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## **INDIVIDUAL RIGHTS**

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
OPERATING COSTS												
POSITIONS	738.00	646.50	- 91.50	12	732.00	653.00	- 79.00	11	732.00	729.00	- 3.00	0
EXPENDITURES (\$1000's)	111,089	92,418	- 18,671	17	29,093	19,845	- 9,248	32	86,624	95,692	+ 9,068	10
TOTAL COSTS												
POSITIONS	738.00	646.50	- 91.50	12	732.00	653.00	- 79.00	11	732.00	729.00	- 3.00	0
EXPENDITURES (\$1000's)	111,089	92,418	- 18,671	17	29,093	19,845	- 9,248	32	86,624	95,692	+ 9,068	10
	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22							
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%				
PART II: MEASURES OF EFFECTIVENESS												
1. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES	92	80	- 12	13	93	93	+ 0	0				
2. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR	100	100	+ 0	0	100	100	+ 0	0				
3. % LEGAL ACTIONS RESOLVED IN FAVOR OF OCP	100	8	- 92	92	100	100	+ 0	0				

## VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

### **PROGRAM TITLE: INDIVIDUAL RIGHTS**

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**10**

#### **PART I - EXPENDITURES AND POSITIONS**

See Lowest Level Programs for explanation of variances.

#### **PART II - MEASURES OF EFFECTIVENESS**

See Lowest Level Programs for explanation of variances.

VARIANCE REPORT

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	531.00	467.00	- 64.00	12	532.00	475.00	- 57.00	11	532.00	529.00	- 3.00	1
<b>EXPENDITURES (\$1000's)</b>	90,068	74,033	- 16,035	18	24,327	15,448	- 8,879	36	70,290	79,005	+ 8,715	12
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	531.00	467.00	- 64.00	12	532.00	475.00	- 57.00	11	532.00	529.00	- 3.00	1
<b>EXPENDITURES (\$1000's)</b>	90,068	74,033	- 16,035	18	24,327	15,448	- 8,879	36	70,290	79,005	+ 8,715	12
	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22							
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES	92	80	- 12	13	93	93	+ 0	0				
2. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR	100	100	+ 0	0	100	100	+ 0	0				
3. % LEGAL ACTIONS RESOLVED IN FAVOR OF OCP	100	8	- 92	92	100	100	+ 0	0				

**VARIANCE REPORT NARRATIVE  
FY 2021 AND FY 2022**

**PROGRAM TITLE: PROTECTION OF THE CONSUMER**

**10 01**

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**PART I - EXPENDITURES AND POSITIONS**

See Lowest Level Programs for explanation of variances.

**PART II - MEASURES OF EFFECTIVENESS**

See Lowest Level Programs for explanation of variances.

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
OPERATING COSTS												
POSITIONS	308.00	273.00	- 35.00	11	307.00	280.00	- 27.00	9	307.00	307.00	+ 0.00	0
EXPENDITURES (\$1000's)	62,088	50,378	- 11,710	19	16,861	9,609	- 7,252	43	44,052	51,303	+ 7,251	16
TOTAL COSTS												
POSITIONS	308.00	273.00	- 35.00	11	307.00	280.00	- 27.00	9	307.00	307.00	+ 0.00	0
EXPENDITURES (\$1000's)	62,088	50,378	- 11,710	19	16,861	9,609	- 7,252	43	44,052	51,303	+ 7,251	16
	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22							
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%				
PART II: MEASURES OF EFFECTIVENESS												
1. % LIC RENWLS REVIEW/PROC TIMELY, PURS TO STDS	94	97	+ 3	3	94	94	+ 0	0				
2. % LICENSEES RENEWED WITHIN 10-12 BUSINESS DAYS	97	70	- 27	28	97	97	+ 0	0				
3. % OF COMPLAINTS RESOLVED WITHIN 90 DAYS	90	75	- 15	17	90	90	+ 0	0				
4. %COMPL BY CABLE TV COM SYS W/STATE & REG RPTG REQS	99	99	+ 0	0	99	99	+ 0	0				
5. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR	100	100	+ 0	0	100	100	+ 0	0				
6. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES	92	80	- 12	13	93	93	+ 0	0				

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

**PROGRAM TITLE: REGULATION OF SERVICES**

**10 01 03**

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**PART I - EXPENDITURES AND POSITIONS**

See Lowest Level Programs for explanation of variances.

**PART II - MEASURES OF EFFECTIVENESS**

See Lowest Level Programs for explanation of variances.

PROGRAM TITLE: CABLE TELEVISION

PROGRAM-ID: CCA-102

PROGRAM STRUCTURE NO: 10010301

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
OPERATING COSTS												
POSITIONS	8.00	7.00	- 1.00	13	7.00	6.00	- 1.00	14	7.00	7.00	+ 0.00	0
EXPENDITURES (\$1000's)	2,650	1,318	- 1,332	50	642	559	- 83	13	1,925	2,008	+ 83	4
TOTAL COSTS												
POSITIONS	8.00	7.00	- 1.00	13	7.00	6.00	- 1.00	14	7.00	7.00	+ 0.00	0
EXPENDITURES (\$1000's)	2,650	1,318	- 1,332	50	642	559	- 83	13	1,925	2,008	+ 83	4

	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>								
1. % HOMES WHERE CABLE TV SERVICE AVAILABLE IN STATE	99	99	+ 0	0	99	99	+ 0	0
2. %COMPL BY CABLE TV COM SYS W/STATE & REG RPTG REQS	99	99	+ 0	0	99	99	+ 0	0
3. % COMPLAINTS ADDRESSED WITHIN 30 DAYS	99	99	+ 0	0	99	99	+ 0	0
4. % BROADBAND PROJECTS/ACTIVITIES COMPLETED	99	99	+ 0	0	99	99	+ 0	0

<b>PART III: PROGRAM TARGET GROUP</b>								
1. HAWAII HOUSEHOLDS (000)	545	561	+ 16	3	545	561	+ 16	3
2. HAWAII BUSINESSES (000)	36	36	+ 0	0	36	36	+ 0	0
3. CABLE TELEVISION SUBSCRIBERS (000)	375	353	- 22	6	375	345	- 30	8
4. CABLE TELEVISION COMPANIES	2	2	+ 0	0	2	2	+ 0	0
5. PEG ACCESS ORGANIZATIONS	4	4	+ 0	0	4	4	+ 0	0
6. BROADBAND SUBSCRIBERS (000)	393	393	+ 0	0	393	393	+ 0	0

<b>PART IV: PROGRAM ACTIVITY</b>								
1. # POL & STDS PROCEEDINGS FOR CABLE COM SVCS (CCS)	4	4	+ 0	0	4	4	+ 0	0
2. # OF NEW CATV APPLICATIONS REVIEWED BY CATV	1	1	+ 0	0	1	1	+ 0	0
3. # INSP, INVSTGN, COMPL REVIEWS BEGUN/ENDED BY CATV	6	6	+ 0	0	6	6	+ 0	0
4. # TESTMNS REL TO CABLE COM TO LEG, CONG, GOVT AGEN	10	10	+ 0	0	10	10	+ 0	0
5. # MTGS ON DEV, CONST, USE OF FACIL REL TO CCS	4	4	+ 0	0	4	4	+ 0	0
6. # OF COMPLAINTS AND INQUIRIES RECEIVED	270	248	- 22	8	260	260	+ 0	0
7. # RATE FILINGS RECEIVED AND EXAMINED BY CATV	1	0	- 1	100	0	0	+ 0	0
8. # OF INET PROJ REQUESTS RECEIVED/PROCESSED	65	60	- 5	8	60	60	+ 0	0
9. # OF PEG ACCESS RELATED ACTIVITIES	275	220	- 55	20	270	243	- 27	10
10. # OF BROADBAND RELATED ACTIVITIES	145	127	- 18	12	145	145	+ 0	0

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 03 01  
CCA 102

## **PROGRAM TITLE: CABLE TELEVISION**

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### **PART I - EXPENDITURES AND POSITIONS**

The variances in the Division's positions and expenditures for FY 21 and FY 22 are due to the loss of positions (from eight to seven) via the budget act, loss of a staff member on August 31, 2021 (expected to be filled on or about November 15, 2021), and due to fewer than expected expenses that were incurred by the Division due to the delay in implementing certain program projects (including the rollout of the Hi-WiFi Project throughout the State). The variances in the same magnitude are not expected in the future.

and Tourism in the broadband arena (i.e., Broadband Hui and Broadband Office).

### **PART II - MEASURES OF EFFECTIVENESS**

No significant variance.

### **PART III - PROGRAM TARGET GROUPS**

No significant variance.

### **PART IV - PROGRAM ACTIVITIES**

Item 7: The variance for FY 21 and FY 22 reflects the decision by the Federal Communications Commission (FCC) during FY 20 declaring that effective competition exists in all communities due to services provided by DirectvNow (now known as AT&T TV). Under federal law, local franchising authorities (LFAs) only had regulatory rate review of the basic service tier. Currently, due to the new FCC decision, the Division (the State's LFA) no longer has any authority over cable service rates. Thus, no rate filings were filed in FY 21 nor are any expected to be filed in FY 22 and in any future fiscal years.

Item 9: The variance for FY 21 and FY 22 reflects streaming efforts and communication with public, educational, and governmental (PEG) access organizations, whereby fewer PEG access related activities were needed and recorded in FY 21 and expected in FY 22.

Item 10: The variance for FY 21 is due to the COVID-19 pandemic and the growing role of the Department of Business, Economic Development

PROGRAM TITLE:

CONSUMER ADVOCATE FOR COMM, UTIL & TRAN SVC

11/29/21

PROGRAM-ID:

CCA-103

PROGRAM STRUCTURE NO:

10010302

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	25.00	22.00	- 3.00	12	25.00	20.00	- 5.00	20	25.00	25.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	4,494	2,939	- 1,555	35	1,151	905	- 246	21	3,453	3,699	+ 246	7
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	25.00	22.00	- 3.00	12	25.00	20.00	- 5.00	20	25.00	25.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	4,494	2,939	- 1,555	35	1,151	905	- 246	21	3,453	3,699	+ 246	7

	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>								
1. AVG % PUC DECSNS ACPT AGRMNT ENTRD BY CA W/RU	75	90	+ 15	20	75	75	+ 0	0
2. CONS SAVINGS DUE TO PARTIC IN UTIL PROC (000'S)	15000	77669	+ 62669	418	15000	15000	+ 0	0
3. CONS SAV DUE TO PARTIC IN WATER CARR PROC (000'S)	0	0	+ 0	0	1000	0	- 1000	100
4. % PROCEDURAL DEADLINES MET	100	100	+ 0	0	100	100	+ 0	0
5. # OF PEOPLE REACHED THRU EVENTS/DIST PUBLICATIONS	4500	426	- 4074	91	4500	1000	- 3500	78
6. % OF COMPLAINTS RESPONDED TO WITHIN 24 HOURS	85	100	+ 15	18	85	90	+ 5	6
7. % OF ALT ENERGY SOURCES USED BY ELECTRIC UTILITIES	32	36	+ 4	13	34	38	+ 4	12

<b>PART III: PROGRAM TARGET GROUP</b>								
1. DE FACTO POPULATION IN HAWAII (000'S)	1626	1596	- 30	2	1626	1596	- 30	2
2. # OF RESIDENTIAL ELECTRICAL METERS (000'S)	437	442	+ 5	1	437	440	+ 3	1
3. # OF NON-RESIDENTIAL USERS (000'S)	65	63	- 2	3	65	64	- 1	2
4. # OF ELECTRIC PUBLIC UTILITIES REGULATED BY PUC	4	4	+ 0	0	4	4	+ 0	0
5. # OF SUPPLIERS OF ELEC ENERGY TO ELEC PUB UTILS	41	47	+ 6	15	43	50	+ 7	16
6. # TELECOM COMMON CAR (FED & ST LIC) OPER IN HI	205	223	+ 18	9	210	220	+ 10	5
7. # PIPD GAS, WATR, WAST WATR PUB UTIL REG BY PUC	43	44	+ 1	2	43	43	+ 0	0
8. #PROP MOTOR CARRIERS HLDG CERT PUBLIC CONV & NESSTY	550	572	+ 22	4	550	560	+ 10	2
9. # PASS CARRIERS HLDG CERT PUBLIC CONV & NESSTY	1045	1017	- 28	3	1050	1020	- 30	3
10. # WATER CARRIERS REGULATED BY PUC	2	2	+ 0	0	2	2	+ 0	0

<b>PART IV: PROGRAM ACTIVITY</b>								
1. # OF UTILITY GENERAL RATE APPL REVIEWED BY DIV	7	8	+ 1	14	7	7	+ 0	0
2. #OF GEN TARIFF CHGS FILED BY MOTOR CARR REV BY DIV	0	0	+ 0	0	0	0	+ 0	0
3. # OF NON-RATE APPL BY UTIL COMP REV BY DIV	80	104	+ 24	30	80	85	+ 5	6
4. #OF INVST FOR QUAL SVC/OPER INTEG PARTIC IN BY DIV	2	0	- 2	100	2	2	+ 0	0
5. # RULE-MKG PROC/GENERIC DCKTS PARTIC IN BY DIV	10	12	+ 2	20	10	10	+ 0	0
6. # OF EDUCATION/OUTREACH EVENTS ATTENDED	8	0	- 8	100	8	5	- 3	38
7. # OF NEWSLETTERS/PUBLICATIONS CREATED	4	6	+ 2	50	4	6	+ 2	50

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 03 02  
CCA 103

## **PROGRAM TITLE: CONSUMER ADVOCATE FOR COMM, UTIL & TRAN SVC**

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### **PART I - EXPENDITURES AND POSITIONS**

The variance in the number of positions in FY 21 reflects the Division's challenges in finding qualified, interested candidates at the current levels of pay. The variance in expenditures is primarily due to personnel vacancies, deferral of certain cases, certain anticipated projects being delayed beyond FY 21, and efforts to restrict expenditures due to fiscal uncertainty during the ongoing COVID-19 pandemic.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 1: Whether the Public Utilities Commission (PUC) adopts Division recommendations is subject to many factors and subject to variances.

Items 2 and 3: The variances reflect forecasting uncertainties such as if and when a company will file an application and when and how the PUC will rule on that application. The savings are also affected by the size of the utility companies that are seeking rate changes, as well as the timing of the PUC's decisions and orders. The majority of the savings in FY 21 is due to the Division's successful efforts to have Hawaiian Electric Companies' \$77.6 million requested increase withdrawn. Future estimated savings may be lower due to the elimination of triennial rate increase applications for Hawaiian Electric Companies and the anticipated adoption of a performance based regulatory framework.

Item 5: The anticipated number of people reached through outreach events in FY 21 was low due to the information specialist position being vacant for the majority of FY 21. In addition, the ongoing COVID-19 pandemic has limited the number of available outreach events.

Item 6: Since the information specialist position was vacant, a slower response rate to complaints was anticipated but other staff helped out until the position was filled.

Item 7: Successful request for proposal (RFP) efforts by the utilities and efforts to encourage additional distributed energy resources (DER) helped to achieve a higher renewable portfolio compliance than originally

expected.

### **PART III - PROGRAM TARGET GROUPS**

Item 5: Successful RFP efforts resulted in a higher than expected number of suppliers. Due to COVID-19 and other factors, however, worldwide supply chain constraints are resulting in delays that may affect ongoing projects.

### **PART IV - PROGRAM ACTIVITIES**

Items 1, 3, 4, and 5: The variance reflects the forecasting uncertainties associated with when utility companies file applications or when the PUC might open generic dockets. The Division has decided not to review any of the tariffs filed by motor carriers in order to better reallocate its resources towards other matters. Even though the number of applications was higher, the Division participated in a manageable volume of cases and optimized the allocation of limited Division resources towards maximizing the contribution to the regulatory process. Due to the State's renewable and energy efficiency portfolio standards, there were proceedings that dealt with increasing the amount of renewable generation and energy efficiency measures. As expected due to the ongoing impacts of the COVID-19 pandemic, more rate increase applications were filed and are anticipated in the next few years, especially from the smaller water and wastewater utility companies.

Items 6 and 7: Due to the ongoing COVID-19 pandemic, the number of outreach events normally attended was zero. In addition, the Division's information specialist position was vacant for most of FY 21. However, once the position was filled, the Division began reviewing how to change its outreach plans and focus on more online communication and social media. Outreach should increase because the Division has implemented various measures to help customers, including distributing information on how to cope with the ongoing COVID-19 pandemic and on how to access available aid. The Division is also exploring possible virtual events to further expand outreach.

PROGRAM TITLE:

FINANCIAL SERVICES REGULATION

11/29/21

PROGRAM-ID:

CCA-104

PROGRAM STRUCTURE NO:

10010303

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	40.00	38.00	- 2.00	5	40.00	39.00	- 1.00	3	40.00	40.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	5,476	4,658	- 818	15	1,574	1,087	- 487	31	4,064	4,551	+ 487	12
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	40.00	38.00	- 2.00	5	40.00	39.00	- 1.00	3	40.00	40.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	5,476	4,658	- 818	15	1,574	1,087	- 487	31	4,064	4,551	+ 487	12
	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22							
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES	92	80	- 12	13	93	93	+ 0	0				
2. %COMPL FI,ED,MT,MS,MLO APP PROC TMLY & PRS TO STAT	94	96	+ 2	2	94	94	+ 0	0				
3. % WRITTEN INQS REVIEWED/PROCESSED W/IN 30 DAYS	60	74	+ 14	23	60	60	+ 0	0				
4. % LIC RENWLS REVIEW/PROC TIMELY, PURS TO STDS	94	97	+ 3	3	94	94	+ 0	0				
5. % AUDITED FINANCIAL STATEMTS REVIEWED PRS TO STAT	93	94	+ 1	1	93	93	+ 0	0				
<b>PART III: PROGRAM TARGET GROUP</b>												
1. DE FACTO POPULATION IN HAWAII (000)	1626	1596	- 30	2	1626	1596	- 30	2				
2. FI,ED,MT,MS,MLO,MLOC BRNCHS & OTHER OFCS REGULATED	5300	6419	+ 1119	21	5300	6419	+ 1119	21				
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # FIN INST BRANCHES & OTHER OFFICES EXAMINED	238	202	- 36	15	238	206	- 32	13				
2. # OF APP OF FIN INST,ED,MT,MS,MLO,MLOC REVIEWED	720	2915	+ 2195	305	720	1500	+ 780	108				
3. # OF INQUIRIES RECEIVED	9500	3827	- 5673	60	9500	3800	- 5700	60				
4. # OF LICENSES RENEWED	3617	3613	- 4	0	3617	3600	- 17	0				
5. # AUDITED FIN STATEMENTS RECEIVED FOR REVIEW	75	85	+ 10	13	75	85	+ 10	13				
6. # OF WRITTEN COMPLAINTS RECEIVED	75	146	+ 71	95	75	146	+ 71	95				
7. # OF ED, MT, BRANCHES & AUTH LOCATIONS EXAMINED	20	19	- 1	5	40	49	+ 9	23				
8. # OF MORG SERVICERS & MORG LOAN ORGNTR CO EXAMINED	53	50	- 3	6	53	41	- 12	23				
9. # OF INVESTIGATIONS INITIATED	60	19	- 41	68	60	20	- 40	67				

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 03 03  
CCA 104

## **PROGRAM TITLE: FINANCIAL SERVICES REGULATION**

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### **PART I - EXPENDITURES AND POSITIONS**

In FYs 21 and 22, there were/are no significant variances in positions. Expenditures were significantly under budget in FY 21 due to two vacant examiner positions, MicroPact expenses were waived, in part, due to delivery issues, and because the COVID-19 pandemic curtailed training and related travel expenses. Expenditures are projected to exceed the budget in FYs 21 and 22 due to an increase in fringe benefits, full staffing for much of the year, and an expectation that training and related travel expenses may normalize. The Division of Financial Institutions (DFI) is requesting three new positions for new license programs enacted by the Legislature in FY 21.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 1: The FY 21 variance of 13% was due to exams being postponed due to COVID-19.

Item 3: The FY 21 improvement in response time was due to an increasing number of routine inquiries via the Nationwide Multistate Licensing System (NMLS), resulting in a quick turnaround time by the Licensing staff. The improvement was also due to staff's increasing familiarity with programs and questions and by the ability to refer to the "Frequently Asked Questions (FAQs)" on DFI's website.

### **PART III - PROGRAM TARGET GROUPS**

Item 2: The FYs 21 and 22 variances are due to the home mortgage market boom as a result of the COVID-19 pandemic, in addition to the ability to work from home. That, coupled with a low interest rate environment, has led to an unprecedented number of new mortgage loan originator (MLO) license applications.

### **PART IV - PROGRAM ACTIVITIES**

Item 1: The FY 21 variance of 15% was due to the closure of 17 bank branches. The FY 22 variance of 13% is due to the aforementioned bank branch closures and loss of a State chartered bank and its two branches.

In FY 22, we are anticipating another merger of bank/branches.

Item 2: The substantial variances for both FY 21 and FY 22 are for the extraordinary number of new MLO license requests (see Part III, Item 2).

Item 3: FY 21 and FY 22 variances are due to a decrease in telephone calls, which appears to be related to the COVID-19 pandemic and resultant enhanced electronic means of communications with agencies. The budgeted number should be reduced to 3,900 (requested in previous reports).

Item 5: As requested last year, the budgeted number should be changed to 85. The number of audited financial statements was/is 85.

Item 6: Complaints have been and continue to arise primarily from the mortgage industry and more specifically from mortgage servicing. The COVID-19 pandemic and its economic impact have given rise to a significant increase in mortgage industry-related complaints. The budgeted number should be changed to 146.

Items 7 and 8: The FY 22 variance of 23% is due to the scheduling of three additional Escrow Depository (ED) exams due to the COVID-19 pandemic and companies working from home.

Item 9: The variances for both FYs 21 and 22 are due to a decrease in mortgage call reports (MCR) violations. The budgeted number should be changed to 22.

# VARIANCE REPORT

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	71.00	64.00	- 7.00	10	71.00	65.00	- 6.00	8	71.00	71.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	10,697	8,584	- 2,113	20	4,728	1,877	- 2,851	60	6,243	9,094	+ 2,851	46
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	71.00	64.00	- 7.00	10	71.00	65.00	- 6.00	8	71.00	71.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	10,697	8,584	- 2,113	20	4,728	1,877	- 2,851	60	6,243	9,094	+ 2,851	46
	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22							
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % NEW LICENSES ISSUED WITHIN 10-12 BUSINESS DAYS	95	30	- 65	68	95	95	+ 0	0				
2. % LICENSEES RENEWED WITHIN 10-12 BUSINESS DAYS	97	70	- 27	28	97	97	+ 0	0				
3. % PVL-PROPOSED LEGISLATIVE MEASURES ENACTED	90	50	- 40	44	90	90	+ 0	0				
<b>PART III: PROGRAM TARGET GROUP</b>												
1. DE FACTO POPULATION IN HAWAII (000)	1626	1596	- 30	2	1626	1596	- 30	2				
2. PERS/BUS LIC BY PVL (ALL STATUSES)	490000	490120	+ 120	0	510000	505000	- 5000	1				
3. PERS/BUS LICENSED BY PVL (CURR AND ACT)	160000	154862	- 5138	3	160000	162000	+ 2000	1				
4. REG BOARDS, COMMISSIONS, PROG ASSIGNED TO PVL	51	52	+ 1	2	51	52	+ 1	2				
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # OF PROF & VOC APPLICATIONS RECEIVED	20000	25211	+ 5211	26	20000	26000	+ 6000	30				
2. # OF EXAMINEES & REEXAMINEES	11070	7700	- 3370	30	11070	9000	- 2070	19				
3. # OF APPLICANTS LICENSED	15000	13576	- 1424	9	15000	16000	+ 1000	7				
4. # OF PERMITS ISSUED	1200	1313	+ 113	9	1200	1300	+ 100	8				
5. # OF LICENSES RENEWED	74804	73045	- 1759	2	74804	70302	- 4502	6				
6. # OF UPDATE TRANSACTIONS FOR LICENSES	230000	191649	- 38351	17	230000	220000	- 10000	4				
7. # CONDO REQUESTS, APPLS, REPORTS & EDUC OFFERINGS	36000	103856	+ 67856	188	36000	105000	+ 69000	192				
8. # OF REAL ESTATE REQUESTS AND EDUC OFFERINGS	125000	232634	+ 107634	86	125000	235000	+ 110000	88				
9. # OF TIME SHARE/SUBDIVISION FILINGS RECEIVED	0	241	+ 241	0	0	140	+ 140	0				
10. # OF NEW/REVISED HI ADMIN RULES PROMULGATED	3	0	- 3	100	3	3	+ 0	0				

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 03 04  
CCA 105

## **PROGRAM TITLE: PROFESSIONAL & VOCATIONAL LICENSING**

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### **PART I - EXPENDITURES AND POSITIONS**

Positions: The variance is a result of position vacancies pending recruitment and the filling of positions.

Expenditures: The variances are generally attributed to position vacancies and lower than projected recovery claims. Recovery claims (Contractor or Real Estate) are contingent upon the number of claims filed and the nature of the claims.

### **PART II - MEASURES OF EFFECTIVENESS**

Items 1 and 2: The variance is due to the COVID-19 pandemic, which has adversely impacted the Professional and Vocational Licensing's (PVL) normal operations and processing timelines as PVL continues to provide services, while trying to keep their employees and the general public safe.

Item 3: The variance is due to only three legislative proposals being enacted out of a total of eight submitted by PVL. PVL does not control how many of its legislative proposals are passed by the Legislature.

### **PART III - PROGRAM TARGET GROUPS**

No significant variances.

### **PART IV - PROGRAM ACTIVITIES**

Item 1: The variance is due to the increase in applications received in health care professions, construction/trade professions and real estate.

Item 2: The variance decrease is due to a reduction in exam sites capacity due to the COVID-19 pandemic, resulting in the lower number of examinees.

Item 6: The variance decrease is due to fewer requests for license records updates due to the COVID-19 pandemic.

Item 7: Due to COVID-19 and the resulting health and safety protocols, the variance is due to a significant shift in the electronic delivery of services, resulting in an increase in the number of telephone, written, and email inquiries. Further related to the pandemic, inquiries increased for topics such as condo development, virtual association meetings, and the repeal of Chapter 514A, HRS, Condominium Property Regimes.

Item 8: Due to COVID-19 and the resulting health and safety protocols, the variance is due to a significant shift in the electronic delivery of services resulting in an increase in the number of telephone, written, and email inquiries. A slowdown was anticipated from the COVID-19 pandemic; however, the opposite occurred and instead there was a spike in electronic inquiries.

Item 9: The variance is due to a higher than anticipated planned filings recorded in the midst of the COVID-19 pandemic.

Item 10. The variance is due to ongoing revisions and/or disagreements by parties, which has not resulted in the completion and promulgation of rules. These challenges were also exacerbated by the COVID-19 pandemic.

VARIANCE REPORT

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	95.00	81.00	- 14.00	15	95.00	83.00	- 12.00	13	95.00	95.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	19,814	15,053	- 4,761	24	4,468	2,610	- 1,858	42	15,441	17,298	+ 1,857	12
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	95.00	81.00	- 14.00	15	95.00	83.00	- 12.00	13	95.00	95.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	19,814	15,053	- 4,761	24	4,468	2,610	- 1,858	42	15,441	17,298	+ 1,857	12

	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>								
1. % OF COMPLAINTS RESOLVED WITHIN 90 DAYS	90	75	- 15	17	90	90	+ 0	0
2. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR	100	100	+ 0	0	100	100	+ 0	0
3. % CAPTIVE INSUR EXAM WKLD CMP W/IN 3 OR 5 YR REQUI	100	80	- 20	20	100	80	- 20	20
4. % RATE/POL FILINGS REVIEWED W/IN STAT TIME REQMTS	95	95	+ 0	0	95	95	+ 0	0
5. % OF INSURANCE FRAUD CASES INDICTED BY THE STATE	100	100	+ 0	0	100	100	+ 0	0
6. % CHANGE FROM PRIOR YEAR IN # OF CAPTIVE LICENSEES	4.0	3.7	- 0.3	8	4.0	4.0	+ 0	0
7. % SCREENING APPLICANTS ASSIGNED CLAIMS PRG	90	83	- 7	8	90	90	+ 0	0

<b>PART III: PROGRAM TARGET GROUP</b>								
1. DE FACTO POPULATION IN HAWAII (000)	1626	1596	- 30	2	1626	1596	- 30	2
2. INSURER LICENSEES REGULATED BY INSURANCE DIV	1390	1383	- 7	1	1405	1383	- 22	2
3. CAPTIVE LICENSEES REGULATED BY INSURANCE DIVISION	255	248	- 7	3	265	258	- 7	3
4. OTHER LICENSEES REGULATED BY INSURANCE DIVISION	82000	93238	+ 11238	14	84000	98000	+ 14000	17
5. MOTOR VEHICLES SUBJECT TO INS REGULATIONS (000)	1075	1073	- 2	0	1100	1100	+ 0	0

<b>PART IV: PROGRAM ACTIVITY</b>								
1. # OF LICENSE APPL, RENEWALS & UPDATES PROCESSED	190000	179178	- 10822	6	200000	195011	- 4989	2
2. # OF COMPLAINTS	600	547	- 53	9	600	570	- 30	5
3. # FRAUD REFER & COMPLAINTS OPEN FOR INVESTIGATIONS	85	81	- 4	5	85	82	- 3	4
4. # INFORM BRFNCS & CAPTIVE DEV ACTIVITIES DURING YR	35	38	+ 3	9	35	38	+ 3	9
5. # OF ANNUAL COMPANY FILINGS PROCESSED	2525	2585	+ 60	2	2550	2621	+ 71	3
6. # INSUR & CAPTIVES APPL FOR CERT OF AUTH REVIEWED	40	38	- 2	5	40	40	+ 0	0
7. # OF EXAMS OF DOMESTIC INS & INS-TYPE ENTITIES	50	32	- 18	36	50	45	- 5	10
8. # INSURER & ISSUER RATE & POLICY FILINGS ANALYZED	4000	3810	- 190	5	4000	3910	- 90	2
9. # OF PREMIUM TAX STATEMENTS FILED	9500	9029	- 471	5	9500	9101	- 399	4
10. # OF INSURER REPORTS ANALYZED CAPTIVES & RISK RTNT	305	402	+ 97	32	315	400	+ 85	27

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 03 06  
CCA 106

## **PROGRAM TITLE: INSURANCE REGULATORY SERVICES**

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### **PART I - EXPENDITURES AND POSITIONS**

Position Count and Expenditures: The variance is a result of position vacancies pending recruitment and filling or recruitment difficulties.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 1: The decrease in the percentage of complaints resolved within 90 days is attributable to handling this work remotely. We have updated our processes throughout the year and are currently working to create a portal for carriers to submit responses to and to minimize bottlenecks in remote complaint handling. We are also working with some branch members to improve their skills to better utilize our remote handling resources and tools.

Item 3: The decrease in the percentage of Captive exams completed within requirements was a result of two experienced examiners retiring in FY 21. Additionally, the Captive Branch devoted resources to an information technology modernization project and an accreditation review from the National Association of Insurance Commissioners.

### **PART III - PROGRAM TARGET GROUPS**

Item 4: There was a substantial increase in the number of new non-resident producer licenses issued in FY 21.

### **PART IV - PROGRAM ACTIVITIES**

Item 7: The decrease in the number of exams performed was primarily due to the retirement of two experienced examiners in FY 21, which will also continue to impact FY 22.

Item 10: There were additional filing requirements for risk retention groups that account for the increased review of reports.

PROGRAM TITLE:

POST-SECONDARY EDUCATION AUTHORIZATION

11/29/21

PROGRAM-ID:

CCA-107

PROGRAM STRUCTURE NO:

10010307

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22						
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%			
<b>PART I: EXPENDITURES &amp; POSITIONS</b>															
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>															
<b>POSITIONS</b>															
<b>EXPENDITURES (\$1,000's)</b>															
<b>OPERATING COSTS</b>															
<b>POSITIONS</b>	2.00	1.00	-	1.00	50	2.00	2.00	+	0.00	0	2.00	2.00	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	298	132	-	166	56	68	30	-	38	56	238	276	+	38	16
<b>TOTAL COSTS</b>															
<b>POSITIONS</b>	2.00	1.00	-	1.00	50	2.00	2.00	+	0.00	0	2.00	2.00	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	298	132	-	166	56	68	30	-	38	56	238	276	+	38	16
	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22										
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%							
<b>PART II: MEASURES OF EFFECTIVENESS</b>															
1. % OF WRITTEN INQUIRIES ADDRESSED WITHIN 30 DAYS	85	90	+	5	6	85	85	+	0	0					
2. % OF COMPLETED APPLICATIONS REVIEWED WITHIN 60 DAYS	80	85	+	5	6	80	80	+	0	0					
3. % OF COMPLAINTS ADDRESSED WITHIN 90 DAYS	75	75	+	0	0	75	75	+	0	0					
<b>PART III: PROGRAM TARGET GROUP</b>															
1. # OF ACCRTD DGR GRNTING POST-SEC ED INSTS RGLTD	28	26	-	2	7	28	26	-	2	7					
<b>PART IV: PROGRAM ACTIVITY</b>															
1. # WRTN INQ RECVD CONCERN LAW'S REQ FOR AUTHORIZTN	120	110	-	10	8	120	110	-	10	8					
2. # OF APPLICATIONS RECEIVED AND REVIEWED	5	5	+	0	0	21	21	+	0	0					
3. NUMBER OF AUTHORIZATIONS OR REAUTHORIZATIONS	5	5	+	0	0	21	21	+	0	0					
4. NUMBER OF COMPLAINTS RECEIVED	3	0	-	3	100	3	2	-	1	33					

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 03 07  
CCA 107

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**PROGRAM TITLE: POST-SECONDARY EDUCATION AUTHORIZATION**

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**PART I - EXPENDITURES AND POSITIONS**

For FY 21, the Hawaii Post-secondary Education Authorization Program (HPEAP) has been and will be operating without a Program Specialist as that staff member was promoted to another position in the department. This has resulted in the decrease in positions and expenditures.

The FY 22 expenditure variances are due to lower than anticipated other current expenses for the first quarter.

**PART II - MEASURES OF EFFECTIVENESS**

No significant variance.

**PART III - PROGRAM TARGET GROUPS**

No significant variance.

**PART IV - PROGRAM ACTIVITIES**

Item 4: While HPEAP answers a multitude of written and phone inquiries, it is difficult to predict the number of official complaints that may be filed. This is the reason for the variance in the planned and actual number of complaints.

PROGRAM TITLE:

PUBLIC UTILITIES COMMISSION

11/29/21

PROGRAM-ID:

CCA-901

PROGRAM STRUCTURE NO:

10010308

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	67.00	60.00	- 7.00	10	67.00	65.00	- 2.00	3	67.00	67.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	18,659	17,694	- 965	5	4,230	2,541	- 1,689	40	12,688	14,377	+ 1,689	13
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	67.00	60.00	- 7.00	10	67.00	65.00	- 2.00	3	67.00	67.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	18,659	17,694	- 965	5	4,230	2,541	- 1,689	40	12,688	14,377	+ 1,689	13
	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22							
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % RATE CASES COMPLTD W/IN APPLIC STATUTORY TIME PD	100	100	+ 0	0	100	100	+ 0	0				
2. % NON-RATE MATTERS COMPLTD W/IN APPLC STATU/REG PD	100	100	+ 0	0	100	100	+ 0	0				
3. % INFORMAL COMPLAINTS RESOLVED IN REASONABLE TIME	85	80	- 5	6	85	85	+ 0	0				
4. NO. REPORTED ACCIDENTS INVOLVING UTILITY EMPLOYEES	90	59	- 31	34	90	75	- 15	17				
5. AV NO. ELECTRIC SVC INTERRPTNS PER CUSTOMER SVCD	2	1.50	- 0.5	25	2	2	+ 0	0				
6. NO. TELECOMM SVC DISRUPTNS LONGER THAN 1 HR	2	0	- 2	100	2	2	+ 0	0				
<b>PART III: PROGRAM TARGET GROUP</b>												
1. ELECTRIC AND GAS COMPANIES	5	5	+ 0	0	5	5	+ 0	0				
2. PROPERTY CARRIERS	526	572	+ 46	9	526	575	+ 49	9				
3. PASSENGER CARRIERS	943	1017	+ 74	8	943	1030	+ 87	9				
4. WATER COMMON CARRIERS	2	2	+ 0	0	2	2	+ 0	0				
5. PRIVATE WATER AND WASTEWATER UTILITY COMPANIES	39	39	+ 0	0	39	39	+ 0	0				
6. TELECOMMUNICATIONS COMPANIES	185	185	+ 0	0	185	193	+ 8	4				
7. OPERATORS OF SUBSURFACE INSTALLATIONS	47	51	+ 4	9	47	50	+ 3	6				
<b>PART IV: PROGRAM ACTIVITY</b>												
1. NUMBER OF APPLICATIONS FILED	435	218	- 217	50	435	400	- 35	8				
2. NO. DECISIONS/ORDERS & ORDERS ISSUED DOCKETD MATTR	870	622	- 248	29	870	800	- 70	8				
3. NO. PUBLIC HEARINGS AND CONTESTED CASE HEARINGS	20	4	- 16	80	20	20	+ 0	0				
4. NUMBER OF CITATIONS ISSUED	30	12	- 18	60	30	120	+ 90	300				
5. NUMBER OF INFORMAL COMPLAINTS FILED	90	100	+ 10	11	90	100	+ 10	11				

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 03 08  
CCA 901

## **PROGRAM TITLE: PUBLIC UTILITIES COMMISSION**

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### **PART I - EXPENDITURES AND POSITIONS**

FY 21 Positions: There were seven (7) vacancies at the end of FY 21 as a result of the pending reorganization of two (2) positions, a new Fiscal reorganization, the separation of two (2) employees, and recruitment challenges.

FY 22 Q1 Expenditures: The first quarter expenditures did not meet the budgeted estimate. The Public Utilities Commission (PUC) plans on increasing its efforts and expenditures should equalize throughout the remaining quarters of FY 22.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 4: The variance in reportable utility accidents is attributable to a decrease in reportable accidents across all utilities.

Item 5: The variance in the average number of electric service disruptions longer than one (1) hour is mainly attributable to the Kauai Island Utility Co-op reporting a significant decrease in their System Average Interruption Frequency Index (SAIFI) metric of 1.34 in the current year, down from 7.00 reported last year, which is a marked improvement of 81% over the prior year.

Item 6: The variance in the number of telecom service disruptions longer than one (1) hour was a result of the Incumbent Local Exchange Carrier (ILEC) reporting no outages in FY 21.

### **PART III - PROGRAM TARGET GROUPS**

No significant variances.

### **PART IV - PROGRAM ACTIVITIES**

Item 1: The variance in the number of applications filed is mainly attributable to the PUC postponing the Order to Show Cause (OSC) proceedings in which regulated motor carriers and utilities that fail to make mandatory filings and/or pay requisite public utility or motor carrier

fees are ordered to appear and show cause why their certificate or permit should not be suspended or revoked. The PUC plans to resume the OSC proceedings in FY 22.

Item 2: The variance in the number of decisions and orders relating to docketed matters correlates with the decrease in the number of applications filed in FY 21.

Item 3: The variance in the number of public and contested case hearings is reflective of the decrease in the number of applications filed that require hearings.

Item 4: The variance in the number of citations issued is a direct result of the PUC halting motor carrier enforcement field work for most of FY 21 due to the COVID-19 pandemic. The effects of the COVID-19 pandemic also resulted in an overall decline in passenger motor carrier related activity especially impacting those in the tourism and associated sectors.

Item 5: The variance in the number of planned and actual informal complaints has no single causal explanation. The number of informal complaints of 100 in FY 21 is comparable with the prior fiscal year's reported number of 102.

# VARIANCE REPORT

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
OPERATING COSTS												
POSITIONS	173.00	148.00	- 25.00	14	174.00	147.00	- 27.00	16	174.00	171.00	- 3.00	2
EXPENDITURES (\$1000's)	19,530	15,183	- 4,347	22	5,066	3,641	- 1,425	28	18,685	19,947	+ 1,262	7
TOTAL COSTS												
POSITIONS	173.00	148.00	- 25.00	14	174.00	147.00	- 27.00	16	174.00	171.00	- 3.00	2
EXPENDITURES (\$1000's)	19,530	15,183	- 4,347	22	5,066	3,641	- 1,425	28	18,685	19,947	+ 1,262	7
	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22							
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%				
PART II: MEASURES OF EFFECTIVENESS												
1. % LEGAL ACTIONS RESOLVED IN FAVOR OF OCP	100	8	- 92	92	100	100	+ 0	0				
2. \$ AMTS RECOVERED THRU MULTISTATE CASES (000)	1000	3400	+ 2400	240	1000	1000	+ 0	0				
3. % OF RICO SETTLEMENT AGREEMENTS ADOPTED	95	100	+ 5	5	95	95	+ 0	0				
4. % OF RECOMMENDED ORDERS IN FAVOR OF STATE	95	99	+ 4	4	95	95	+ 0	0				

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

**PROGRAM TITLE: ENFORCEMENT OF FAIR BUSINESS PRACTICES**

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**10 01 04**

**PART I - EXPENDITURES AND POSITIONS**

See Lowest Level Programs for explanation of variances.

**PART II - MEASURES OF EFFECTIVENESS**

See Lowest Level Programs for explanation of variances.

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
OPERATING COSTS												
POSITIONS	18.00	17.00	- 1.00	6	19.00	16.00	- 3.00	16	19.00	18.00	- 1.00	5
EXPENDITURES (\$1000's)	2,796	2,145	- 651	23	845	529	- 316	37	2,149	2,465	+ 316	15
TOTAL COSTS												
POSITIONS	18.00	17.00	- 1.00	6	19.00	16.00	- 3.00	16	19.00	18.00	- 1.00	5
EXPENDITURES (\$1000's)	2,796	2,145	- 651	23	845	529	- 316	37	2,149	2,465	+ 316	15

	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>								
1. # CONSUMERS DIRECTLY AFFECTED BY OFFICE ACTN (000)	50	34	- 16	32	50	50	+ 0	0
2. # BUSINESSES DIRECTLY AFFECTED BY OFFICE INVSTGTNS	900	2764	+ 1864	207	900	900	+ 0	0
3. \$ AMT OF FINES ASSESSED OR COSTS IMPOSED (000)	300	3700	+ 3400	1133	700	700	+ 0	0
4. \$ AMTS RECOVERED THRU MULTISTATE CASES (000)	1000	3400	+ 2400	240	1000	1000	+ 0	0
5. % LEGAL ACTIONS RESOLVED IN FAVOR OF OCP	100	8	- 92	92	100	100	+ 0	0

<b>PART III: PROGRAM TARGET GROUP</b>								
1. RESIDENT STATE POPULATION (000)	1400	1455	+ 55	4	1400	1400	+ 0	0
2. VISITORS TO HAWAII (000)	8000	3312	- 4688	59	8000	8000	+ 0	0

<b>PART IV: PROGRAM ACTIVITY</b>								
1. # OF CONSUMER COMPLAINTS REC (EXCL LANDLD/TENANT)	1000	830	- 170	17	1000	1000	+ 0	0
2. # OF COMPLAINTS INITIATED BY OCP	75	85	+ 10	13	75	75	+ 0	0
3. # OF LANDLORD-TENANT INQUIRIES RECEIVED	10000	11121	+ 1121	11	10000	10000	+ 0	0
4. # OF COMPLNTS RESOLVED AT INVESTIGATIVE LEVEL	700	1018	+ 318	45	700	700	+ 0	0
5. # OF MULTISTATE CASES	8	7	- 1	13	8	8	+ 0	0
6. # OF LEGAL ACTIONS	15	8	- 7	47	15	15	+ 0	0
7. # INQ RECVD ON BUSINESS COMPLAINT HISTORIES	10000	33802	+ 23802	238	10000	10000	+ 0	0
8. # PERSONS REACHED THRU EDUCATIONAL EFFORTS	10000	10000	+ 0	0	10000	10000	+ 0	0
9. # LEG PROP FOR WHICH OCP PROVIDED TESTIMONY	20	33	+ 13	65	20	20	+ 0	0

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 04 01  
CCA 110

## **PROGRAM TITLE: OFFICE OF CONSUMER PROTECTION**

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### **PART I - EXPENDITURES AND POSITIONS**

Position and Expenditures: The variances are due to unexpected staff departures, reduced spending due to the COVID-19 pandemic, and lack of claims paid out.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 1: The number of consumers directly affected by office action decreased in FY 21. This decrease is attributable to the economic downturn that resulted from the COVID-19 pandemic.

Item 2: In FY 21, there was an increase in the amount of businesses directly affected by office investigations. The economic climate created greater compliance issues for businesses in Hawaii, which resulted in increased vigilance by the Office of Consumer Protection (OCP) in the enforcement of applicable consumer protection laws.

Item 3: There was an increase in fines assessed or costs imposed in non-multistate judgments realized in FY 21. It is difficult to predict accurately from year to year the amounts of fines or costs recovered in non-multistate cases.

Item 4: There was an increase in multistate recoveries in FY 21. It is difficult to predict accurately from year to year the amounts of fines or costs recovered in multistate cases because of the complexity and scope of these national investigations.

Item 5: The decrease in legal actions is attributable to delays in resolving matters due to the COVID-19 pandemic.

### **PART III - PROGRAM TARGET GROUPS**

Item 2: The COVID-19 pandemic curtailed visitors to Hawaii.

### **PART IV - PROGRAM ACTIVITIES**

Item 1: The drop in the number of consumer complaints received in FY 21 can be attributed to a decrease in consumer transactions resulting from the COVID-19 pandemic.

Item 2: The number of complaints initiated by OCP increased due to increased enforcement of consumer protection matters resulting from the COVID-19 pandemic.

Item 3: The increase in the number of Landlord-Tenant inquiries was attributable to the economic insecurities created by the COVID-19 pandemic and the eviction moratorium.

Item 4: The number of complaints resolved at the investigative level increased based on the efforts of the investigators to expeditiously resolve as many complaints as possible at the investigative stage. OCP investigators endeavor to ascertain whether the parties can arrive at a satisfactory resolution to each complaint and help facilitate such a result if both parties are willing.

Item 5: The decreased number of multistate cases opened in FY 21 is attributable to focusing on more complex matters demanding increased office resources.

Item 6: The drop in the number of legal actions in FY 21 is attributable to the filing of more complex cases requiring the commitment of greater office resources.

Item 7: The increase in the number of inquiries on business complaint histories is attributable to the wider use of online search inquiries.

Item 9: The number of bills which OCP provided testimony for during the 2021 Legislative Session was correlated to those consumer protection related bills introduced by the Legislature. OCP endeavors to provide testimony for any bill that impacts consumer protection in Hawaii.

PROGRAM TITLE:

MEASUREMENT STANDARDS

11/29/21

PROGRAM-ID:

AGR-812

PROGRAM STRUCTURE NO:

10010402

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22						
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%			
<b>PART I: EXPENDITURES &amp; POSITIONS</b>															
RESEARCH & DEVELOPMENT COSTS															
POSITIONS															
EXPENDITURES (\$1,000's)															
OPERATING COSTS															
POSITIONS	10.00	7.00	-	3.00	30	10.00	8.00	-	2.00	20	10.00	8.00	-	2.00	20
EXPENDITURES (\$1000's)	763	530	-	233	31	199	132	-	67	34	596	500	-	96	16
TOTAL COSTS															
POSITIONS	10.00	7.00	-	3.00	30	10.00	8.00	-	2.00	20	10.00	8.00	-	2.00	20
EXPENDITURES (\$1000's)	763	530	-	233	31	199	132	-	67	34	596	500	-	96	16

	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
<b>PART II: MEASURES OF EFFECTIVENESS</b>										
1. COMPLIANCE RATE FOR COMMERCIAL MEASURING DEVICES	90	92	+	2	2	90	90	+	0	0
2. PERCENTAGE OF MEASURING DEVICES INSPECTED	50	45	-	5	10	50	50	+	0	0
3. COMPLIANCE RATE FOR SERVICE AGENCIES	100	50	-	50	50	100	100	+	0	0
4. COMPLIANCE RATE FOR AUTOMOTIVE FUEL OCTANE RATING	90	100	+	10	11	90	90	+	0	0
5. PERCENTAGE OF MEASUREMENT STANDARDS CALIBRATED	75	76	+	1	1	75	75	+	0	0
6. COMPLIANCE RATE FOR PRICING	25	0	-	25	100	25	0	-	25	100
7. PERCENTAGE OF STORES INSPECTED FOR PRICING	25	0	-	25	100	25	0	-	25	100
8. COMPLIANCE RATE FOR PACKAGE CONTENT	50	0	-	50	100	50	0	-	50	100
9. COMPLIANCE RATE FOR PACKAGE LABELING	50	0	-	50	100	50	0	-	50	100

<b>PART III: PROGRAM TARGET GROUP</b>												
1. BUSINESSES USING WEIGHING DEVICES	2050	1836	-	214	10	2050	2050	+	0	0		
2. BUSINESSES USING VOLUMETRIC DEVICES	420	388	-	32	8	420	420	+	0	0		
3. BUSINESSES USING LINEAR DEVICES	2500	1825	-	675	27	2500	2500	+	0	0		
4. SERVICE AGENCIES FOR MEASURING DEVICES	55	52	-	3	5	55	55	+	0	0		
5. STORES USING PRICE SCANNERS	1200	1200	+	0	0	1200	1200	+	0	0		
6. MEASUREMASTER	81	77	-	4	5	81	81	+	0	0		
7. DE FACTO POPULATION OF HAWAII (THOUSANDS)	1590	1590	+	0	0	1590	1590	+	0	0		

<b>PART IV: PROGRAM ACTIVITY</b>												
1. # OF MEASURING DEVICES INSPECTED - WEIGHT	300	10	-	290	97	300	200	-	100	33		
2. # OF MEASURING DEVICES INSPECTED - VOLUME	50	0	-	50	100	50	100	+	50	100		
3. # OF MEASURING DEVICES INSPECTED - LINEAR	2000	1253	-	747	37	2000	1500	-	500	25		
4. # OF REPAIR SERVICES MONITORED FOR QUALITY	50	1551	+	1501	3002	50	1550	+	1500	3000		
5. # OF MEASUREMENT STANDARDS CALIBRATED	1700	1653	-	47	3	1700	1700	+	0	0		
6. # OF OCTANE TESTS DONE ON AUTOMOTIVE FUEL	50	49	-	1	2	50	50	+	0	0		
7. # CONSUMER PKG INSPECT FOR QUANT OF CONTENTS (000)	50	0	-	50	100	50	500	+	450	900		
8. # OF CONSUMER PACKAGE LABELS INSPECTED	50	0	-	50	100	50	100	+	50	100		
9. # CONSUMER PRODS INSPECTED FOR PRICE VERIFICATION	50	50	+	0	0	50	1000	+	950	1900		
10. NUMBER OF MEASURING DEVICES LICENSED	10875	19824	+	8949	82	10875	20000	+	9125	84		

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 04 02  
AGR 812

## **PROGRAM TITLE: MEASUREMENT STANDARDS**

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### **PART I - EXPENDITURES AND POSITIONS**

The variances were due to vacancies and lower than expected special fund expenditures. The variance in positions are due to lack of qualified applicants for vacant positions.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 2. The variance is due to staff shortages to perform related services and under reporting by service agencies.

Item 3. The variance is due to a decrease in repairs performed on devices initially repaired by service agencies and under reporting by service agencies.

Item 4. The variance is due to fuel companies' improved compliance in meeting stated octane ratings.

Items 6, 7, 8, and 9. The variances are due to staff shortages to perform related services and indoor COVID-19 safety restrictions.

### **PART III - PROGRAM TARGET GROUPS**

Items 1 and 3. Accurate data is not available due to staff shortages to perform related services and changes in evaluating target.

### **PART IV - PROGRAM ACTIVITIES**

Item 1. The variance is due to an increased emphasis placed on mass device inspections; emphasis will continue in FY 22.

Item 2. The variance is due to staff shortages to perform related services and repair of testing equipment.

Item 3. The variances are due to a decrease in the number of businesses utilizing taximeters and the utilization of other transportation agencies like Uber and Lyft.

Item 4. The variance is due to more repair services performed by service agencies and increased reporting to the Branch.

Items 7, 8, and 9. The variances are due to staff shortages to perform related services and COVID-19 restrictions entering businesses.

Item 10. The variance is due to an increase in measuring devices licensed, renewed, and changed report compilation.

PROGRAM TITLE:

BUSINESS REGISTRATION &amp; SECURITIES REGULATN

11/29/21

PROGRAM-ID:

CCA-111

PROGRAM STRUCTURE NO:

10010403

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	79.00	66.00	- 13.00	16	79.00	66.00	- 13.00	16	79.00	79.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	8,471	6,226	- 2,245	27	2,087	1,487	- 600	29	10,134	10,734	+ 600	6
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	79.00	66.00	- 13.00	16	79.00	66.00	- 13.00	16	79.00	79.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	8,471	6,226	- 2,245	27	2,087	1,487	- 600	29	10,134	10,734	+ 600	6
	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22							
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. AV DAYS PROC CORP,PART,LLC,TRADE NM W/EXPED HANDLG	1	1	+ 0	0	1	1	+ 0	0	1	1	+ 0	0
2. AV DAYS PROC CORP,PART,LLC,TRADE NM W/ REG HANDLG	3	4	+ 1	33	3	4	+ 1	33	3	4	+ 1	33
3. AV DAYS PROC APPS FOR BROKER-DEALERS/INV ADVISORS	25	30	+ 5	20	25	30	+ 5	20	25	30	+ 5	20
4. AV DAYS TO PROCESS APPS FOR SALES AGENTS	15	20	+ 5	33	15	20	+ 5	33	15	20	+ 5	33
5. AV DAYS TO PROCESS APPS FOR INVESTMT ADVISER REPS	15	20	+ 5	33	15	20	+ 5	33	15	20	+ 5	33
<b>PART III: PROGRAM TARGET GROUP</b>												
1. CORP, PART, LLC,TRNAMES, TRMKS,SVC MKS ON REC	200000	226849	+ 26849	13	200000	228000	+ 28000	14	200000	228000	+ 28000	14
2. BRKR, SALES, SECURITIES OFF, FRANCH, INV ADV & REP	120000	157053	+ 37053	31	120000	130000	+ 10000	8	120000	130000	+ 10000	8
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # DOCS RECEIVED FOR PROCESSING & ANNUAL REPORTS	162000	188140	+ 26140	16	162000	190000	+ 28000	17	162000	190000	+ 28000	17
2. # SECURITIES COMPLIANCE APPLICATIONS RECEIVED	43000	157053	+ 114053	265	43000	130000	+ 87000	202	43000	130000	+ 87000	202
3. # OF ENFORCEMENT CASES OPENED	60	68	+ 8	13	60	60	+ 0	0	60	60	+ 0	0
4. # OF INQUIRIES RECEIVED BY SECURITIES ENFORCEMENT	1500	1873	+ 373	25	1500	1500	+ 0	0	1500	1500	+ 0	0
5. # OF COMPLTS RESOLVED AT INVESTIGATIVE LEVEL IN FY	50	17	- 33	66	50	25	- 25	50	50	25	- 25	50
6. # ENFORCEMENT CASES CLOSED DURING THE FISCAL YR	60	72	+ 12	20	60	60	+ 0	0	60	60	+ 0	0
7. # OF ORDERS, CONSENT AGREE AND SETTLMNTS COMPLETED	12	28	+ 16	133	12	12	+ 0	0	12	12	+ 0	0
8. # OF SUSPENSIONS OR BARS IMPOSED	12	3	- 9	75	12	12	+ 0	0	12	12	+ 0	0
9. # OF PERSONS REACHED THRU INVSTR ED PROG ACTIVITY	25000	48216	+ 23216	93	25000	37000	+ 12000	48	25000	37000	+ 12000	48

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 04 03  
CCA 111

## **PROGRAM TITLE: BUSINESS REGISTRATION & SECURITIES REGULATN**

### **PART I - EXPENDITURES AND POSITIONS**

Positions: The variances were due in large part to staff attrition. The division works quickly to recruit and expects to fill its vacancies.

Expenditures: The variance is due in part to position vacancies, staff attrition, the timing of expenditure payments, and the continued implementation of spending restrictions due to the COVID-19 pandemic.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 2: The average number of days to process business registration documents under regular handling was higher than the planned number in FY 21 due to adjustments made to operations during the COVID-19 pandemic. The number is projected to remain at the higher than planned number in FY 22 due to the ongoing effects of the COVID-19 pandemic.

Items 3 to 5: The average number of days to process applications for: Broker-Dealers, Investment Advisers; Sales Agents; and Investment Adviser Representatives was higher than the planned number in FY 21 and is projected to remain at the higher than planned number in FY 22 due to updated policies and procedures for processing applications.

### **PART III - PROGRAM TARGET GROUPS**

Item 1: The actual number of business registrations was higher than the planned number in FY 21. These numbers fluctuate and are difficult to predict, especially during the COVID-19 pandemic. The number of registrations is projected to be higher than the planned number in FY 22 based on current trends.

Item 2: The actual number of securities and franchise registrations was higher than the planned number in FY 21; this number fluctuates and is difficult to predict. The reported number better represents the division's activities for the fiscal year through refined reports based on new procedures and systems in place.

### **PART IV - PROGRAM ACTIVITIES**

Item 1: The number of documents received for processing and annual reports was higher than the planned number; the division has adjusted its projection for FY 22 accordingly. This number fluctuates and is difficult to predict. A downturn in the economy does not necessarily equate to a decrease in document processing for the division, as documents such as the Articles of Dissolution could still be filed by businesses who close.

Item 2: The number of securities compliance applications received is higher than the planned number. The division needs to edit its individual rights and performance measures and is awaiting the opportunity to do so. The reported numbers better represent the division's activities for the fiscal year, as they represent refined reports based on new procedures and systems in place.

Item 3: The number of Securities Enforcement cases opened was higher than the planned number in FY 21. This number is difficult to predict and is dependent on a number of factors, including the number of complaints filed with the office and the nature of the complaints.

Item 4: The number of inquiries received by the Securities Enforcement Branch was higher than the planned number in FY 21. This number is difficult to predict and can be affected by economic and other factors.

Item 5: The number of complaints resolved at the investigative level was lower than the planned number in FY 21, and the division has adjusted its projection for FY 22 accordingly. The variance can be attributed to the unpredictability of complex factors for each case. 50% of opened cases are Issuer cases and most, if not all, get referred to legal. This number represents cases that do not get referred to legal, as they are resolved in investigation due to factors such as insufficient evidence, no violations, no jurisdiction, etc., all of which are difficult to predict.

Item 6: The number of enforcement cases closed during the fiscal year was higher than the planned number in FY 21. Because of the complex nature of the cases, it is difficult to predict the timing of resolving cases.

## VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 04 03  
CCA 111

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**PROGRAM TITLE: BUSINESS REGISTRATION & SECURITIES REGULATN**

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Item 7: The number of orders, consent agreements and settlements completed was higher than the planned number in FY 21. Factors such as the type of case, number of respondents, and cooperativeness of respondents are highly unpredictable.

Item 8: The number of suspensions or bars imposed was lower than the planned number in FY 21. Because of the complex nature of the cases, it is difficult to predict the final disposition of a case.

Item 9: The number of persons reached through investor education program activity was higher than the planned number in FY 21, and the division has adjusted its projection for FY 22 accordingly. This higher number includes our social media reach, for which we have established new reporting procedures. As the COVID-19 pandemic continues, so does the suspension of in-person community events. The program has been adjusting and finding alternative ways to safely provide its information to the public statewide. While the Investor Education Program still provides materials via mail or drop-off to interested community groups (e.g., seniors, youth, working adults, etc.), the program has been conducting its presentations and meetings virtually, offering its information and materials online, and utilizing its social media accounts. In FY 21, the program began hosting month-long virtual campaigns with information and presentations on financial literacy, fraud prevention, and investor protection in lieu of in-person community events.



# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 04 04  
CCA 112

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**PROGRAM TITLE: REGULATED INDUSTRIES COMPLAINTS OFFICE**

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**PART I - EXPENDITURES AND POSITIONS**

The variances are due to vacant positions recruited for, but not yet filled, during the fiscal year. The Program will continue to actively recruit for all vacancies.

**PART II - MEASURES OF EFFECTIVENESS**

Item 4: The Legal Section historically files between 300-350 legal actions annually. Some of the legal actions have included judgments from citations issued by investigators. Because of the COVID-19 pandemic, our investigators were not able to go out into the community to issue citations during the fiscal year, so no legal actions resulted.

**PART III - PROGRAM TARGET GROUPS**

No significant variances.

**PART IV - PROGRAM ACTIVITIES**

Items 1, 2, 4, 5 and 6: The significant variances were caused by the COVID-19 pandemic, which led to no community fairs, tradeshow, events, meetings, and the like that were traditionally attended in-person by Program employees. The significant variances are also attributable to the public's increasing use and reliance on the Program's website for education information and research.

PROGRAM TITLE: GENERAL SUPPORT

11/29/21

PROGRAM-ID: CCA-191

PROGRAM STRUCTURE NO: 100105

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	50.00	46.00	- 4.00	8	51.00	48.00	- 3.00	6	51.00	51.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	8,450	8,472	+ 22	0	2,400	2,198	- 202	8	7,553	7,755	+ 202	3
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	50.00	46.00	- 4.00	8	51.00	48.00	- 3.00	6	51.00	51.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	8,450	8,472	+ 22	0	2,400	2,198	- 202	8	7,553	7,755	+ 202	3

	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>								
1. %CASES COMPL W/IN DESIG TIME FOR CONTSTD CASE HRGS	85	93	+ 8	9	85	90	+ 5	6
2. %HRGS OFFCR REC ORDERS ADOPTED BY FINAL ADM AUTH	90	95	+ 5	6	90	90	+ 0	0
3. % HRGS OFFR REC ORDRS ADPT FINAL ADM AUTH SUSTAIN	90	95	+ 5	6	90	90	+ 0	0
4. % OF ERROR-FREE INVOICES PROCESSED	99	99	+ 0	0	99	99	+ 0	0
5. %COMPLAINTS/INQ RESPONDED TO IN TIMELY MANNER	95	99	+ 4	4	95	95	+ 0	0
6. %LEG HRGS TO WHICH TIMELY WRITTN TESTMNY SUBMTTD	95	97	+ 2	2	95	95	+ 0	0
7. %REQUESTS FOR SYSTEMS ADDTNS OR ENHANCE FULFILLED	50	50	+ 0	0	50	50	+ 0	0
8. % INFORMATION SYS WORK REQ COMPLETED IN REQ'D TIME	85	84	- 1	1	85	85	+ 0	0

<b>PART III: PROGRAM TARGET GROUP</b>								
1. DE FACTO POPULATION IN HAWAII (000)	1626	1596	- 30	2	1626	1596	- 30	2
2. LICENSEES (000)	490	490	+ 0	0	510	505	- 5	1
3. DCCA DIVISIONS	13	13	+ 0	0	13	13	+ 0	0
4. BOARDS & COMMISSIONS ADMIN ASSIGNED TO DCCA	53	53	+ 0	0	53	53	+ 0	0
5. DCCA EMPLOYEES	551	542	- 9	2	551	542	- 9	2

<b>PART IV: PROGRAM ACTIVITY</b>								
1. # WRITTN NOTICES ISS BY HRGS OFF RE: PROCED EVENTS	450	444	- 6	1	450	450	+ 0	0
2. # PRE-HRG EVENTS BY HRG OFF INVOLVG THE PARTIES	200	212	+ 12	6	200	200	+ 0	0
3. # HEARINGS CONDUCTED BY HEARINGS OFFICERS	150	139	- 11	7	150	150	+ 0	0
4. # RECOMMENDED & FINAL ORDERS ISS BY HRGS OFFICERS	200	189	- 11	6	200	200	+ 0	0
5. # INFO PRESENTATIONS FOR EDUCATIONAL GUIDANCE	24	5	- 19	79	24	12	- 12	50
6. # SYSTEMS ADDED OR ENHANCED	145	140	- 5	3	145	140	- 5	3
7. # OF INFORMATION SYSTEMS WORK REQUESTS	4300	4534	+ 234	5	4300	4300	+ 0	0
8. # OF INVOICES PROCESSED	8000	8000	+ 0	0	8000	8000	+ 0	0

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 01 05  
CCA 191

## **PROGRAM TITLE: GENERAL SUPPORT**

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### **PART I - EXPENDITURES AND POSITIONS**

No significant variances.

### **PART II - MEASURES OF EFFECTIVENESS**

No significant variances.

### **PART III - PROGRAM TARGET GROUPS**

No significant variances.

### **PART IV - PROGRAM ACTIVITIES**

Item 5: In FY 21, the negative variance was because in-person events did not return to normal as anticipated, so the 12 events were not realized due to the continued COVID-19 pandemic shut down. However, we were able to coordinate five (5) virtual consumer protection workshops during March 2021.

Anticipated in FY 22 are 12 events: We are anticipating resuming outreach events in the second half of FY 22; however, the variance is a result of fewer events in the first half of FY 22.

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22						
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%			
<b>PART I: EXPENDITURES &amp; POSITIONS</b>															
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>															
<b>POSITIONS</b>															
<b>EXPENDITURES (\$1,000's)</b>															
<b>OPERATING COSTS</b>															
<b>POSITIONS</b>	8.50	7.50	-	1.00	12	8.50	7.50	-	1.00	12	8.50	8.50	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	770	722	-	48	6	167	163	-	4	2	642	642	+	0	0
<b>TOTAL COSTS</b>															
<b>POSITIONS</b>	8.50	7.50	-	1.00	12	8.50	7.50	-	1.00	12	8.50	8.50	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	770	722	-	48	6	167	163	-	4	2	642	642	+	0	0

	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
<b>PART II: MEASURES OF EFFECTIVENESS</b>										
1. # OF INFORMAL REQUESTS (AOD) RECEIVED IN FY	1000	719	-	281	28	1000	1000	+	0	0
2. % OF INFORMAL REQUESTS RESOLVED IN THE SAME FY	100	100	+	0	0	90	90	+	0	0
3. # OF FORMAL CASES OPENED IN FY (COR, RFA, ETC)	200	155	-	45	23	180	180	+	0	0
4. % OF FORMAL CASES CLOSED IN THE SAME FY	75	70	-	5	7	40	40	+	0	0
5. % OF TOTAL FORMAL/INFORMAL CASES CLOSED IN SAME FY	90	95	+	5	6	75	75	+	0	0
6. # OF FORMAL CASES PENDING AT END OF FY IN PRIOR FY	50	47	-	3	6	100	100	+	0	0
7. # OF OIP WEBSITE PAGE HITS, EXCL. HOME PAGE & OIP	NO DATA	101170	+	101170	0	NO DATA	NO DATA	+	0	0

<b>PART III: PROGRAM TARGET GROUP</b>										
1. DE FACTO POPULATION OF HAWAII	NO DATA	0	+	0	0	NO DATA	0	+	0	0
2. ALL STATE AND COUNTY AGENCIES	NO DATA	0	+	0	0	NO DATA	0	+	0	0
3. ALL STATE AND COUNTY GOVERNMENT EMPLOYEES	NO DATA	0	+	0	0	NO DATA	0	+	0	0
4. OTHERS INTERESTED IN HAWAII GOVT RECORDS & MTGS	NO DATA	0	+	0	0	NO DATA	0	+	0	0

<b>PART IV: PROGRAM ACTIVITY</b>										
1. # OF FORMAL/INFORMAL OPINIONS ISSUED	20	7	-	13	65	10	10	+	0	0
2. # OF TRAINING MATERIALS ADDED/REVISED	10	1	-	9	90	1	10	+	9	900
3. # OF LIVE TRAININGS OR MEDIA/PUBLIC PRESENTATIONS	10	0	-	10	100	0	0	+	0	0
4. # OF WRITTEN PUBLIC COMMUNICATIONS AND REPORTS	30	30	+	0	0	20	20	+	0	0
5. # OF LEGISLATIVE PROPOSALS MONITORED	90	161	+	71	79	140	140	+	0	0
6. # OF LAWSUITS MONITORED	35	45	+	10	29	35	40	+	5	14
7. # OF AGENCIES SUBMITTING UIPA LOGS	265	284	+	19	7	265	284	+	19	7
8. # OF MONTHS ENGAGED IN RULEMAKING	0	0	+	0	0	0	0	+	0	0
9. # OF PUBLIC COMMUNICATIONS	30	30	+	0	0	0	0	+	0	0

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 02  
AGS 105

## **PROGRAM TITLE: ENFORCEMENT OF INFORMATION PRACTICES**

### **PART I - EXPENDITURES AND POSITIONS**

The Office of Information Practices (OIP) lost two experienced Staff Attorneys in July 2020 and its Administrative Assistant in October 2020, due to retirement and personal reasons. Because of the COVID-19 emergency, a State hiring freeze was imposed for most of FY 21. OIP finally obtained an exception from the hiring freeze to fill its Administrative Assistant position and only one of the Staff Attorney vacancies in late FY 21. Although OIP worked throughout the emergency period, it had lost 35% of its staff for most or a substantial portion of the year. Consequently, with only three of five Staff Attorney positions filled and 1.50 of 2.50 full-time equivalent administrative staff positions filled, OIP's overall productivity was adversely affected in FY 21.

In August 2021, another Staff Attorney retired. While OIP received approval to hire one Staff Attorney in September 2021, it still has a vacant Staff Attorney position that it is awaiting approval to fill in FY 22.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 1: The number of informal requests (AODs) received by OIP in FY 21 decreased over 27% to 719 AODs, most likely because many government agencies were closed or operating at a reduced level during the COVID-19 emergency period.

Item 3: The number of new formal cases opened by OIP in FY 21 decreased by 23% from the estimated projections. This number is beyond OIP's control and is also probably impacted by the closure or reduced operations of many government agencies during the COVID-19 emergency period.

Item 7: This item measures the number of OIP website page hits, excluding the home page and OIP's own usage of the website. In the future, OIP would like to change this item to measure its backlog of formal cases that are pending at the end of the fiscal year.

### **PART III - PROGRAM TARGET GROUPS**

OIP's program target group consists of the general public, including the media; all State, county, and independent agencies subject to the Uniform Information Practices Act (UIPA); and all Sunshine Law boards. Many of the government entities are represented by government attorneys, who are also part of OIP's target group.

Target groups have been developed by the program. However, no data has been reported in these categories.

### **PART IV - PROGRAM ACTIVITIES**

Item 1: OIP issued 7 formal and informal opinions, a decrease of 65% over the estimate of 20 opinions. Note that this decrease is due to vacancies in OIP's staff during FY 21, including the loss of two experienced attorneys out of five Staff Attorneys. Going forward, the estimated number of opinions should be reduced to ten because of the need to hire and train new attorneys, which will adversely impact the ability of OIP's most experienced attorneys to write opinions.

Item 2: OIP added or revised one training material in FY 21, which is 90% less than the ten estimated for the year. There were no major changes to the Sunshine Law or UIPA that took effect in FY 21, so no new training materials were required. For FY 22, however, OIP expects to make substantial revisions to its Sunshine Law training materials due to Act 222, SLH 2021. Therefore, its estimate for FY 22 should be ten training materials added or revised.

Item 3: In FY 21, OIP presented no live trainings or media presentations despite estimating ten presentations. Because of the COVID-19 pandemic, in-person gatherings and government operations were restricted during FY 21, which resulted in no requests for live trainings or media/public presentations. Due to continued restrictions resulting from the Delta variant, OIP is not expecting to do live trainings or media/public presentations in FY 22 and will rely upon its online training materials instead.

## VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 02  
AGS 105

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### PROGRAM TITLE: ENFORCEMENT OF INFORMATION PRACTICES

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Item 5: OIP monitored 161 legislative proposals, rather than the 90 projected, for a 79% variance. While this measure is beyond OIP's control and will vary every other year due to carryover bills, OIP estimates that it will monitor 140 legislative proposals in FY 22.

Item 6: OIP monitored 45 lawsuits, rather than the 35 projected, for a 29% variance. While the number of lawsuits filed is beyond OIP's control, the estimate should be increased to 40 lawsuits monitored by OIP.

Item 8: While rule making is a duty that can require substantial time and effort by OIP, the rules are subject to review and approval by other agencies whose work is beyond the control of OIP and whose delays have been caused by the COVID-19 pandemic. This measure should be removed from the variance report.

Item 9: This measure largely replicates Item 4 and should be removed from the variance report.

# VARIANCE REPORT

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
OPERATING COSTS												
POSITIONS	198.50	172.00	- 26.50	13	191.50	170.50	- 21.00	11	191.50	191.50	+ 0.00	0
EXPENDITURES (\$1000's)	20,251	17,663	- 2,588	13	4,599	4,234	- 365	8	15,692	16,045	+ 353	2
TOTAL COSTS												
POSITIONS	198.50	172.00	- 26.50	13	191.50	170.50	- 21.00	11	191.50	191.50	+ 0.00	0
EXPENDITURES (\$1000's)	20,251	17,663	- 2,588	13	4,599	4,234	- 365	8	15,692	16,045	+ 353	2
	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22							
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % ATTORNY CASELDS EXCEED NATL STD FOR FELONY CASES	0	NO DATA	+	0	0	NO DATA	+	0	0	NO DATA	+	0

**VARIANCE REPORT NARRATIVE  
FY 2021 AND FY 2022**

**PROGRAM TITLE: LEGAL & JUDICIAL PROTECTION OF RIGHTS**

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**10 03**

**PART I - EXPENDITURES AND POSITIONS**

See Lowest Level Programs for explanation of variances.

**PART II - MEASURES OF EFFECTIVENESS**

See Lowest Level Programs for explanation of variances.

PROGRAM TITLE:

OFFICE OF THE PUBLIC DEFENDER

11/29/21

PROGRAM-ID:

BUF-151

PROGRAM STRUCTURE NO:

100301

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	139.50	125.00	- 14.50	10	133.50	126.50	- 7.00	5	133.50	133.50	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	12,009	11,172	- 837	7	2,657	2,657	+ 0	0	9,851	9,851	+ 0	0
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	139.50	125.00	- 14.50	10	133.50	126.50	- 7.00	5	133.50	133.50	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	12,009	11,172	- 837	7	2,657	2,657	+ 0	0	9,851	9,851	+ 0	0

	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>								
1. % ATTORNY CASELDS EXCEED NATL STD FOR FELONY CASES	0	NO DATA	+ 0	0	0	NO DATA	+ 0	0
2. % ATTRNY CASELDS EXCEED NATL STD FOR MISDMNR CASES	481	NO DATA	- 481	100	481	NO DATA	- 481	100
3. % ATTORNY CASELDS EXCEED NATL STD FOR FAMLY COURT	197	NO DATA	- 197	100	197	NO DATA	- 197	100
4. % ATTRNY CASELDS EXCEED NATL STD FOR APPEALS CASES	5	NO DATA	- 5	100	5	NO DATA	- 5	100
5. ANNL # TRNG HRS COMPL BY PROF STAFF AS % PLNND HRS	90	NO DATA	- 90	100	90	NO DATA	- 90	100

<b>PART III: PROGRAM TARGET GROUP</b>												
1. INDIGENTS REQUIRING SERVICES FOR FELONY CASES	6134	5566	- 568	9	6134	5566	- 568	9				
2. INDIGENTS REQUIRING SERVICES FOR MISDEMEANOR CASES	41855	17082	- 24773	59	41855	17082	- 24773	59				
3. INDIGENTS REQUIRING SERVICES FOR APPEALS CASES	157	86	- 71	45	157	86	- 71	45				
4. INDIGENTS REQUIRNG SVCS FOR MENTAL COMMITMNT CASES	265	555	+ 290	109	265	555	+ 290	109				
5. INDIGENTS REQUIRING SERVICES FOR FAMILY COURT CASES	8698	2384	- 6314	73	8698	2384	- 6314	73				
6. INDIGENTS REQUIRING SERVICES FOR PRISON CASES	2469	1655	- 814	33	2469	1655	- 814	33				

<b>PART IV: PROGRAM ACTIVITY</b>												
1. CASES ACCEPTED - FELONY	5495	5399	- 96	2	5495	5399	- 96	2				
2. CASES ACCEPTED - MISDEMEANOR	40449	16885	- 23564	58	40449	16885	- 23564	58				
3. CASES ACCEPTED - FAMILY COURT	7214	2150	- 5064	70	7214	2150	- 5064	70				
4. CASES ACCEPTED - APPEAL	157	82	- 75	48	157	82	- 75	48				
5. CASES ACCEPTED - MENTAL COMMITMENT	265	555	+ 290	109	265	555	+ 290	109				

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 03 01  
BUF 151

## **PROGRAM TITLE: OFFICE OF THE PUBLIC DEFENDER**

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### **PART I - EXPENDITURES AND POSITIONS**

The variance in positions is due to employee turnover and the hiring freeze implemented in response to the economic impacts of the COVID-19 pandemic.

The variance in expenditures is due to the position vacancies.

### **PART II - MEASURES OF EFFECTIVENESS**

Items 1-5. No data available. These measures are difficult to gather data for and will be re-evaluated.

### **PART III - PROGRAM TARGET GROUPS**

Items 2-6. The variances in the number of indigents requiring services for the misdemeanor, appeals, family court, and prison target groups reflect the unpredictability of the variables that determine the program target groups. One significant variable for FY 21 is the shutdown and slowdown/backlog of the courts due to the pandemic. Family court also saw a reduction due to the Honolulu Prosecutor's Office's change in filing charges in domestic violence cases.

### **PART IV - PROGRAM ACTIVITIES**

Items 2-5. The variances in the number of indigents accepted for service for misdemeanor, appeals, and family court reflect the unpredictability of the variables that determine the program activities. One significant variable for FY 21 is the shutdown and slowdown/backlog of the courts due to the pandemic. Family court also saw a reduction due to the Honolulu Prosecutor's Office's change in filing charges in domestic violence cases.

PROGRAM TITLE:

CONVEYANCES AND RECORDINGS

11/29/21

PROGRAM-ID:

LNR-111

PROGRAM STRUCTURE NO:

100303

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
OPERATING COSTS												
POSITIONS	58.00	46.00	- 12.00	21	57.00	43.00	- 14.00	25	57.00	57.00	+ 0.00	0
EXPENDITURES (\$1000's)	8,068	6,330	- 1,738	22	1,903	1,540	- 363	19	5,711	6,074	+ 363	6
TOTAL COSTS												
POSITIONS	58.00	46.00	- 12.00	21	57.00	43.00	- 14.00	25	57.00	57.00	+ 0.00	0
EXPENDITURES (\$1000's)	8,068	6,330	- 1,738	22	1,903	1,540	- 363	19	5,711	6,074	+ 363	6

	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>								
1. NO. DAYS BETWN RECORDING & COMPLETN - REGULAR SYS	7	7	+ 0	0	7	7	+ 0	0
2. NO. DAYS BETWEEN RECORDING & COMPLETION - LAND COURT	11	11	+ 0	0	11	11	+ 0	0
3. NO. DAYS BETWEEN REQUEST & COMPLETION-CERT COPIES	3	3	+ 0	0	3	3	+ 0	0
4. NO. DAYS BETWEEN REQUEST & COMPLETN - UCC SEARCHES	7	7	+ 0	0	7	7	+ 0	0
5. NO. DAYS BETW DOC SEARCH/COPY REQUEST & COMPLETION	3	3	+ 0	0	3	3	+ 0	0

<b>PART III: PROGRAM TARGET GROUP</b>								
1. NUMBER OF DOCUMENTS RECORDED - REGULAR SYSTEM	225000	225441	+ 441	0	213750	230000	+ 16250	8
2. NUMBER OF DOCUMENTS RECORDED - LAND COURT	75000	104127	+ 29127	39	71250	75000	+ 3750	5
3. LAND COURT CERTIFICATES OF TITLE ISSUED	18000	21119	+ 3119	17	17100	18000	+ 900	5
4. LAND COURT ORDERS RECORDED	4000	4725	+ 725	18	3800	3800	+ 0	0
5. MAPS FILED - LAND COURT AND REGULAR SYSTEM	150	170	+ 20	13	142	150	+ 8	6
6. CERTIFIED COPIES REQUESTED - LAND COURT & REG SYS	170000	79208	- 90792	53	161500	161500	+ 0	0
7. UNIFORM COMMERCIAL CODE SEARCHES REQUESTED	120	71	- 49	41	114	114	+ 0	0

<b>PART IV: PROGRAM ACTIVITY</b>								
1. NO. OF DOCUMENTS PROCESSED - REGULAR SYSTEM	225000	225441	+ 441	0	213750	230000	+ 16250	8
2. NO. OF DOCUMENTS PROCESSED - LAND COURT	75000	104127	+ 29127	39	71250	75000	+ 3750	5
3. LAND COURT CERTIFICATES OF TITLE PRODUCED	18000	21119	+ 3119	17	17100	18000	+ 900	5
4. LAND COURT ORDERS PROCESSED	4000	4725	+ 725	18	38000	38000	+ 0	0
5. MAPS PROCESSED - LAND COURT AND REGULAR SYSTEM	150	170	+ 20	13	142	150	+ 8	6
6. CERTIFIED COPIES PROCESSED	161500	79208	- 82292	51	161500	161500	+ 0	0
7. UNIFORM COMMERCIAL CODE RECORD SEARCHES PROCESSED	120	71	- 49	41	114	114	+ 0	0

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 03 03  
LNR 111

## **PROGRAM TITLE: CONVEYANCES AND RECORDINGS**

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### **PART I - EXPENDITURES AND POSITIONS**

FY 21: The positions were below budget due to the delay in hiring and the lack of qualified candidates by virtue of the specialized skills required for the Bureau of Conveyances (BOC) operations. The specialized skills requirements also drive internal promotions, which does not decrease the number of total vacancies. The expenditures were below budget due to the vacancies in permanent positions and the restrictions on spending as a result of COVID-19.

FY 22: Positions are below budget due to recent retirements and resignations, as well as the lack of qualified candidates by virtue of the specialized skills required for the BOC. Expenditures are below budget due to the vacancies in permanent positions.

### **PART II - MEASURES OF EFFECTIVENESS**

No significant variances.

### **PART III - PROGRAM TARGET GROUPS**

Items 2 and 3: The variance in FY 21 is due to unforeseen changes in market/consumer/business conditions and activity.

Item 4: The variance in FY 21 is due to unforeseen changes in market/consumer/business conditions and activity.

Item 5: The variance in FY 21 could be due to the recent increase in project development in the State of Hawaii.

Item 6: The variance in FY 21 is due to unforeseen changes in market/consumer/business conditions and activity, primarily related to COVID-19 restrictions.

Item 7: The variance in FY 21 is due to unforeseen changes in market/consumer/business conditions and activity, primarily related to COVID-19 restrictions.

### **PART IV - PROGRAM ACTIVITIES**

Items 2 and 3: The variance in FY 21 is due to unforeseen changes in market/consumer/business conditions and activity.

Item 4: The variance in FY 21 is due to unforeseen changes in market/consumer/business conditions and activity.

Item 5: The variance in FY 21 could be due to the recent increase in project development in the State of Hawaii.

Item 6: The variance in FY 21 is due to unforeseen changes in market/consumer/business conditions and activity, primarily related to COVID-19 restrictions.

Item 7: The variance in FY 21 is due to unforeseen changes in market/consumer/business conditions and activity, primarily related to COVID-19 restrictions.

PROGRAM TITLE:

COMMISSION ON THE STATUS OF WOMEN

11/29/21

PROGRAM-ID:

HMS-888

PROGRAM STRUCTURE NO:

100304

	FISCAL YEAR 2020-21				THREE MONTHS ENDED 09-30-21				NINE MONTHS ENDING 06-30-22			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	1.00	1.00	+ 0.00	0	1.00	1.00	+ 0.00	0	1.00	1.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	174	161	- 13	7	39	37	- 2	5	130	120	- 10	8
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	1.00	1.00	+ 0.00	0	1.00	1.00	+ 0.00	0	1.00	1.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	174	161	- 13	7	39	37	- 2	5	130	120	- 10	8

	FISCAL YEAR 2020-21				FISCAL YEAR 2021-22			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>								
1. # WOMEN ELECTED TO LEG OFFICE AS % TOTAL SEATS	30	25	- 5	17	30	30	+ 0	0
2. # WOMEN REGISTRD TO VOTE AS % TOTAL REGIS VOTERS	NO DATA	NO DATA	+ 0	0	NO DATA	NO DATA	+ 0	0
3. # CONSTITUENT CASES REFERRED TO & TRACKED BY COMM	150	250	+ 100	67	150	250	+ 100	67
4. # LAWS RE WOMENS ISSUES ENACT/REVISE AS % ADVOCATE	30	6	- 24	80	30	30	+ 0	0
5. # MEDIA ADVISORIES ISSUED TO LOCAL & NATIONAL PRES	15	20	+ 5	33	25	20	- 5	20
6. # INQUIRIES TO COMMISSION ON WOMEN'S ISSUES	200	500	+ 300	150	4000	250	- 3750	94

<b>PART III: PROGRAM TARGET GROUP</b>								
1. TOTAL STATE POPULATION (THOUSANDS)	1415	1455	+ 40	3	1425	1147	- 278	20
2. TOTAL STATE FEMALE POPULATION (THOUSANDS)	707	702	- 5	1	719	702	- 17	2
3. WOMEN IN LABOR FORCE (THOUSANDS) (AVERAGE)	352	307	- 45	13	352	307	- 45	13
4. FEMALES BETWEEN THE AGES OF 15 TO 64 (THOUSANDS)	438	431	- 7	2	453	431	- 22	5
5. FEMALES OVER 65 (THOUSANDS)	146	150	+ 4	3	146	150	+ 4	3
6. NATIVE HAWAIIAN WOMEN IN THE STATE OF HAWAII	144121	143003	- 1118	1	144121	143003	- 1118	1
7. FOREIGN BORN WOMEN IN HAWAII	139093	256272	+ 117179	84	139093	256272	+ 117179	84
8. COMPACT OF FREE ASSOCIATION (COFA) WOMEN	6000	6000	+ 0	0	6000	6000	+ 0	0
9. TRANSGENDER WOMEN	4208	4208	+ 0	0	4208	4208	+ 0	0

<b>PART IV: PROGRAM ACTIVITY</b>								
1. # INTER-ORGANIZATION/AGENCY MEETINGS	100	100	+ 0	0	450	100	- 350	78
2. # EDUC/INFO MATERIALS PRODUCED AND CIRCULATED	2000	500	- 1500	75	3000	2000	- 1000	33
3. # PROJ/EVENTS INITIATED, CO-SPONSOR OR SUPPORTD	65	25	- 40	62	200	65	- 135	68
4. # VOLUNTEERS/STAFF PARTCPTG IN PROJS/EVENTS (HRS)	65	25	- 40	62	200	65	- 135	68
5. # SEXUAL HARASSMENT AND GENDER BIAS TRAININGS	0	20	+ 20	0	10	20	+ 10	100
6. # SPEAKING ENGAGEMENTS BY COMMISSIONERS & STAFF	65	65	+ 0	0	65	65	+ 0	0
7. # BILLS RESEARCHED, INITIATED, SUPPORTED	75	97	+ 22	29	75	75	+ 0	0
8. # TRAINEES THROUGH YOUNG FEMINIST LEADERS PROGRAM	0	0	+ 0	0	10	0	- 10	100
9. # COMMUNITY COLLABORATION EVENTS	50	65	+ 15	30	50	65	+ 15	30
10. # INTERNS, EXTERNS, AND FELLOWS	10	4	- 6	60	10	10	+ 0	0

# VARIANCE REPORT NARRATIVE FY 2021 AND FY 2022

10 03 04  
HMS 888

## **PROGRAM TITLE: COMMISSION ON THE STATUS OF WOMEN**

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### **PART I - EXPENDITURES AND POSITIONS**

No significant variances.

### **PART II - MEASURES OF EFFECTIVENESS**

1. The variance is due to some retirements and unelected appointments. The measure's results are largely out of the Commission on the Status of Women's (CSW) control, but it is tracked since CSW advocates for more female leaders.

2. No data is available because the Office of Elections no longer tracks the gender of voters; therefore, this measure of effectiveness will be removed.

3. The variance is due to an uptick in women's needs related to the COVID-19 pandemic. CSW received an increase in inquiries on women's issues that are heavily impacted by the pandemic, including shelter, domestic violence, childcare, and public benefits.

4. The variance is due to the optimistic planned figure and the general difficulty in getting bills enacted or laws amended. Four of sixty-five bills supported by CSW were successfully passed in 2021.

5 and 6. The variances are due to an uptick in women's needs related to the COVID-19 pandemic. CSW received an increase in inquiries on women's issues that are heavily impacted by the pandemic, including shelter, domestic violence, childcare, and public benefits; in response, CSW issued more press releases than planned regarding these topics to help address people's concerns.

### **PART III - PROGRAM TARGET GROUPS**

3. The variance in the number of women in the labor force is due to the economic impact of the COVID-19 pandemic.

7. The variance in the number of foreign born women in Hawaii is due to the use of the Census, which is only updated once every ten years. Per

the 2020 Census, this could be due to a new place of birth table which provides estimates of foreign-born populations who entered the U.S. before and after 2010. These estimates are made for the nine largest country of birth populations: China/Hong Kong/Taiwan, Cuba, Dominican Republic, El Salvador, Guatemala, India, Mexico, Philippines, and Vietnam. Additionally, foreign-born population tables were modified to include more country of birth groups, including Micronesia.

### **PART IV - PROGRAM ACTIVITIES**

2, 3 and 4. The variances are due to difficulties caused by the COVID-19 pandemic and the general lack of staffing to support program activities.

5. Formal training classes scheduled on sexual harassment and gender bias were canceled due to the COVID-19 pandemic to focus on more pressing issues, such as rental assistance, benefits, legislation, and medical insurance/care; however, "brown bag" trainings on sexual harassment and gender bias were offered instead.

7. The variance is due to the increased needs related to the COVID-19 pandemic. CSW also partnered with more community groups and advocates to support additional bills.

9. The variance is due to the Hawaii Feminist Economic Recovery Plan and community partnerships.

10. The variance is due to the COVID-19 pandemic, which made it more difficult to work with interns, externs, and fellows. The internship program has been adjusted to accommodate meetings and assignments virtually to help improve capacity moving forward.