

Pennsylvania Association of Travel and Tourism

Travel and Tourism Advocacy - Platform

Contact Information

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About PATT

Who is the Pennsylvania Association of Travel and Tourism (PATT)?

The Pennsylvania Association of Travel and Tourism (PATT) is a statewide, nonprofit, bipartisan association representing travel and tourism in Pennsylvania.

What is PATT's Mission Statement?

PATT's mission is to unify and lead Pennsylvania's travel and tourism industry, presenting one voice on public policy while serving the needs of its diverse members.

Why Tourism?

One of the critical goals of PATT is to seek a greater recognition and appreciation for the vital economic impact that travel and tourism has on Pennsylvania's economy.

- Pennsylvania Travel and Tourism industry traveler spending was \$39.2 billion in 2013
- Pennsylvania hosted 192.9 million domestic and international travelers in 2013.
- Traveler spending generated \$68.4 billion in total economic activity throughout all industries in Pennsylvania in 2013.
- Travel and tourism related economic activity supported 478,888 jobs in both directly and indirectly representing 6.5% of the state's total employment.
- The state's travel and tourism sector directly represented \$15.3 billion of the state's 2013 GDP.
- Pennsylvania's travel and tourism industry generated \$4.13 billion in state and local taxes and \$4.16 billion in federal taxes in 2013.
- On average, the dollars spent by 418 travelers supports one PA job.
- One out of every 15.3 workers in Pennsylvania is supported by travel and tourism.
- More than \$1.5 Billion was invested by the travel sector in capital projects in 2013.
- Pennsylvania's state and local governments would have to tax each PA household an additional \$835 per year to replace the taxes generated by travel and tourism.

*The Economic Impact of Travel and Tourism in Pennsylvania: Calendar Year 2013, Tourism Economics.

PATT's legislative platform was created from within the industry at the 2015 Travel and Tourism Advocacy Convention, as part of the Travel and Tourism Summit. The Goals of the Convention were as follows:

- To assemble leaders, from the statewide associations and councils representing a broad cross-section of the total travel and tourism industry in Pennsylvania.
- To provide an opportunity for participating associations and councils to present advocacy platforms within the Convention and to the PATT board of directors.
- To make recommendations to the PATT board about government affairs issues facing our travel and tourism industry.

COUNTY HOTEL OCCUPANCY TAX REFORM

HB 794

SUMMARY

In the fall of 2013 - PATT, the Restaurant & Lodging Association (PRLA) and the County Commissioners Association (CCAP) convinced a taskforce to address our growing concerns with protecting the uses of local room tax. The taskforce focused on 54 counties specifically that were all at, our have the option to be at 3% ($3^{rd} - 8^{th}$ Class Counties – 1770.2 & 1770.6)

Last legislative session in the Senate, five piecemeal hotel taxes bills were proposed to address the local hotel tax in several counties and in some cases – divert the monies to non-tourism related purposes. HB 794 was a creation of those concerns and a vehicle to address them.

POSITION

PATT, along with PRLA and CCAP support HB 794 – PN 1842(Gillespie – R, York).

TALKING POINTS

- Allows 54 counties $(3^{rd} 8^{th} class)$ to increase their hotel occupancy excise tax from 3% to 5%.
- Tightens up the definitions and uses of hotel tax to ensure the monies are only used for tourism promotion.
- Expands the definition of "hotel" to make sure that those charging for an overnight accommodation, are paying the hotel tax locally.
- Adds language to the decertification process for a TPA creates more accountability for the process.
- Defines the word "marketing."
- This legislative creates *Equality, Uniformity, and Clarity* in the law(s) covering those 54 counties.

ACTION STEPS

Ask your House and Senate members to Support HB 794 PN 1842.

SUSTAINABLE – DEDICATED, STATEWIDE FUNDING FOR MARKETING PENNSYLVANIA TO ATTRACT TOURISTS

SUMMARY

During the Ridge Administration, statewide tourism funding peaked at \$44 million dollars. In the FY 2014-2015, the actual budget for the state tourism office was about \$2.5 million. Our neighboring states have increased their statewide tourism marketing efforts. Pennsylvania's market share and numbers are lagging significantly behind the national average.

PATT, PRLA and other partnering organizations have put out a request for proposal (RFP) to research firms to compile the information we need to make our case for increased statewide funding for tourism.

For years we have all been working to increase the amount of money that is dedicated to statewide tourism promotion. During that time, we have found that what we are missing in our efforts is the data to truly show how the decrease in statewide tourism promotion & funding has affected Pennsylvania's economy.

POSITION

The PATT Board has endorsed HB 204, SB 676 and HB 641 (with some amended changes) as a way to support statewide tourism funding for the Commonwealth.

TALKING POINTS

- PATT is advocating for consistent, sustainable funding that will grow Pennsylvania's brand and increase our market share.
- Pennsylvania's needs a brand that is sustainable in the travel destination marketplace, consistent funding is necessary to establish and maintain long-term campaigns to keep the brand top-of-mind with travel consumers.
- PATT is recommending a potential hybrid approach for the funding of travel and tourism in Pennsylvania.
 - This Pennsylvania Hybrid Funding structure relies on a partnership of private and public funding and is meant to support the industry in its entirety.
- PATT currently endorses three bills being considered in the legislature.
 - Tourism Tax Credit
 - SB 676 (Ward) would create a \$10 million dollar tax credit, with 70% being able to be deducted.
 - HB 204 PN 1444 (Murt) as amended would create a \$15 million dollar tax credit and only 55% of the value could be deducted.
 - State Occupancy Tax
 - HB 641 (Boback) would dedicate 1/6 of 6% state occupancy tax for tourism purposes. Proposed bill would dedicate 60% of that revenue to tourism marketing and grants and 20% to the Pennsylvania Historical and Museum Commission for Museum grants and 20% to the Pennsylvania Council on the Arts for Arts Grants.
 - <u>Convention recommended PATT pursue 100% of the monies going to marketing of the</u> <u>Commonwealth.</u>

ACTION STEPS

TBD

LEVEL PLAYING FIELD FOR ALL LODGING ENTITIES

SUMMARY

All lodging types should be paying room tax at both the local and state level on a consistent, uniform and in an equitable manner. Pennsylvania has 14 room tax laws not to mention a myriad of lodging properties that are unique from county to county. We are recommending the following three positions to level the playing field in the lodging sector.

POSITION

- HB 1311, HB 1312, HB 1314, HB 1315 and HB 1316 have been introduced this session by Representative Day (Berks & Leigh Counties). PATT will be evaluating these bills to assure they address our concerns.
- HB 794 does address and include in the definition of "Hotel" Air B&B and Vacation Rentals.

TALKING POINTS

• Online Travel Companies should be responsible for collecting and remitting both state and local taxes on the amount the consumer pays, not just on the amount paid directly to the property being booked.

- Air B&Bs and vacation home rentals should abide by the same state and local regulations that hotels and B&B's are held to, in regards to safety, health, inspections, and insurance etc...
- Air B&Bs and vacation home rentals should be required to collect and remit the same state and local taxes as traditional hotels and B&Bs.

ACTION ITEMS

TBD

POST LABOR DAY SCHOOL START

SUMMARY

For many years, legislation mandating school opening dates has been introduced in the state Legislature, but the legislation has never come up for a vote on the Floor of the House or the Senate. A large percent of seasonal employees at tourism attractions are high school students. In today's tight labor market, attractions are finding it more difficult to staff their businesses because of the number of high school students who return to school prior to Labor Day. In 2013, PATT conducted a survey of registered votes and 58% said that the Commonwealth should have a uniform start date.

POSITION

PATT supports HB 47 (Godshall – R, Montgomery), which would prohibit school terms from beginning any earlier then than the day after Labor Day.

There is a recognition that mandating schools to start after Labor Day is an uphill battle, but worth fighting. It was recommended that short of meeting that goal, we should pursue a defined start date that would address the concerns that the opposition has when Labor Day falls much later on the calendar.

TALKING POINTS

- When schools open prior to Labor Day, revenues are lost not only to attractions, but also to other businesses. The Commonwealth also loses revenue because August is the busiest month for many attractions, which results in high revenue for these businesses and lost revenue for the State.
- The current staffing difficulties (i.e., over scheduling of full-time staff) also result in poor service and a lesscomplete experience for guests that may lead them to not return to the state's attractions.
- The tourism businesses spend millions of marketing dollars to attract tourists every summer, yet those businesses are forced to cut off the season early due to a shortage of employees in mid-August.
- A September school date is pro-family since August is a great time for families to experience and enjoy our State's many recreational, heritage, outdoor natural and commercial attractions.

ACTION ITEMS

Ask your House and Senate members to support HB 47.

EMPLOYMENT ISSUES

SUMMARY

Employment issues are critical to our travel and tourism related businesses, many of whom are small business and our industry employs about 10 percent of the population in Pennsylvania. One out of three people have started their career in the hospitality, travel and tourism industry.

It is recommended that PATT endorse the following recommendations.

- Protect the tip credit in minimum wage statues.
- Work with the Department of Labor & Industry to establish High Priority Occupation (HPO) for the Hospitality/Leisure/Entertainment industry cluster.
- Act 153 child labor reform regarding 14-15 year-old breaks every 3 hours.
- o Portability of background checks/child-abuse history clearances.

POSITION

Protect the Tip Credit in Minimum Wage Statutes – Support PRLA and others on this issue.

There are multiple pieces of legislation being discussed:

- SB 610 (Wagner R, York) would increase the minimum wage to \$8.75 over the course of 3 years, preserve the tipped wage of \$2.83, allow a training wage of \$7.25 for those under the age of 18 and does not tie the wage to inflation.
- HB 250 (Kim D, Dauphin) would increase the minimum wage to \$10.10 over the course of two years and the tipped wage to \$5.05.
- SB 195 & SB 196 (Tartaglione D, Philadelphia) would increase the minimum wage to \$10.10 over the course of two years, the tipped wage to \$7.07 and tie both to inflation.
- SB 838 (Leach D, Montgomery) would increase the minimum wage to \$15 and eliminate the tipped wage.

TALKING POINTS related to Tip Credits:

- Tips provide a significant financial benefit to tipped employees tip earning employees are among the industry's higher earning employees.
- Tips are considered wages and employees are employers pay all taxes on tipped income.
- The tipped wage is not a subminimum wage. The minimum wage for tipped employees is exactly the same as the minimum wage for every other employee in Pennsylvania.
- Entry level servers (tip-earning employees) make \$12/hour and more experience servers tend to make \$16/hour.
- An increase in the tipped wage only hurts the back-of-the house employees who rely on a wage that doesn't include tips.

POSITION

High Priority Occupation

The designation of positions as HPO are important in that they guide the allocation of many federal training dollars, including Workforce Investment Act funds through individual training accounts, and Economic Development Stipend Program which fund community colleges and equipment funding for career and technical centers. Companies employing workers in jobs deemed High Priority Occupation are eligible for incentives like on-the-job-training.

Our industry's efforts to get tourism jobs categorized as *High Priority Occupation (HPO)* did gain a major foothold late in 2013, with the first ever development of a *"Hospitality, Leisure, and Entertainment" Industry Cluster.* This cluster caters to tourism and recreation employment in hotels, restaurants, casinos, golf courses museums, racetracks, caterers and more.

TALKING POINTS

- The Department of Labor has been defining industry clusters since 2004 as the basis for data-driven workforce development policies.
- Initially there were nine clusters; with the addition of the Hospitality, Leisure and Entertainment (HLE) cluster, that number now stands at twelve.
- Application to extend this "HPO" to other occupations requires filing of a "High-Priority Occupation Petition" with the Department of Labor.
 - This can be done at a statewide or regional level.
 - A regional request would go through local Workforce Investment Boards. For example if new job opportunities exist and/or an industry partnership is available, the Department of Labor can award an HPO on a regional basis.
- Current HLE Clusters
 - Currently two occupations within the "HLE" cluster are designed "HPO" they are gaming dealer and supervisors food preparation and serving workers.
- It is worth noting that 1 out of every 10 Pennsylvanians are employed in this cluster. Achieving this cluster designation is the critical first step in securing the coveted HPO status.
- Achieving HPO status requires identification of occupations that are:
 - In demand by employers
 - Pay a family-sustaining wage (currently \$31,650 annual) and;
 - Has high skill requirement

POSITION

Act 153 – Child Labor Reform

TALKING POINTS

- Many your people begin their careers in the tourism industry.
- For places like our ski areas, having 14-15 year-old staff members to teach skiing to young people is critical for the future of the sport and builds life skills and work-ethic in those young people.
- Act 153 which was adopted last year, provides some challenges for managing young people as the break requirements are different for works under 16 than they are for workers 16 and over. This has lead to decisions by many companies in our industry not to hire youth workers.

POSITION

Portability of Background Checks/Child Abuse Clearances

Many segments of our industry hire teachers or other child – care professionals for part-time or seasonal employment outside their full-time job. However background checks and clearances used by one employer, are not portable to another employer, even if they are still valid, creating an unnecessary expense in hiring.

TALKING POINTS

- HB 1276 was introduced by (Watson R, Bucks).
 - \circ Passed the House on 6/17/15, by a vote of 180-9.
 - o Amended in Senate Public Health and Welfare 6/23/15 (PN 1947)
 - Amended in Senate Appropriations 6/28/15 (PN 1984)
 - Amended on Third Consideration in Senate 6/29/15 (PN 1997)
 - Passed Senate 49-0 on 6/30/15.
 - House concurred in Senate Amendments 6/30/15, 190-5.
 - \circ Signed by the Governor 7/1/15 ACT 15
- ACT 15addresses the following:
 - Clarify and make more explicit provisions in the statute enacted last session which requires employees and adult volunteers who work with children to obtain criminal background check clearances and child abuse clearances.
 - Changing the definition of "direct contact" to mean that an individual provides care, supervision, guidance or control of children; *AND* has routine interaction with children. The current definition in law uses the word "or" instead of "and". Changing the definition will significantly narrow the universe of individuals who are required to obtain the background checks.
 - Adding a definition for the term "routine interaction," defining that term as "regular, repeated, and continual contact that is integral to a person's employment or volunteer responsibilities.
 - Permitting volunteers who are residents of the Commonwealth, but have not resided in Pennsylvania for the entirety of the previous 10-year period to obtain the required FBI criminal history background check only once upon establishing residency. Current law requires those individuals to obtain an FBI background check clearance every three years until they reach 10 consecutive years of residency in the Commonwealth.
 - Exempting minor employees (ages 14 to 17) from obtaining the FBI criminal history background check if the minor has been a resident of the Commonwealth for the previous 10-year period and the minor and the minor's legal guardian affirm that the minor is not disqualified from serving in the position under the list of prohibited offenses in existing law.
 - Making the portability/transferability of the background check clearances applicable to employees who are employed in more than one paid position in which they work directly with children, just as those clearances are portable/transferable for volunteers volunteering for multiple organizations under current law. Current law requires employees to obtain separate sets of clearances for each paid position they hold.

ALCOHOL ISSUES

SUMMARY

Creating a fair, consistent playing field through the Commonwealth related to taxes, distribution and sales is important to the travel and tourism industry.

POSITION

Recommended that PATT support the following three initiatives:

- HB 189 PN 1851(Sonney R, Erie) standardization of interstate wine shipping laws.
- HB 1273 PN2002 (Petri R, Bucks) allow B&B's and Inns to provide a bottle of wine to guests as part of an upsale package.
- Reciprocal sales of PA beers, wines, spirits in PA producer outlets.

TALKING POINTS - DIRECT SHIPMENT (HB 189)

- Allows for consumers to directly ship wine to their homes.
- Reduces the 30 percent PLCB mark-up on special liquor orders (SLOs) to 10 percent.
- Allows licensees to directly ship wine from a wine manufacturer to their licensed establishment (and eliminates the LTMF for those who do).
- HB 189 PN 0181 passed the House 5/11/15 (192 1).
- Amended in Senate Law and Justice PN 1827
- Amended in Senate Appropriations PN 1851
- Passed Senate 31-18 on 6/24/15
- Referred to House Rules Committee and awaiting House Concurrence in Amendments.

TALKING POINTS - B&B WINE BILL (HB 1273 PN 2002)

- Pennsylvania is home to more than 110 wineries that attract more than a half million tourists to tasting rooms each year.
- It is estimated that 33 percent of these tourists are from out-of-state, and that at least 25 percent of them use overnight accommodations.
- HB 1273 amends the Pennsylvania Liquor Code, to allow bed and breakfast properties to provide one bottle of a PA Preferred alcoholic product to guests as part of the overnight room rate, regardless of whether the bed and breakfast has a liquor license.
- Language added that a license could be issued to a hotel management company
 - HB 1273 PN 2002 was voted out of the House Liquor Control Committee as amended.
 - In House Rules Committee 6/30/15

TALKING POINTS - RECIPROCAL SALES

- Production of brewed, fermented and distilled alcoholic beverages in Pennsylvania is on the increase, and most of these businesses are accessible to visitors.
- The Pennsylvania producers of alcoholic beverages would like to have the reciprocal capacity of selling each other's products in their outlets, which is currently prohibited under the PA Liquor Control Law.

ACTION STEPS

TBD

TOURISM FUNDING INTITIATIVES

SUMMARY

All types of funding sources for travel and tourism related entities are important to the success of marketing and promoting the Commonwealth.

PATT endorses the following initiatives:

- HB 170 (Ellis R, Butler) Pennsylvania Museum Preservation Act
- Support Heritage PA's request for \$3 million (FY 15-16) within DCNR budget and a future form of "Dedicated Funding" from DCNR.
- Re-establish competitive grants program for experienced-based marketing partnerships.
- Transportation funding.

POSITION

TALKING POINTS - HB 170 (PENNSYLVANIA MUSEUM PRESERVATION ACT)

- By one estimate, 13,000 staff persons are employed by Pennsylvania's museums and more than 25,000 Pennsylvania's businesses are involved in arts and culture related creative enterprises.
- In the last few years funding has been reduced for both state-owned and non-state-owned museums.
- HB 170 proposes \$9.5 million annually from a dedicated portion of the Pa Realty Transfer Tax (approximately 3.1% of RTT collections) separate from, and in addition to, the existing Keystone Recreation, Park and Conservation fund, to fund a museum grant program.
- Funds would be distributed by the PHMC to qualified Pennsylvania museums that commit to the American Alliance of Museums (AAM) Pledge of Excellence."
- Museums that meet the AAM definition of museum and with operating budgets of more than \$100,000 may apply for grants of up to 15% of their operating budget. AAM accredited museums will be eligible for an additional grant of up to 1% of their operating budget.
- These grants will not exceed \$500,000 each.
- The following are the types of museums that would be eligible to apply:
 - o Historic Houses/Sites Military and Maritime Museums

- o Botanic Gardens and Arboreta Children's Museums
- History Museums Historical Societies
- Natural History Museums Nature Centers
- Planetariums Science and Technology Centers
- General Museums with two or more equally significant disciplines

TALKING POINTS – Support Heritage PA's request for \$3 million (FY 15-16) within DCNR budget and a future form of "Dedicated Funding" from DCNR.

- Our state's heritage areas are the means to build and develop access and interpretation of historic and natural resources.
- \circ Each year they fight for an appropriation in the state budget.
- The Convention endorsed seeking a \$3million line item in the 2015 2016 budget for DCNR and pursing a dedicated funding stream from the Conservation and Natural Resource revenue in the future.

TALKING POINTS - Re-establish competitive grants program for experienced-based marketing partnerships

• These grants would provide an opportunity for many broad based travel and tourism organizations to apply for grants to support their marketing and promotion efforts.

TALKING POINTS - Transportation Funding

- As a drive to state, it is important to our industry to have a well-maintained road infrastructure.
- PATT supports continuing to work with the Governor's office and the legislature to ensure that transportation funding and infrastructure initiatives continue to be a priority.

ACTION STEPS

TBD

PENNSYLVANIA TOURISM PARTNERSHIP

SUMMARY

The Pennsylvania Tourism Partnership has been in existence since the fall of 2013. Its mission is a world class and inspirational brand for Pennsylvania tourism and to facilitate the direction, funding and execution of a research and databased marketing plan for the Pennsylvania tourism industry.

POSITION

Support the creation of a public – private partnership, to handle the day to day business of marketing Pennsylvania to attract tourists.

TALKING POINTS – Pennsylvania Tourism Partnership

- Day-to-day business of marketing Pennsylvania to attract tourists should be governed by a public-private partnership.
- All existing marketing assets deployed by the Pennsylvania Tourism Office within the Department of Community and Economic Development should be under the control of the public-private partnership, and the partnership should have the authority to select vendors and enter into contracts for the management and promotion of those assets.

- The PTP represents the value of a tourism effort that transcends the changes in leadership at the state level, both in funding and messaging. Successful marketing relies on consistency, continuity and momentum.
- The Steering Committee is comprised of business and industry leaders, representatives from key government agencies, and industry-related organizations from across the Commonwealth.
- This committee is tasked with directing the future efforts of the PTP including:
 - PTP organizational plan and governing bylaws
 - Brand and marketing communications plan for Pennsylvania tourism
 - Securing public and private funds
 - Rallying support for a public/private approach to tourism marketing
 - Serving as visible and vocal ambassadors for tourism and its vital role in Pennsylvania's economic development
- The goal of attracting tourists and visitor spending to Pennsylvania is worthy of investment of both taxpayer and private dollars.
 - Investments made by private industry into statewide marketing assets, such as VisitPA.com, the Pennsylvania Travel Planner, Pennsylvania on Display and other cooperative marketing partnerships placed in areas outside the state IS an investment in marketing Pennsylvania to attract tourists, and should be eligible for matching taxpayer funds.

ACTION STEPS

TBD

OTHER ISSUES

SUMMARY

PATT will continue to monitor other issues on the state and local level that are important to the travel and tourism industry. Other issues that were recommended from the Convention:

- The convention endorsed a continued exemption for amusement and museum tickets from state sales tax.
- The convention also recommends that the Commonwealth universally accept credit card payments for fees and taxes across all departments.

ADVOCACY TIMELINE

PATT Board Planning Retreat (June 24^{th}) – June 30^{th} – 2015

• The PATT Board adopted and approved PATT's Travel and Tourism Advocacy plan as presented by the Convention.

Coalition Building – July – December 2015

- Outreach to other associations affected by each issue.
- Consensus building among associations.
- Early outreach to key legislators as potential bill sponsors per proposed time line for each issue.
- Early outreach to key members of the administration on budget matters.

Administrative Meetings – December – February 2016

- Present initiatives to key people in the administration.
- Call on partner organizations to reach out to administration officials.
- Ask for specific line items that need to be included in the Governor's budget.
- Ask for endorsement of initiatives in the Governor's budget address.

Legislative Meetings – February – June 2016

- Present initiatives to legislative committees.
- Call on partner organizations to reach out to legislators.
- Ask for specific line items that need to be included in the Legislatures budgets.
- Ask for action on bills.

Proposed Advocacy Timeline for Specific Issues/Priorities/Education

Fall 2015 (September – December)

- Local Hotel Tax Reform HB 794 Final Passage.
- B&B Wine Bill HB 1273 Final Passage
- Completion of Tourism Funding/ROI Study by Tourism Economics.
- Education campaign to Legislature and Administration on importance of Dedicated Tourism Funding (using Tourism Economics Study).
- Education campaign on High Priority Occupation create HPO initiative within industry.
- Continued education campaign to Administration and Legislature on importance of Pennsylvania Tourism Partnership (PTP).
- Establishment of a statewide brand/logo and marketing communications plan for the Commonwealth to be advanced by the Pennsylvania Tourism Partnership and State Tourism Office.

January – June 2016

- Introduction of legislation for "dedicated tourism funding", with goal of being a part of the budget process in 2016. Dedicated funding bill passed.
- Support legislation addressing AirBNB issue on the state level.
- Education campaign to legislatures on Post Labor Day School Start.
- Education campaign to legislature on closing the online travel company loophole.
- Education campaign on High Priority Occupation create HPO initiative within industry.

- Work with Coalition on ACT 153 (Child Labor Reform) changes.
- Establishment of the Pennsylvania Tourism Partnership (PTP) as a standalone entity with defined roles and responsibilities.

<u>September – December 2016</u>

- Dedicated Tourism Funding bill passed.
- Education campaign to legislatures on Post Labor Day School Start.
- Education campaign to legislature on closing the online travel company loophole.
- Education campaign on High Priority Occupation create HPO initiative within industry.
- Work with Coalition on ACT 153 (Child Labor Reform) changes.
- Establishment of the Pennsylvania Tourism Partnership (PTP) as a standalone entity with defined roles and responsibilities.

January – June 2017

- Passage of Post Labor Day School start bill.
- Dedicated Tourism Funding bill passed and part of the 2017 legislative budget.

PATT Board Adopted Travel and Tourism Advocacy Plan - 6/24/15

Updated - 9/15/15