxes	Prop. Tax	Revenue	of GSP 5/	6/	
New Jersey	7.00	1.4-8.97	6.5-9.0	1.78	23.90	28.44	41.69	77.0	25.44	6,209	
New Mex.	5.00	1.7-4.9	4.8-7.6	0.72	46.90	21.94	13.51	62.9	49.39	3,899	
New York	4.00	4.0-8.97	6.5-7.1	1.76	24.24	41.06	28.48	75.5	24.86	7,103	
N. Carolina	5.75	6.0-7.75	6.90	1.10	34.07	37.48	22.52	67.5	29.85	3,591	
N. Dakota	5.00	1.84-4.86	2.1-6.4	1.84	35.09	17.47	26.89	64.7	39.06	4,948	
Ohio	5.50	.587-5.925	na	1.81	31.20	32.51	29.03	68.9	31.97	4,048	
Oklahoma	4.50	0.5-5.5	6.00	1.03	38.12	27.93	16.20	64.8	32.16	3,379	
Oregon	0.00	5.0-11.0	6.6-7.6	1.22	8.65	47.75	31.11	60.1	na	3,313	
Penn.	6.00	3.07	5.00	1.70	28.63	29.91	29.63	70.2	27.94	4,306	
Rhode Isl.	7.00	3.75-5.99	9.00	1.52	28.67	26.43	40.98	71.5	27.56	4,626	
S. Carolina	6.00	3.0-7.0	5.00	1.38	35.33	25.83	31.11	56.9	41.80	2,923	
S. Dakota	4.00	na	0.5-1.0	1.96	54.04	3.26	34.32	64.4	44.36	3,107	
Tennessee	5.5-7.0	6.00	5.00	1.07	56.82	7.38	24.24	62.3	38.52	3,045	
Texas	6.25	na	7.0-9.5	2.57	46.80	na	41.77	65.6	32.90	3,554	
Utah	4.70	5.00	6.00	1.31	39.08	33.17	22.82	60.9	39.69	3,436	
Vermont	6.00	3.55-8.95	6.0-8.5	2.06	29.20	22.73	42.01	72.6	37.95	4,727	
Virginia	4.00	2.0-5.75	8.59	1.12	26.39	34.31	30.94	68.2	31.97	4,196	
Washington	6.50	na	na	1.13	62.07	na	26.84	66.7	38.09	4,354	
W. Virginia	6.00	3.0-6.5	8.50	0.95	37.86	31.23	18.61	61.8	40.01	3,542	
Wisconsin	5.00	4.6-7.75	7.90	2.09	27.43	31.08	36.01	71.1	37.58	4,331	
Wyoming	4.00	na	na	2.18	33.01	na	36.88	62.1	48.03	6,930	
All State ave.	na	na	na	1.4486	34.45	27.45	30.07	68.5	37.35	4,362	

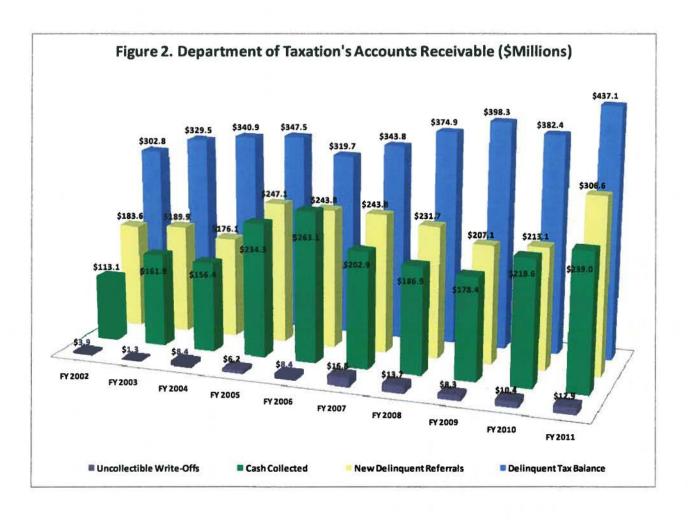
#### ACCOUNTS RECEIVABLE

The Tax Review Commission asked the Department to provide data on the Accounts Receivable:

- a. What is the total for accounts receivable?
- b. What is collected on the accounts receivable?
- c. What does the Department need to collect the remaining accounts receivable?

Figure 2 reflects the Department of Taxation's Accounts Receivable, as reported in its annual reports, since 2002. (Note: The fiscal 2011 data are unofficial estimates; the 2010-2011 DOTAX Annual Report has not yet been finalized and released.) For fiscal year 2011: the delinquent tax balance was \$437.1 million; the amount of new delinquent referrals was \$306.6 million; cash collected was \$239.0 million; and the amount of the uncollectible write-off was \$12.9 million.

The Department is currently engaged in business process re-engineering of its collection function. One goal is to better identify the specific resources needed to more efficiently pursue its accounts receivables.



#### WHO PAYS HAWAII'S TAXES?

According to the study by the 2005-2007 Tax Review Commission, "Study on the Progressive or Regressive Nature of Hawaii's Taxes," Appendix D, 68.5% of the total state and county taxes is borne by residents, whereas 31.5% is shifted out of State. The study was done in 2006 and does not reflect any tax law changes enacted after the study was completed.

Aggregate Distribution of Tax Burdens (In \$millions)							
Tax	Total	Amo Borne By Higher	unt Residents Reduced	Amoun Shifted Out of Federal			
Hawaii State Taxes	Revenue	Prices	Incomes	Government	Other		
General Excise	Метепис	ATTICES	Incomes	Government	Oinei		
and Use Taxes	2.136.6	1,114.0	212.7	134.4	675.5		
2. Individual Income Tax		1,11	1,067.1	237.4	77.0		
3. Transient Accommodations	-,-,-,-,-		-122		energy.		
Tax	198.8	7.9	53.8	9.5	126.8		
4. Public Service Company Tax	108.7	57.4	30.8	5.5	15.0		
5. Corporation Income Tax	85.6	45.2	24.3	4.3	11.8		
6. Tax on Insurance Premiums	83.1	43.9	23.5	4.2	11.5		
7. Tax on Banks and							
Other Financial Corporations	38.5	20.4	10.9	1.9	5.3		
8. Estate and Transfer Taxa	12.7			12.7			
9. Conveyance Tax	24.6	4.4	12.0	1.8	5.5		
10. Taxes on Fuel	106.5	77.0	6.3	1.1	22.2		
11. Tax on Liquor	43.7	34.6	2.6	0.4	6.1		
12. Taxes on Cigarettes							
and Tobacco	85.2	74.6	3.0	0.5	7.1		
13. Motor Vehicle Taxes <sup>b</sup>	100.3	56.3	12.5	2.2	29.3		
Total, State Taxes	4,405.8	1,533.6	1,461.4	417.1	993.0		
County Taxes							
1. Real Property Taxes	968.3	88.0	550.5	118.0	211.9		
3. Fuel Tax	76.3	55.1	4.5	0.8	15.9		
2. Motor Vehicle Weight Tax	60.3	60.3					
4. Public Utility Franchise Tax	41.5	21.9	11.8	2.1	5.7		
5. Public Service Company Tax	42.5	22.4	12.1	2.1	5.9		
6. Licenses and Permits <sup>c</sup>	63.9	33.8	<u> 18.1</u>	_3.2	<u>8.8</u>		
Total, County Taxes	1,252.8	281.5	597.0	126.2	248.2		
Total, State and County Taxes	5,658.6	1,815.1	2,058.4	543.3	1,241.2		

Hawaii's Estate and Transfer Tax has been effectively repealed for decedents dying after December 31, 2004.
Includes the State's Motor Vehicle Weight Tax and the surcharge on rental and tour vehicles. The rental surcharges produced \$43,950,000 of the total revenue in this category.

Excludes the counties' Motor Vehicle Weight Taxes.

The distribution of tax burdens by income class as reported in the study by the 2005-2007 Tax Review Commission, "Study on the Progressive or Regressive Nature of Hawaii's Taxes," Appendix D, is shown below:

Distribution of Tax Burdens by Income Class							
Income and Expenditures							
Income (Federal AGI)	\$25,000	\$50,000	\$75,000	\$100,000	\$150,000		
Expenditures	28,000	41,380	55,010	70,330	93,730		
Expenditures subject to GET	18,490	25,820	31,320	39,290	50,990		
Tax Burden for a Single Indi	vidual						
GET	1,599	2,232	2,709	3,397	4,409		
Individual Income Tax	958	2,077	3,235	3,863	6,261		
TAT	51	93	139	162	238		
Taxes on Businessa	249	411	582	707	995		
Real Estate Taxesb	539	981	1,461	1,707	2,501		
Alcohol & Tobacco	105	108	111	114	119		
Fuel & Motor Vehiclesc	268	279	290	302	325		
Total Tax Burden	3,769	6,181	8,527	10,252	14,848		
Burden Ratio	15.1%	12.4%	11.4%	10.3%	9.9%		
Burden Ratio, State Taxes	12.2%	10.0%	9.1%	8.2%	7.9%		
Burden Ratio, County Taxes	2.9%	2.4%	2.3%	2.1%	2.0%		
Tax Burden for a Family of fo	our						
GET	1,599	2,232	2,709	3,397	4,409		
Individual Income Tax	423	1,431	2,561	3,691	5,616		
TAT	53	96	142	166	243		
Taxes on Businessa	256	422	581	724	985		
Real Estate Taxesb	605	1,080	1,523	1,866	2,577		
Alcohol & Tobacco	207	210	212	216	222		
Fuel & Motor Vehicles <sup>c</sup>	396	599	700	789	811		
Total Tax Burden	3,542	6,074	8,427	10,856	14,859		
Burden Ratio	14.2%	12.1%	11.2%	10.9%	9.9%		
Burden Ratio, State Taxes	10.8%	9.2%	8.6%	8.4%	7.8%		
Burden Ratio, County Taxes	. 3.4%	2.9%	2.6%	2.5%	2.1%		

a Includes the Corporation Income Tax, State and county Public Service Company Taxes, the Tax on Banks and Other Financial Corporations, the Tax on Insurance Premiums, the county Public Utility Franchise Taxes, and the county charges for licenses and permits.

b Includes the Conveyance Tax and the county Real Property Taxes.

c Includes the State surcharge on motor vehicle rentals.

	Alternative Calculations for the									
Distri	Distribution of Tax Burdens by Income Class									
Income and Expenditures										
Income (Federal AGI)	\$25,000	\$50,000	\$75,000	\$100,000	\$150,000					
Expenditures	28,000	41,380	55,010	70,330	93,730					
Expenditures subject to GET	18,490	25,820	31,320	39,290	50,990					
Tax Burden for a Single Indiv	ridual									
Total Tax Burden	3,769	6,181	8,527	10,252	14,848					
Burden Ratio	15.1%	12.4%	11.4%	10.3%	9.9%					
GET (2) <sup>a</sup>	3,599	5,930	8,217	9,865	14,341					
Burden Ratio (2) <sup>a</sup>	14.4%	11.9%	1.0%	9.9%	9.6%					
GET (3)b	3,612	6,763	9,789	11,990	18,046					
Burden Ratio (3)b	14.4%	13.5%	13.0%	12.0%	12.0%					
50% Tax Exportingc	3,900	6,392	8,816	10,601	15,333					
Burden Ratio (4)c	15.6%	12.8%	11.8%	10.6%	10.2%					
Individual Income Tax (2)d	3,680	6,093	8,409	10,161	14,761					
Burden Ratio (5)d	14.7%	12.2%	11.2%	10.2%	9.8%					
Tax Burden for a Family of fo	ur									
Total Tax Burden	3,542	6,074	8,427	10,856	14,859					
Burden Ratio	14.2%	12.1%	11.2%	10.9%	9.9%					
GET (2)a	3,719	6,325	8,737	11,244	15,366					
Burden Ratio (2) <sup>a</sup>	14.9%	12.7%	11.6%	11.2%	10.2%					
GET (3) <sup>b</sup>	3,385	6,656	9,689	12,594	18,057					
Burden Ratio (3)b	13.5%	13.3%	12.8%	12.6%	12.0%					
50% Tax Exporting <sup>c</sup>	3,675	6,289	8,712	11,209	15,334					
Burden Ratio (4)c	14.7%	12.6%	11.6%	11.2%	10.2%					
Individual Income Tax (2)d	3,444	5,985	8,297	10,374	14,683					
Burden Ratio (5)d	13.8%	12.0%	11.1%	10.4%	9.8%					

a The rows labeled "GET (2)" and "Burden Ratio (2)" show the total tax burdens calculated assuming expenditures are 10 percent less than those shown in the *BLS Survey* for the income class for single individual and 10 percent more for the family of four.

b The rows labeled "GET (3)" and "Burden Ratio (3)" show the total tax burdens calculated assuming expenditures are equal to income.

c The rows labeled "50% Tax Exporting" and "Burden Ratio (4)" show the total tax burdens calculated assuming that only one-half (instead of two-thirds) of taxes paid by tourists are exported.

d The rows labeled "Individual Income Tax (2)" and "Burden Ratio (5)" show the total tax burdens as estimated for the new Individual Income Tax rules that takes effect on January 1, 2007.

# GENERAL EXCISE TAX FROM SALES OF FOOD AND NON-PERSCRIPTION DRUGS

The Department has estimated that in 2010, \$212.5 million of the total general excise tax collection of \$2.4 billion, or 8.9%, is from food consumption and nonprescription drugs.

	2010 GET Base	2010 GET	2012 GET Base	2012 GET
Total food consumption	5,151,805,589	206,072,224	5,761,302,451	230,452,098
Food at home	2,694,394,323	107,775,773	3,013,161,182	120,526,447
Food away from home	2,457,411,266	98,296,451	2,748,141,269	109,925,651
Nonprescription drugs	161,428,618	6,457,145	180,526,822	7,221,073
Total	1 20100 - 0	212,529,368		237,673,171