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## **INDIVIDUAL RIGHTS**

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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>	743.00	610.00	- 133.00	18	745.00	619.00	- 126.00	17	745.00	742.00	- 3.00	0
<b>EXPENDITURES (\$1000's)</b>	114,756	91,886	- 22,870	20	32,507	20,175	- 12,332	38	98,831	111,146	+ 12,315	12
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	743.00	610.00	- 133.00	18	745.00	619.00	- 126.00	17	745.00	742.00	- 3.00	0
<b>EXPENDITURES (\$1000's)</b>	114,756	91,886	- 22,870	20	32,507	20,175	- 12,332	38	98,831	111,146	+ 12,315	12
	<b>FISCAL YEAR 2022-23</b>				<b>FISCAL YEAR 2023-24</b>							
	<b>PLANNED</b>	<b>ACTUAL</b>	<b>± CHANGE</b>	<b>%</b>	<b>PLANNED</b>	<b>ESTIMATED</b>	<b>± CHANGE</b>	<b>%</b>				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES	93	100	+ 7	8	93	83	- 10	11				
2. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR	80	100	+ 20	25	100	100	+ 0	0				
3. % LEGAL ACTIONS RESOLVED IN FAVOR OF OCP	100	100	+ 0	0	100	100	+ 0	0				

## VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

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

**10**

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

Details of the position and expenditures variances are best examined at the lowest program level.

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

See Lowest Level Programs for additional information.

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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>	543.00	430.00	- 113.00	21	543.00	441.00	- 102.00	19	543.00	540.00	- 3.00	1
<b>EXPENDITURES (\$1000's)</b>	93,557	72,940	- 20,617	22	27,751	16,173	- 11,578	42	80,991	92,571	+ 11,580	14
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	543.00	430.00	- 113.00	21	543.00	441.00	- 102.00	19	543.00	540.00	- 3.00	1
<b>EXPENDITURES (\$1000's)</b>	93,557	72,940	- 20,617	22	27,751	16,173	- 11,578	42	80,991	92,571	+ 11,580	14
	<b>FISCAL YEAR 2022-23</b>				<b>FISCAL YEAR 2023-24</b>							
	<b>PLANNED</b>	<b>ACTUAL</b>	<b>± CHANGE</b>	<b>%</b>	<b>PLANNED</b>	<b>ESTIMATED</b>	<b>± CHANGE</b>	<b>%</b>				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES	93	100	+ 7	8	93	83	- 10	11				
2. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR	80	100	+ 20	25	100	100	+ 0	0				
3. % LEGAL ACTIONS RESOLVED IN FAVOR OF OCP	100	100	+ 0	0	100	100	+ 0	0				

## VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

**PROGRAM TITLE: PROTECTION OF THE CONSUMER**

**10 01**

**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 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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>	318.00	256.00	- 62.00	19	316.00	269.00	- 47.00	15	316.00	316.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	62,364	46,570	- 15,794	25	17,920	9,777	- 8,143	45	47,452	55,596	+ 8,144	17
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	318.00	256.00	- 62.00	19	316.00	269.00	- 47.00	15	316.00	316.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	62,364	46,570	- 15,794	25	17,920	9,777	- 8,143	45	47,452	55,596	+ 8,144	17

	FISCAL YEAR 2022-23				FISCAL YEAR 2023-24			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>								
1. % LIC RENWLS REVIEW/PROC TIMELY, PURS TO STDS-DFI	93	99	+ 6	6	93	94	+ 1	1
2. % LICENSEES RENEWED WITHIN 10-12 BUSINESS DAYS-PVL	87	83	- 4	5	97	87	- 10	10
3. % OF COMPLAINTS RESOLVED WITHIN 90 DAYS-INS	90	79	- 11	12	90	85	- 5	6
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	80	100	+ 20	25	100	100	+ 0	0
6. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES	93	100	+ 7	8	93	83	- 10	11

## VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

**PROGRAM TITLE: REGULATION OF SERVICES**

**10 01 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: CABLE TELEVISION  
 PROGRAM-ID: CCA-102  
 PROGRAM STRUCTURE NO: 10010301

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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>	7.00	7.00	+ 0.00	0	7.00	7.00	+ 0.00	0	7.00	7.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	2,567	1,430	- 1,137	44	653	538	- 115	18	1,959	2,074	+ 115	6
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	7.00	7.00	+ 0.00	0	7.00	7.00	+ 0.00	0	7.00	7.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	2,567	1,430	- 1,137	44	653	538	- 115	18	1,959	2,074	+ 115	6
					FISCAL YEAR 2022-23				FISCAL YEAR 2023-24			
	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	99	99	+ 0	0
2. %COMPL BY CABLE TV COM SYS W/STATE & REG RPTG REQS	99	99	+ 0	0	99	99	+ 0	0	99	99	+ 0	0
3. % COMPLAINTS ADDRESSED WITHIN 30 DAYS	99	99	+ 0	0	99	99	+ 0	0	99	99	+ 0	0
4. % OF BROADBAND PROJECTS/ACTIVITIES COMPLETED	99	99	+ 0	0	99	99	+ 0	0	99	99	+ 0	0
<b>PART III: PROGRAM TARGET GROUP</b>												
1. HAWAII HOUSEHOLDS (000)	545	568	+ 23	4	545	571	+ 26	5				
2. HAWAII BUSINESSES (000)	36	33	- 3	8	36	33	- 3	8				
3. CABLE TELEVISION SUBSCRIBERS (000)	350	327	- 23	7	345	320	- 25	7				
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)	395	395	+ 0	0	395	395	+ 0	0				
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # OF APPLICATIONS UNDER REVIEW BY CATV	6	6	+ 0	0	6	9	+ 3	50				
2. # INSP, TST, INVSTGN, COMPL REV BEGUN/ENDED BY CATV	6	6	+ 0	0	6	6	+ 0	0				
3. # MTGS ON DEV, CONST, USE OF FACIL REL TO CCS	4	4	+ 0	0	4	4	+ 0	0				
4. # OF COMPLAINTS AND INQUIRIES RECEIVED	260	240	- 20	8	260	240	- 20	8				
5. # OF INET PROJ REQUESTS RECEIVED/PROCESSED	40	44	+ 4	10	40	44	+ 4	10				
6. # OF PEG ACCESS RELATED ACTIVITIES	200	185	- 15	8	200	185	- 15	8				
7. # OF BROADBAND RELATED ACTIVITIES	130	120	- 10	8	120	118	- 2	2				



# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

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 expenditures for FY 23 and FY 24 are due to fewer than expected expenses that were incurred by the Division given the delays in implementing certain broadband projects (e.g., the Hi-WiFi Project) and the timing of when funds are expected to be expended for, among other matters, compliance and litigation actions.

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

No significant variance.

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

No significant variance.

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

Item 1: # of CATV Applications Reviewed by CATV. The definition of this activity was revised by the previous CATV administrator to include all CATV applications (new and current), plus applications to be designated as PEG (public, educational, and government) access organizations. The forecast estimate in FY 24 reflects a 50% increase due to potential applications for cable television service.

Item 5: # of INET Project Requests Received/Processed. The variance in FY 23 is based on the number of actual INET requests received by our division. It appears that the FCC's new rules, issued in August 2019, which concluded that costs associated with the construction, maintenance, and service of an INET must be included in the federal 5% cap on franchise fees at fair market value, which was later revised to marginal costs of the cable operator by the 6th Circuit Court of Appeals, had little effect on INET requests.

PROGRAM TITLE: CONSUMER ADVOCATE FOR COMM, UTIL & TRAN SVC  
 PROGRAM-ID: CCA-103  
 PROGRAM STRUCTURE NO: 10010302

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24						
	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	15.00	-	10.00	40	25.00	16.00	-	9.00	36	25.00	25.00	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	4,604	3,364	-	1,240	27	1,073	601	-	472	44	3,585	4,057	+	472	13
<b>TOTAL COSTS</b>															
<b>POSITIONS</b>	25.00	15.00	-	10.00	40	25.00	16.00	-	9.00	36	25.00	25.00	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	4,604	3,364	-	1,240	27	1,073	601	-	472	44	3,585	4,057	+	472	13

	FISCAL YEAR 2022-23				FISCAL YEAR 2023-24					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
<b>PART II: MEASURES OF EFFECTIVENESS</b>										
1. AVG % PUC DECSNS ACCPT AGRMNT ENTRD BY CA W/RU	75	82	+	7	9	75	85	+	10	13
2. CONS SAVINGS DUE TO PARTIC IN UTIL PROC (000'S)	15000	2408	-	12592	84	15000	6000	-	9000	60
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	300	-	4200	93	4500	3000	-	1500	33
6. % OF COMPLAINTS RESPONDED TO WITHIN 24 HOURS	85	93	+	8	9	85	93	+	8	9
7. % OF ALT ENERGY SOURCES USED BY ELECTRIC UTILITIES	36	33	-	3	8	37	37	+	0	0
<b>PART III: PROGRAM TARGET GROUP</b>										
1. DE FACTO POPULATION IN HAWAII (000'S)	1403	1588	+	185	13	1403	1588	+	185	13
2. # OF RESIDENTIAL ELECTRICAL METERS (000'S)	438	446	+	8	2	438	446	+	8	2
3. # OF NON-RESIDENTIAL USERS (000'S)	66	64	-	2	3	66	66	+	0	0
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	44	51	+	7	16	45	53	+	8	18
6. # TELECOM COMMON CAR (FED & ST LIC) OPER IN HI	210	243	+	33	16	210	243	+	33	16
7. # PIPD GAS, WATR, WAST WATR PUB UTIL REG BY PUC	43	55	+	12	28	43	55	+	12	28
8. #PROP MOTOR CARRIERS HLDG CERT PUBLIC CONV & NESSTY	550	787	+	237	43	555	650	+	95	17
9. # PASS CARRIERS HLDG CERT PUBLIC CONV & NESSTY	1050	1438	+	388	37	1055	1250	+	195	18
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	9	+	2	29	7	4	-	3	43
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	74	-	6	8	80	74	-	6	8
4. #OF INVST FOR QUAL SVC/OPER INTEG PARTIC IN BY DIV	2	1	-	1	50	2	1	-	1	50
5. # RULE-MKG PROC/GENERIC DCKTS PARTIC IN BY DIV	10	8	-	2	20	10	9	-	1	10
6. # OF EDUCATION/OUTREACH EVENTS ATTENDED	8	7	-	1	13	8	9	+	1	13
7. # OF NEWSLETTERS/PUBLICATIONS CREATED	4	1	-	3	75	4	6	+	2	50

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 01 03 02  
CCA 103

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

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

The variance in the number of positions in FY 23 reflects the Division's challenges in finding qualified, interested candidates at the current levels of pay. The variance in expenditures is due to personnel vacancies, deferral of certain cases, certain anticipated projects being delayed beyond FY 23, and efforts to restrict expenditures due to fiscal uncertainty.

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

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

Items 2 and 3: The variances reflect forecasting uncertainties from unknown factors such as if and when a company will file an application and when and how the PUC will rule on that application. With the adoption of the Performance Based Regulation Framework, the elimination of rate cases by the Hawaiian Electric Companies have affected opportunities for savings and Young Brothers has not filed a new rate case since receiving an emergency increase in FY 21.

Item 5: The number of people reached through outreach events in FY 23 continued to be lower than historical targets due to the information specialist position being vacant for a part of FY 23 as well as ongoing impacts from COVID pandemic. Since the Division has filled the vacancy in FY 23, greater outreach results are anticipated.

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

Item 1: Variance based on State of Hawaii Data Book updating and increase in visitors.

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

Item 6: The number of telecom carriers reflects the increase in the companies interested in providing telecommunications services in Hawaii. No specific factor is causing this increase and it may be reasonable to expect a decrease in the number of providers due to the competitive nature of the industry.

Item 7: The increase in this category is due to new water and wastewater companies being certificated.

Items 8 and 9: The number of property and passenger carriers is subject to various factors, such as general economic conditions. Thus, the increase in both the number of property and passenger carriers may reflect optimism that the recovery from the COVID pandemic will support a higher number of carriers than even before the COVID pandemic started.

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

Items 1, 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. The Consumer Advocate has attempted to participate in less of the non-rate and non-policy applications in order to better allocate its available resources to assess the electric utilities' proposed plans for power generation, interconnection, and rate structures. Due to State renewable and energy portfolio standards, there have been proceedings that deal with increasing the amount of renewable generation and energy efficiency measures.

Items 6 and 7: Due to the pandemic, the number of events normally attended was lower. In addition, the Division's information specialist position was vacant for part of FY 23, which affected the number of newsletters that were created and sent. With the education specialist position filled in FY 23, the Division has been reviewing how to modify its outreach plans to increase opportunities to interact with customers and plan on a bi-monthly newsletter.

STATE OF HAWAII

PROGRAM TITLE: FINANCIAL SERVICES REGULATION  
 PROGRAM-ID: CCA-104  
 PROGRAM STRUCTURE NO: 10010303

VARIANCE REPORT

REPORT V61  
 12/5/23

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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>	43.00	34.00	- 9.00	21	43.00	33.00	- 10.00	23	43.00	43.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	6,104	4,935	- 1,169	19	1,777	1,120	- 657	37	4,678	5,335	+ 657	14
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	43.00	34.00	- 9.00	21	43.00	33.00	- 10.00	23	43.00	43.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	6,104	4,935	- 1,169	19	1,777	1,120	- 657	37	4,678	5,335	+ 657	14
	<b>FISCAL YEAR 2022-23</b>				<b>FISCAL YEAR 2023-24</b>							
	<b>PLANNED</b>	<b>ACTUAL</b>	<b>± CHANGE</b>	<b>%</b>	<b>PLANNED</b>	<b>ESTIMATED</b>	<b>± CHANGE</b>	<b>%</b>				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES	93	100	+ 7	8	93	83	- 10	11				
2. %COMPL FI,ED,MT,MS,MLO APP PROC TMLY & PRS TO STAT	90	92	+ 2	2	90	90	+ 0	0				
3. % WRITTEN INQS REVIEWED/PROCESSED W/IN 30 DAYS	80	675	+ 595	744	80	675	+ 595	744				
4. % LIC RENWLS REVIEW/PROC TIMELY, PURS TO STDS	94	99	+ 5	5	94	94	+ 0	0				
5. % AUDITED FINANCIAL STATEMETS 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)	1403	1588	+ 185	13	1403	1588	+ 185	13				
2. FI,ED,MT,MS,MLO,MLOC BRNCHS & OTHER OFCS REGULATED	6000	5128	- 872	15	5500	4500	- 1000	18				
<b>PART IV: PROGRAM ACTIVITY</b>												
1. TTL \$ AMT ASSTS OF INSTITUTIONS EXAMIND (\$000,000)	57393	57013	- 380	1	57967	59910	+ 1943	3				
2. # OF APPLICATIONS REVIEWED	2000	2089	+ 89	4	1750	1750	+ 0	0				
3. # OF INQUIRIES RECEIVED	4200	3843	- 357	9	4000	3857	- 143	4				
4. # OF LICENSES RENEWED	3000	4331	+ 1331	44	2500	3400	+ 900	36				
5. # AUDITED FIN STATEMENTS RECEIVED FOR REVIEW	90	91	+ 1	1	91	90	- 1	1				
6. # OF COMPLAINTS OPENED FOR INVESTIGATION	77	82	+ 5	6	78	94	+ 16	21				
7. # OF NON-DEPOSITORY FINANCIAL INSTITUTION EXAMINED	52	38	- 14	27	52	33	- 19	37				
8. # OF CONSUMERS WHO RECEIVED RESTITUTION	300	31962	+ 31662	10554	300	300	+ 0	0				

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 01 03 03  
CCA 104

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

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

FY 23: It was difficult to fill open positions during FY 23, which has been the case not only across the State, but across the nation. The corresponding variance in expenditures is largely due to vacancies.

FY 24: Fortunately, the Division of Financial Institutions has seen much success in filling vacant positions with new employees coming on board or soon to come on board in Q2, FY 24.

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

Item 1: The 11% variance results from one exam started outside the 24-month requirement due to being on a multi-state exam.

Item 3: The 744% variance for both years is due to a significant increase in email inquiries. The Licensing Branch typically responds to such inquiries very quickly.

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

Item 1: Variance based on State of Hawaii Data Book updating and increase in visitors.

Item 2: The respective 15% and 18% variances result from Mortgage Loan Originator licensure declines due to the downturn in the mortgage market/industry due to rising interest rates and the impact of inflation.

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

Item 4: Although actuals were higher than originally planned, the respective 44% and 36% variances reflect the projected decline in renewals over time. However, the FY 23 decline was not as significant as projected. The declines pertain to the downturn in the mortgage market/industry.

Item 6: The 21% variance projected increase in complaints is based on the Maui wildfire disaster. Many homeowners whose homes were

destroyed are unhappy with their mortgage servicers and lenders.

Item 7: The respective variances of 27% and 37% are due to two examiner vacancies. Also, in FY 23, some exams started in the prior fiscal year. Additionally, in FY 24, there will be several large, complex entity exams that require more examiner resources allocated per exam.

Item 8: The 10,544% variance results from one exam in which a systemic finding resulted in refunds to 31,642 consumers. If that exam was excluded, the number of refunds to consumers would have been 320.

STATE OF HAWAII

PROGRAM TITLE:

PROGRAM-ID:

PROGRAM STRUCTURE NO:

PROFESSIONAL & VOCATIONAL LICENSING

CCA-105

10010304

VARIANCE REPORT

REPORT V61

12/5/23

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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	65.00	- 14.00	18	79.00	65.00	- 14.00	18	79.00	79.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	11,443	7,509	- 3,934	34	5,114	1,768	- 3,346	65	7,138	10,484	+ 3,346	47
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	79.00	65.00	- 14.00	18	79.00	65.00	- 14.00	18	79.00	79.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	11,443	7,509	- 3,934	34	5,114	1,768	- 3,346	65	7,138	10,484	+ 3,346	47
					FISCAL YEAR 2022-23				FISCAL YEAR 2023-24			
					PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % NEW LICENSES ISSUED WITHIN 10-12 BUSINESS DAYS					85	70	- 15	18	95	85	- 10	11
2. % LICENSEES RENEWED WITHIN 10-12 BUSINESS DAYS					87	83	- 4	5	97	87	- 10	10
3. % PVL-PROPOSED LEGISLATIVE MEASURES ENACTED					90	0	- 90	100	90	90	+ 0	0
<b>PART III: PROGRAM TARGET GROUP</b>												
1. DE FACTO POPULATION IN HAWAII (000)					1403	1588	+ 185	13	1403	1588	+ 185	13
2. PERS/BUS LIC BY PVL (ALL STATUSES)					525000	527114	+ 2114	0	540000	542100	+ 2100	0
3. PERS/BUS LICENSED BY PVL (CURR AND ACT)					160000	166255	+ 6255	4	160000	165000	+ 5000	3
4. REG BOARDS, COMMISSIONS, PROG ASSIGNED TO PVL					52	52	+ 0	0	52	52	+ 0	0
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # OF PROF & VOC APPLICATIONS RECEIVED					24000	23091	- 909	4	24000	23000	- 1000	4
2. # OF EXAMINEES & REEXAMINEES					10900	7315	- 3585	33	10900	10200	- 700	6
3. # OF APPLICANTS LICENSED					16000	15059	- 941	6	16000	15000	- 1000	6
4. # OF PERMITS ISSUED					800	1016	+ 216	27	800	1100	+ 300	38
5. # OF LICENSES RENEWED					70500	74607	+ 4107	6	70500	68000	- 2500	4
6. # CONDO REQUESTS, APPLS, REPORTS & EDUC OFFERINGS					96000	76303	- 19697	21	96000	78000	- 18000	19
7. # OF REAL ESTATE REQUESTS AND EDUC OFFERINGS					158000	150986	- 7014	4	158000	150000	- 8000	5
8. # OF TIME SHARE/SUBDIVISION FILINGS RECEIVED					230	248	+ 18	8	110	110	+ 0	0
9. # OF NEW/REVISED HI ADMIN RULES PROMULGATED					3	0	- 3	100	3	2	- 1	33

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

**10 01 03 04  
CCA 105**

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

### **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.

Item 6: Condominium request variances may have been caused by an increase in interest rates reducing the rate of projects coming to market and the associated decline in developer inquires.

Item 9: The variance is due to ongoing revisions made by boards and commissions, which have not resulted in the completion and promulgation of rules.

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

Item 1: The variance is due to the filling of position vacancies and staff turnovers, which require a retraining of staff, which impact the Professional and Vocational Licensing Division's (PVL) normal operations and processing timelines.

Item 2: The variance is based on licenses that are dependent on another license to renew.

Item 3: The variance is due to all legislative proposals (2) that were submitted by PVL, and no measures were enacted.

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

Item 1: Variance based on State of Hawaii Data Book updating and increase in visitors.

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

Item 2: The variance is based on a miscalculated belief that with the opening of test centers and the suspension of mandates related to COVID-19, exam numbers would most likely return to pre-pandemic numbers.

Item 4: The variance is due to the higher number of permits issued in the areas of barbering and cosmetology and motor vehicle industry.

PROGRAM TITLE: INSURANCE REGULATORY SERVICES  
 PROGRAM-ID: CCA-106  
 PROGRAM STRUCTURE NO: 10010306

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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	73.00	- 22.00	23	94.00	80.00	- 14.00	15	94.00	94.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	20,419	14,841	- 5,578	27	4,562	2,504	- 2,058	45	15,867	17,925	+ 2,058	13
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	95.00	73.00	- 22.00	23	94.00	80.00	- 14.00	15	94.00	94.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	20,419	14,841	- 5,578	27	4,562	2,504	- 2,058	45	15,867	17,925	+ 2,058	13

	FISCAL YEAR 2022-23				FISCAL YEAR 2023-24			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>								
1. % OF COMPLAINTS RESOLVED WITHIN 90 DAYS	90	79	- 11	12	90	85	- 5	6
2. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR	80	100	+ 20	25	100	100	+ 0	0
3. % CAPTIVE INSUR EXAM WKLD CMP W/IN 3 OR 5 YR REQUI	100	60	- 40	40	100	60	- 40	40
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	3.0	3.0	+ 0	0	3.0	3.0	+ 0	0
7. % SCREENING APPLICANTS ASSIGNED CLAIMS PRG	90	95	+ 5	6	90	90	+ 0	0

<b>PART III: PROGRAM TARGET GROUP</b>								
1. DE FACTO POPULATION IN HAWAII (000)	1403	1588	+ 185	13	1403	1588	+ 185	13
2. INSURER LICENSEES REGULATED BY INSURANCE DIV	1390	1393	+ 3	0	1397	1400	+ 3	0
3. CAPTIVE LICENSEES REGULATED BY INSURANCE DIVISION	261	262	+ 1	0	268	270	+ 2	1
4. OTHER LICENSEES REGULATED BY INSURANCE DIVISION	112000	110452	- 1548	1	123000	120000	- 3000	2
5. MOTOR VEHICLES SUBJECT TO INS REGULATIONS (000)	1075	1058	- 17	2	1075	1058	- 17	2

<b>PART IV: PROGRAM ACTIVITY</b>								
1. # OF LICENSE APPL, RENEWALS & UPDATES PROCESSED	204913	240835	+ 35922	18	225026	243410	+ 18384	8
2. # OF COMPLAINTS	550	747	+ 197	36	550	610	+ 60	11
3. # FRAUD REFER & COMPLAINTS OPEN FOR INVESTIGATIONS	77	96	+ 19	25	77	85	+ 8	10
4. # INFORM BRFNCS & CAPTIVE DEV ACTIVITIES DURING YR	52	52	+ 0	0	52	52	+ 0	0
5. # OF ANNUAL COMPANY FILINGS PROCESSED	2598	2816	+ 218	8	2611	2787	+ 176	7
6. # INSUR & CAPTIVES APPL FOR CERT OF AUTH REVIEWED	34	31	- 3	9	34	34	+ 0	0
7. # OF EXAMS OF DOMESTIC INS & INS-TYPE ENTITIES	45	41	- 4	9	50	42	- 8	16
8. # INSURER & ISSUER RATE & POLICY FILINGS ANALYZED	3810	3506	- 304	8	3810	3615	- 195	5
9. # OF PREMIUM TAX STATEMENTS FILED	11185	9940	- 1245	11	11242	9948	- 1294	12
10. # OF INSURER REPORTS ANALYZED CAPTIVES & RISK RTNT	341	326	- 15	4	341	334	- 7	2



# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 01 03 06  
CCA 106

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

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

Position Count and Expenditures: The variances are 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 a vacant investigator position during FY 23. We are currently waiting for a list of candidates from the Department of Human Resources Development and are looking for a temporary hire. Additionally, the significant increase of complaints during the year resulted in a decrease in handling times in FY 23.

Item 2: The variance in FY 23 was result of an error in submitting the planned number. Items 2 and 3 were reversed. Without this error, there would not have been a variance.

Item 3: As noted in the variance description for Item 2 above, the planned number should have been 80% instead of 100%. However, the actual FY 23 and estimated FY 24 of 60% still would have resulting in a variance greater than 10%. For FY 23, the decrease in the percentage of captive exams completed within requirements can be attributed to staff turnover and resources being allocated to the National Association of Insurance Commissioners' (NAIC) accreditation review. For FY 24, the estimated variance is attributable to a large number of pure examinations required during the year and the length of time these particular exams take to complete.

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

Item 1: Variance based on State of Hawaii Data Book updating and increase in visitors.

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

Item 1: Effective November 11, 2022, the Division went live on a new administrative system which also integrated with other systems that process license renewals and updates. This ease of processing contributed to the 18% increase in transactions handled in FY 23.

Item 2: A significant increase in auto complaints and homeowners' complaints were received in FY 23, with majority of these pertaining to parts shortages for motor vehicles and roof related complaints for homeowners. This upward trend is expected to continue in FY 24, as well as an increase in complaints attributable to the August 2023 Maui wildfire disaster.

Item 3: Our Fraud Investigation Branch received greater number of referrals than anticipated during FY 23, which led to more investigations opened. We expect this trend to continue in FY 24.

Item 7: Estimated variance in FY 24 is attributable to staff turnover and vacancies, as well as a shifting of resources needed for accreditation review with NAIC.

Item 9: The decrease in premium tax statements filed in FY 23 were mainly attributable to less surplus lines insurers not conducting business in Hawaii and, therefore, not required to file a premium tax return. This downward trend is expected to continue in FY 24.

VARIANCE REPORT

PROGRAM TITLE: POST-SECONDARY EDUCATION AUTHORIZATION  
 PROGRAM-ID: CCA-107  
 PROGRAM STRUCTURE NO: 10010307

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24						
	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	2.00	1.00	-	1.00	50	1.00	1.00	+	0.00	0	1.00	1.00	+	0.00	0
EXPENDITURES (\$1000's)	309	150	-	159	51	57	36	-	21	37	172	193	+	21	12
TOTAL COSTS															
POSITIONS	2.00	1.00	-	1.00	50	1.00	1.00	+	0.00	0	1.00	1.00	+	0.00	0
EXPENDITURES (\$1000's)	309	150	-	159	51	57	36	-	21	37	172	193	+	21	12
	FISCAL YEAR 2022-23				FISCAL YEAR 2023-24										
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%							
PART II: MEASURES OF EFFECTIVENESS															
1. % OF WRITTEN INQUIRIES ADDRESSED WITHIN 30 DAYS		85	85	+	0	0	85	85	+	0	0				
2. % OF COMPLETED APPLICATIONS REVIEWED WITHIN 60 DAYS		80	80	+	0	0	80	80	+	0	0				
3. % OF COMPLAINTS ADDRESSED WITHIN 90 DAYS		75	75	+	0	0	75	75	+	0	0				
PART III: PROGRAM TARGET GROUP															
1. # OF ACCRTD DGR GRNTING POST-SEC ED INSTS RGLTD		25	25	+	0	0	25	23	-	2	8				
PART IV: PROGRAM ACTIVITY															
1. # WRTN INQ RECVD CONCERN LAW'S REQ FOR AUTHORIZTN		120	110	-	10	8	120	120	+	0	0				
2. # OF APPLICATIONS RECEIVED AND REVIEWED		5	10	+	5	100	21	13	-	8	38				
3. NUMBER OF AUTHORIZATIONS OR REAUTHORIZATIONS		5	10	+	5	100	21	13	-	8	38				
4. NUMBER OF COMPLAINTS RECEIVED		3	2	-	1	33	3	3	+	0	0				

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

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CCA 107

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

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

FY 23 position and expenditure variances are due to position vacancies.

FY 24 expenditure variance due to timing of transactions.

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

No significant variance.

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

No significant variance.

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

Items 2 and 3: With the growth of distance education via online delivery, more schools are reevaluating the necessity of operating a physical location in Hawaii and may decide not to get reauthorized. However, three mainland institutions new to Hawaii applied for and received State authorization in FY 23. Two other schools unsure of seeking reauthorization also ultimately got reauthorized. Given the low starting quantities, a single unit accounts for a significant change (20%). Plans to close or operate in Hawaii are unpredictable, however, Hawaii Post-secondary Education Authorization Program (HPEAP) is aware of three institutions coming up for renewal in FY 24 that do not intend to seek reauthorization. In addition, the FY 24 estimates for applications and authorizations is adjusted to reflect the staggered number of schools scheduled for reauthorization in FY 24 (authorization periods are on a biennial renewal period determined by the date of initial approval - there is no set date to file an initial application).

Item 4: Few complaints are received annually, thus a single unit reflects a third of the total. HPEAP receives hundreds of written and phone inquiries, but it is difficult to predict the number of official complaints that may be filed. Historically, the amount of official complaints filed with HPEAP is low, resulting in a continued conservative estimate as it relates to complaints.

PROGRAM TITLE: PUBLIC UTILITIES COMMISSION  
 PROGRAM-ID: CCA-901  
 PROGRAM STRUCTURE NO: 10010308

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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	61.00	- 6.00	9	67.00	67.00	+ 0.00	0	67.00	67.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	16,918	14,341	- 2,577	15	4,684	3,210	- 1,474	31	14,053	15,528	+ 1,475	10
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	67.00	61.00	- 6.00	9	67.00	67.00	+ 0.00	0	67.00	67.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	16,918	14,341	- 2,577	15	4,684	3,210	- 1,474	31	14,053	15,528	+ 1,475	10

	FISCAL YEAR 2022-23				FISCAL YEAR 2023-24			
	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	99	+ 14	16	85	99	+ 14	16
4. NO. REPORTED ACCIDENTS INVOLVING UTILITY EMPLOYEES	90	84	- 6	7	90	84	- 6	7
5. AV NO. ELECTRIC SVC INTERRUPTNS PER CUSTOMER SVCD	2	2	+ 0	0	2	3	+ 1	50
6. NO. TELECOMM SVC DISRUPTNS LONGER THAN 1 HR	2	3	+ 1	50	2	3	+ 1	50
<b>PART III: PROGRAM TARGET GROUP</b>								
1. ELECTRIC AND GAS COMPANIES	5	5	+ 0	0	5	5	+ 0	0
2. PROPERTY CARRIERS	526	665	+ 139	26	526	665	+ 139	26
3. PASSENGER CARRIERS	943	992	+ 49	5	943	992	+ 49	5
4. WATER COMMON CARRIERS	2	2	+ 0	0	2	2	+ 0	0
5. PRIVATE WATER AND WASTEWATER UTILITY COMPANIES	39	38	- 1	3	39	38	- 1	3
6. TELECOMMUNICATIONS COMPANIES	185	146	- 39	21	185	146	- 39	21
7. OPERATORS OF SUBSURFACE INSTALLATIONS	47	50	+ 3	6	47	50	+ 3	6
<b>PART IV: PROGRAM ACTIVITY</b>								
1. NUMBER OF APPLICATIONS FILED	435	404	- 31	7	435	400	- 35	8
2. NO. DECISIONS/ORDERS & ORDERS ISSUED DOCKETD MATTR	870	886	+ 16	2	870	890	+ 20	2
3. NO. PUBLIC HEARINGS AND CONTESTED CASE HEARINGS	20	11	- 9	45	20	10	- 10	50
4. NUMBER OF CITATIONS ISSUED	30	36	+ 6	20	30	35	+ 5	17
5. NUMBER OF INFORMAL COMPLAINTS FILED	90	111	+ 21	23	90	111	+ 21	23

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 01 03 08  
CCA 901

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

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

FY 23 Expenditures: FY 23 expenditures did not meet the budgeted estimate mainly attributable to personnel services vacancies and decreases in anticipated outside services contracting activity and funding transfers to the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy.

FY 24 Expenditures: Variances due to transaction timing.

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

Item 3: For FY 23, the Commission improved the internal process (more timely requests for responses, quicker turnaround, etc.) and the utilities also improved by communicating better, thus, it became quicker to resolve. Complaint resolution is highly dependent on the utility company and their timeliness and not entirely within the Commission's control which is one of the reasons why 90 days is a reasonable standard.

Item 6: The variance in the number of telecom service disruptions longer than one hour was a result of Hawaiian Telcom, Inc., reporting three outages in FY 23.

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

Item 2: For FY 23, the Commission did not perform Order to Show Cause Hearings (OSC) in 2020, 2021 and 2022 due to the pandemic. OSC hearings is the mechanism the Commission used to revoke certificates. Since the Commission did not revoke certificates in the three years during the pandemic, new property carriers have applied causing the increase in numbers. In calendar year (CY) 2023, the Commission resumed OSC for property carriers and revoked a number of certificates. The Commission also discovered that some property carriers went out of business during the pandemic years. However, if a property carrier does not surrender its certificate, then it is still an active property carrier in our system. The combination of the two circumstances described may have inflated this

number, thus, there may be more property carriers operating than there may actually be. Also, because this is the post-pandemic period, business in general resumed to more normal levels resulting in new applications.

Item 6: For FY 23, the Commission did not issue OSC for telecom during the pandemic years; however, telecom companies are more diligent about surrendering their certificates. From what the Commission knows, telecom entities (mostly wireless) leave the Hawaii market because they simply have little or no business. These telecom companies, after they receive their certificate, will try to build their business. But after two or three years, they may give up and surrender their certificate.

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

Item 3: For the number of public hearings for FY 23, there were only 11 which is a slight increase from 8 in FY 22. These numbers are still under what was expected. This is attributed to programs still recovering from COVID and the increase in decisions and orders relating to docket matters which increased from 600 for FY 22 to 886 for FY 23.

Due to the COVID-19 pandemic ending, it was anticipated that the Commission would have public hearings and contested case hearings at projected levels (20 for FY 23). However, of the 404 applications actually submitted, 11 required a public hearing and/or contested case hearing. This indicates that applicants may not have fully recovered from pandemic-related issues such as supply chain impacts. Additionally, a Request for Proposal for renewable energy resources had been issued by Hawaiian Electric in Spring CY 2023, which would in turn result in new applications being submitted. However, final selection of projects have been delayed until late Fall CY 2023. The Commission anticipates applications for this tranche of projects to be submitted in FY 24.

The Commission did see an increase of Decision and Orders and Orders relating to docketed matters compared to FY 22 actuals, due primarily to applicants asking for adjustments to already approved power purchase agreements (i.e., project timelines being extended; project costs

## VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 01 03 08  
CCA 901

**PROGRAM TITLE: PUBLIC UTILITIES COMMISSION**

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increases due to supply chain issues; adjustments to tariffs due to pandemic related costs). This confirms that applicants that have existing projects are recovering post-pandemic.

Item 4: The variance in the number of citations issued is due to a return of standard enforcement actions as post-pandemic, economic and tourism-related activities resumed.

Item 5: The variance increase is partly due to complaints that should not have been referred to the Commission due to lack of jurisdiction and the Ho'opili transmission line project which triggered numerous similar complaints.

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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>	174.00	131.00	- 43.00	25	174.00	130.00	- 44.00	25	174.00	171.00	- 3.00	2
<b>EXPENDITURES (\$1000's)</b>	20,756	16,493	- 4,263	21	5,235	3,636	- 1,599	31	16,803	18,403	+ 1,600	10
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	174.00	131.00	- 43.00	25	174.00	130.00	- 44.00	25	174.00	171.00	- 3.00	2
<b>EXPENDITURES (\$1000's)</b>	20,756	16,493	- 4,263	21	5,235	3,636	- 1,599	31	16,803	18,403	+ 1,600	10
	<b>FISCAL YEAR 2022-23</b>				<b>FISCAL YEAR 2023-24</b>							
	<b>PLANNED</b>	<b>ACTUAL</b>	<b>± CHANGE</b>	<b>%</b>	<b>PLANNED</b>	<b>ESTIMATED</b>	<b>± CHANGE</b>	<b>%</b>				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % LEGAL ACTIONS RESOLVED IN FAVOR OF OCP	100	100	+ 0	0	100	100	+ 0	0				
2. \$ AMTS RECOVERED THRU MULTISTATE CASES (000)	1000	4974	+ 3974	397	1000	1000	+ 0	0				
3. % OF RICO SETTLEMENT AGREEMENTS ADOPTED	95	95	+ 0	0	95	95	+ 0	0				
4. % OF RECOMMENDED ORDERS IN FAVOR OF STATE	95	95	+ 0	0	95	95	+ 0	0				

## VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

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

**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.



PROGRAM TITLE: OFFICE OF CONSUMER PROTECTION  
 PROGRAM-ID: CCA-110  
 PROGRAM STRUCTURE NO: 10010401

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24						
	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>	19.00	14.00	-	5.00	26	19.00	14.00	-	5.00	26	19.00	19.00	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	3,044	2,516	-	528	17	833	494	-	339	41	2,445	2,784	+	339	14
<b>TOTAL COSTS</b>															
<b>POSITIONS</b>	19.00	14.00	-	5.00	26	19.00	14.00	-	5.00	26	19.00	19.00	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	3,044	2,516	-	528	17	833	494	-	339	41	2,445	2,784	+	339	14
	<b>FISCAL YEAR 2022-23</b>				<b>FISCAL YEAR 2023-24</b>										
	<b>PLANNED</b>	<b>ACTUAL</b>	<b>± CHANGE</b>	<b>%</b>	<b>PLANNED</b>	<b>ESTIMATED</b>	<b>± CHANGE</b>	<b>%</b>							
<b>PART II: MEASURES OF EFFECTIVENESS</b>															
1. # CONSUMERS DIRECTLY AFFECTED BY OFFICE ACTN (000)	50	52	+	2	4	50	50	+	0	0					
2. # BUSINESSES DIRECTLY AFFECTED BY OFFICE INVSTGTNS	900	536	-	364	40	900	500	-	400	44					
3. \$ AMT OF FINES ASSESSED OR COSTS IMPOSED (000)	700	0	-	700	100	700	1500	+	800	114					
4. \$ AMTS RECOVERED THRU MULTISTATE CASES (000)	1000	4974	+	3974	397	1000	1000	+	0	0					
5. % LEGAL ACTIONS RESOLVED IN FAVOR OF OCP	100	100	+	0	0	100	100	+	0	0					
<b>PART III: PROGRAM TARGET GROUP</b>															
1. RESIDENT STATE POPULATION (000)	1400	1400	+	0	0	1400	1400	+	0	0					
2. VISITORS TO HAWAII (000)	8000	9700	+	1700	21	8000	9000	+	1000	13					
<b>PART IV: PROGRAM ACTIVITY</b>															
1. # OF CONSUMER COMPLAINTS REC (EXCL LANDLD/TENANT)	1000	748	-	252	25	1000	750	-	250	25					
2. # OF COMPLAINTS INITIATED BY OCP	75	82	+	7	9	75	75	+	0	0					
3. # OF LANDLORD-TENANT INQUIRIES RECEIVED	10000	16308	+	6308	63	10000	12000	+	2000	20					
4. # OF COMPLNTS RESOLVED AT INVESTIGATIVE LEVEL	700	477	-	223	32	700	500	-	200	29					
5. # OF MULTISTATE CASES	8	13	+	5	63	8	8	+	0	0					
6. # OF LEGAL ACTIONS	15	6	-	9	60	15	10	-	5	33					
7. # INQ RECVD ON BUSINESS COMPLAINT HISTORIES	10000	13696	+	3696	37	10000	15000	+	5000	50					
8. # PERSONS REACHED THRU EDUCATIONAL EFFORTS	10000	30000	+	20000	200	10000	31000	+	21000	210					
9. # LEG PROP FOR WHICH OCP PROVIDED TESTIMONY	20	19	-	1	5	20	20	+	0	0					

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 01 04 01  
CCA 110

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

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

Position and Expenditures: The variances are due to unexpected staff departures and lack of claims paid out. In the FY 24 1st quarter, planned expenditures were deferred to subsequent quarter(s).

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

Item 2: Security Breach Notices and Internet Crime Complaint Center (IC3) complaints to the FBI were omitted from the results and will be omitted in FY 24.

Item 3: Amounts of fines or costs recovered in non-multistate cases varies based primarily on the nature and number of cases resolved during the FY.

Item 4: A single \$4.7 million settlement accounts for the variance from the predicted FY 23 recovery.

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

Item 2: Variance due to better than anticipated recovery of tourism sector.

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

Item 1: IC3 complaints to the FBI were omitted from the results and will be omitted in FY 24.

Item 3: General uncertainty relating to the repeal of pre-eviction mediation requirements in Act 57 (SLH 2021) likely contributed to the increase in landlord-tenant related inquiries in FY 23.

Item 4: Investigator time and attention focused on complex cases involving numerous victims. These cases could not be closed at the investigative level.

Item 5: The increased number of multistate cases opened in FY 23 is attributable to more cases being initiated by the States and a focus on holding companies who violate consumer laws more accountable.

Item 6: Departures in legal staff, and complexity of pending unfiled cases, contributed to the lower number of legal actions in FY 23. A partial rebound is expected in FY 24.

Item 7: Frequent online interaction via the Office of Consumer Protection's (OCP) website and business complaint history search feature contributed to the increase in inquiries in FY 23. This is a trend that is anticipated to continue in FY 24.

Item 8: The increase in the number of persons reached through educational efforts is due primarily to increased usage of OCP's website.

PROGRAM TITLE: MEASUREMENT STANDARDS  
 PROGRAM-ID: AGR-812  
 PROGRAM STRUCTURE NO: 10010402

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24						
	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>	10.00	6.00	-	4.00	40	10.00	6.00	-	4.00	40	10.00	7.00	-	3.00	30
<b>EXPENDITURES (\$1000's)</b>	660	495	-	165	25	157	157	+	0	0	540	540	+	0	0
<b>TOTAL COSTS</b>															
<b>POSITIONS</b>	10.00	6.00	-	4.00	40	10.00	6.00	-	4.00	40	10.00	7.00	-	3.00	30
<b>EXPENDITURES (\$1000's)</b>	660	495	-	165	25	157	157	+	0	0	540	540	+	0	0

	FISCAL YEAR 2022-23				FISCAL YEAR 2023-24					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
<b>PART II: MEASURES OF EFFECTIVENESS</b>										
1. COMPLIANCE RATE FOR COMMERCIAL MEASURING DEVICES	98	97	-	1	1	95	97	+	2	2
2. PERCENTAGE OF MEASURING DEVICES INSPECTED	50	49	-	1	2	50	45	-	5	10
3. COMPLIANCE RATE FOR SERVICE AGENCIES	60	55	-	5	8	100	60	-	40	40
4. COMPLIANCE RATE FOR AUTOMOTIVE FUEL OCTANE RATING	90	90	+	0	0	90	90	+	0	0
5. PERCENTAGE OF MEASUREMENT STANDARDS CALIBRATED	75	75	+	0	0	75	75	+	0	0
6. COMPLIANCE RATE FOR PRICING	99	99	+	0	0	95	99	+	4	4
7. PERCENTAGE OF STORES INSPECTED FOR PRICING	15	1	-	14	93	25	25	+	0	0
8. COMPLIANCE RATE FOR PACKAGE CONTENT	10	10	+	0	0	50	50	+	0	0
9. COMPLIANCE RATE FOR PACKAGE LABELING	50	50	+	0	0	50	50	+	0	0

<b>PART III: PROGRAM TARGET GROUP</b>										
1. BUSINESSES USING WEIGHING DEVICES	1900	2074	+	174	9	2000	2000	+	0	0
2. BUSINESSES USING VOLUMETRIC DEVICES	400	427	+	27	7	420	425	+	5	1
3. BUSINESSES USING LINEAR DEVICES	1750	1675	-	75	4	1800	1800	+	0	0
4. SERVICE AGENCIES FOR MEASURING DEVICES	55	56	+	1	2	55	55	+	0	0
5. STORES USING PRICE SCANNERS	1200	1200	+	0	0	1200	1200	+	0	0
6. MEASUREMASTER	81	307	+	226	279	81	307	+	226	279
7. DE FACTO POPULATION OF HAWAII (THOUSANDS)	1590	1451	-	139	9	1590	1451	-	139	9

<b>PART IV: PROGRAM ACTIVITY</b>										
1. # OF MEASURING DEVICES INSPECTED - WEIGHT	300	275	-	25	8	300	275	-	25	8
2. # OF MEASURING DEVICES INSPECTED - VOLUME	2500	1373	-	1127	45	2500	2500	+	0	0
3. # OF MEASURING DEVICES INSPECTED - LINEAR	1350	1778	+	428	32	1500	1700	+	200	13
4. # OF REPAIR SERVICES MONITORED FOR QUALITY	1800	1690	-	110	6	1800	1700	-	100	6
5. # OF MEASUREMENT STANDARDS CALIBRATED	1700	1816	+	116	7	1700	1700	+	0	0
6. # OF OCTANE TESTS DONE ON AUTOMOTIVE FUEL	50	58	+	8	16	50	50	+	0	0
7. # CONSUMER PKG INSPECT FOR QUANT OF CONTENTS (000)	50	0	-	50	100	50	50	+	0	0
8. # OF CONSUMER PACKAGE LABELS INSPECTED	50	48	-	2	4	50	50	+	0	0
9. # CONSUMER PRODS INSPECTED FOR PRICE VERIFICATION	50	150	+	100	200	50	300	+	250	500
10. NUMBER OF MEASURING DEVICES LICENSED	22000	21448	-	552	3	22000	21500	-	500	2

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 01 04 02  
AGR 812

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**PROGRAM TITLE: MEASUREMENT STANDARDS**

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**PART I - EXPENDITURES AND POSITIONS**

The variances in expenditures were due to vacancies. The variance in positions are due to lack of qualified applicants for vacant positions.

**PART II - MEASURES OF EFFECTIVENESS**

Item 7 - The variance is due to staff shortages in the package and labeling section.

**PART III - PROGRAM TARGET GROUPS**

Item 6 - The variance is due to reclassification of the data provided from measure master businesses to individual measure masters licensed annually.

**PART IV - PROGRAM ACTIVITIES**

Item 2 - The variance was due to fewer inspections being performed and data being displayed per device, not location.

Item 3 - The variance was due to an increase in the number of businesses utilizing taximeters and drivers returning to work in the industry after COVID-19 restrictions were lifted.

Item 6 - The variance was due to increased testing of octane samples this year.

Item 7 - The variance is due to shortages in staff needed to perform activities related to net weight package checking inspections.

Item 9 - The variance is due to an increase of inspection activity for the routine and complaint inspections.

PROGRAM TITLE: BUSINESS REGISTRATION & SECURITIES REGULATN  
 PROGRAM-ID: CCA-111  
 PROGRAM STRUCTURE NO: 10010403

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24						
	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	56.00	-	23.00	29	79.00	55.00	-	24.00	30	79.00	79.00	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	9,221	6,917	-	2,304	25	2,138	1,403	-	735	34	7,497	8,233	+	736	10
<b>TOTAL COSTS</b>															
<b>POSITIONS</b>	79.00	56.00	-	23.00	29	79.00	55.00	-	24.00	30	79.00	79.00	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	9,221	6,917	-	2,304	25	2,138	1,403	-	735	34	7,497	8,233	+	736	10
	<b>FISCAL YEAR 2022-23</b>				<b>FISCAL YEAR 2023-24</b>										
	<b>PLANNED</b>	<b>ACTUAL</b>	<b>± CHANGE</b>	<b>%</b>	<b>PLANNED</b>	<b>ESTIMATED</b>	<b>± CHANGE</b>	<b>%</b>							
<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	6	+	3	100	3	6	+	3	100	3	6	+	3	100
3. AV DAYS PROC APPS FOR BROKER-DEALERS/INV ADVISORS	25	25	+	0	0	25	25	+	0	0	25	25	+	0	0
4. AV DAYS TO PROCESS APPS FOR SALES AGENTS	15	15	+	0	0	15	15	+	0	0	15	15	+	0	0
5. AV DAYS TO PROCESS APPS FOR INVESTMT ADVISER REPS	15	15	+	0	0	15	15	+	0	0	15	15	+	0	0
<b>PART III: PROGRAM TARGET GROUP</b>															
1. CORP, PART, LLC,TRNAMES, TRMKS,SVC MKS ON REC	220000	246608	+	26608	12	220000	250000	+	30000	14	220000	250000	+	30000	14
2. BRKR, SALES, SECURITIES OFF, FRANCH, INV ADV & REP	130000	197063	+	67063	52	130000	140000	+	10000	8	130000	140000	+	10000	8
<b>PART IV: PROGRAM ACTIVITY</b>															
1. # DOCS RECEIVED FOR PROCESSING & ANNUAL REPORTS	180000	191059	+	11059	6	180000	193000	+	13000	7	180000	193000	+	13000	7
2. # SECURITIES COMPLIANCE APPLICATIONS RECEIVED	75000	197063	+	122063	163	75000	140000	+	65000	87	75000	140000	+	65000	87
3. # OF ENFORCEMENT CASES OPENED	65	150	+	85	131	65	65	+	0	0	65	65	+	0	0
4. # OF INQUIRIES RECEIVED BY SECURITIES ENFORCEMENT	1500	805	-	695	46	1500	1000	-	500	33	1500	1000	-	500	33
5. # OF COMPLTS RESOLVED AT INVESTIGATIVE LEVEL IN FY	30	18	-	12	40	30	25	-	5	17	30	25	-	5	17
6. # ENFORCEMENT CASES CLOSED DURING THE FISCAL YR	70	90	+	20	29	70	70	+	0	0	70	70	+	0	0
7. # OF ORDERS, CONSENT AGREE AND SETTLMNTS COMPLETED	20	37	+	17	85	20	25	+	5	25	20	25	+	5	25
8. # OF SUSPENSIONS OR BARS IMPOSED	10	11	+	1	10	10	10	+	0	0	10	10	+	0	0
9. # OF PERSONS REACHED THRU INVSTR ED PROG ACTIVITY	25000	17030	-	7970	32	25000	20000	-	5000	20	25000	20000	-	5000	20

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 01 04 03  
CCA 111

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

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**PART I - EXPENDITURES AND POSITIONS**

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

Expenditures: The variances are due in part to the timing of expenditure payments.

**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 23. With the kickoff of the Business Registration Division's IT Project in (July 2022), higher-level staff were required to attend hours-long planning and design meetings several times a week. This, combined with staff attrition and the training process for new staff, resulted in an increase in processing times. As the project continues and the volume of document filings trends slightly higher, the number is projected to remain at the higher than planned number in FY 24.

**PART III - PROGRAM TARGET GROUPS**

Item 1: The actual number of business registrations was higher than the planned number in FY 23. These numbers fluctuate and are difficult to predict. The number of registrations is projected to be higher than the planned number in FY 24 based on current trends.

Item 2: The actual number of securities and franchise registrations was higher than the planned number in FY 23. 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 implemented. The division will evaluate and consider editing this item at the next opportunity.

**PART IV - PROGRAM ACTIVITIES**

Item 2: The number of securities compliance applications received is higher than the planned number. The division will evaluate and consider editing this item at the next opportunity. 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 23. 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 lower than the planned number in FY 23. This number is difficult to predict and can be affected by various factors that include, but are not limited to, financial trends, scams, outreach efforts, etc. The division will evaluate and consider editing this item at the next opportunity.

Item 5: The number of complaints resolved at the investigative level was lower than the planned number in FY 23, and the division has adjusted its projection for FY 24 accordingly. The variance can be attributed to the unpredictability of complex factors of each case. 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 23. Because of the complex nature of the cases, it is difficult to predict the timing of resolving cases.

Item 7: The number of orders, consent agreements and settlements completed was higher than the planned number in FY 23 and the division has adjusted its projection for FY 24 accordingly. Factors such as the type of case, number of respondents, and cooperativeness of respondents are highly unpredictable.

## VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 01 04 03  
CCA 111

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

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Item 8: The number of suspensions or bars imposed was higher than the planned number in FY 23. Because of the complex nature of securities enforcement 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 lower than the planned number in FY 23 and the division will adjust its projection for FY 24 accordingly. In addition to in-person activities, the program continues to utilize online and social media platforms to push out its investor education, financial literacy, and investor protection content. The program continuously tries to reach new audiences and it is difficult to predict the number of people who will attend public events.

STATE OF HAWAII

VARIANCE REPORT

REPORT V61

PROGRAM TITLE:

REGULATED INDUSTRIES COMPLAINTS OFFICE

12/5/23

PROGRAM-ID:

CCA-112

PROGRAM STRUCTURE NO:

10010404

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24						
	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>	66.00	55.00	-	11.00	17	66.00	55.00	-	11.00	17	66.00	66.00	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	7,831	6,565	-	1,266	16	2,107	1,582	-	525	25	6,321	6,846	+	525	8
<b>TOTAL COSTS</b>															
<b>POSITIONS</b>	66.00	55.00	-	11.00	17	66.00	55.00	-	11.00	17	66.00	66.00	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	7,831	6,565	-	1,266	16	2,107	1,582	-	525	25	6,321	6,846	+	525	8
	<b>FISCAL YEAR 2022-23</b>				<b>FISCAL YEAR 2023-24</b>										
	<b>PLANNED</b>	<b>ACTUAL</b>	<b>± CHANGE</b>	<b>%</b>	<b>PLANNED</b>	<b>ESTIMATED</b>	<b>± CHANGE</b>	<b>%</b>							
<b>PART II: MEASURES OF EFFECTIVENESS</b>															
1. % OF RICO SETTLEMENT AGREEMENTS ADOPTED	95	95	+	0	0	95	95	+	0	0	95	95	+	0	0
2. % OF RECOMMENDED ORDERS IN FAVOR OF STATE	95	95	+	0	0	95	95	+	0	0	95	95	+	0	0
3. % OF FINAL ORDERS SUSTAINED ON APPEAL	95	100	+	5	5	95	95	+	0	0	95	95	+	0	0
4. NUMBER OF LEGAL ACTIONS	350	286	-	64	18	350	250	-	100	29	350	250	-	100	29
<b>PART III: PROGRAM TARGET GROUP</b>															
1. DE FACTO POPULATION IN HAWAII (000)	1403	1588	+	185	13	1403	1588	+	185	13	1403	1588	+	185	13
2. LICENSEES (000)	525	525	+	0	0	540	525	-	15	3	540	525	-	15	3
3. BOARDS & COMMISSIONS ADMIN ASSIGNED TO DCCA	52	52	+	0	0	52	52	+	0	0	52	52	+	0	0
<b>PART IV: PROGRAM ACTIVITY</b>															
1. # INQUIRIES TO CONSUMER RESOURCE CENTER	15000	6867	-	8133	54	15000	7000	-	8000	53	15000	7000	-	8000	53
2. # COMPLAINT HISTORY INQUIRIES	70000	140037	+	70037	100	70000	100000	+	30000	43	70000	100000	+	30000	43
3. # OF COMPLAINTS RECEIVED	3000	2506	-	494	16	3000	2500	-	500	17	3000	2500	-	500	17
4. # PEOPLE REACHED THRU CONS ED & COMPLAINT PROCESS	55000	1000	-	54000	98	55000	10000	-	45000	82	55000	10000	-	45000	82
5. # ASSISTS BY NI OFCS TO PUBLIC ON NON-RICO MATTERS	2500	2756	+	256	10	2500	2756	+	256	10	2500	2756	+	256	10
6. # OF ORDERS & JUDGMENTS	350	286	-	64	18	350	250	-	100	29	350	250	-	100	29
7. # COMPLETED INVESTIGATIONS	900	1344	+	444	49	900	1000	+	100	11	900	1000	+	100	11
8. # SITE INSPECTIONS AND LICENSURE COMPLIANCE CHECKS	900	2309	+	1409	157	900	1000	+	100	11	900	1000	+	100	11



# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

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 the direct result of vacant positions that have not yet been filled. Recruitment was active and ongoing, but the fiscal year also saw a drop in unemployment which led to less applicants with higher expectations such as more pay and/or flexibility to work from home. Some of the vacancies are in the division's neighbor island offices too, and recruiting for neighbor island vacancies have been difficult historically.

**PART II - MEASURES OF EFFECTIVENESS**

Item 4: Variances are the direct result of high attrition of experienced attorneys from the Legal Section, which made it difficult to meet past legal action filing numbers. Expectations have been adjusted down to allow the section to recover and rebuild.

**PART III - PROGRAM TARGET GROUPS**

Item 1: Variance based on State of Hawaii Data Book updating and increase in visitors.

**PART IV - PROGRAM ACTIVITIES**

Items 1, 3, 4, and 6: Variance reflects more reliance on the internet and website by the public for information, and less in-person events on the heels of the COVID-19 pandemic.

Items 2, 5, 7, and 8: Variance reflects the result of the productivity and dedication of existing staff in completing work better and faster with modernization.

PROGRAM TITLE: GENERAL SUPPORT  
 PROGRAM-ID: CCA-191  
 PROGRAM STRUCTURE NO: 100105

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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>	51.00	43.00	- 8.00	16	53.00	42.00	- 11.00	21	53.00	53.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	10,437	9,877	- 560	5	4,596	2,760	- 1,836	40	16,736	18,572	+ 1,836	11
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	51.00	43.00	- 8.00	16	53.00	42.00	- 11.00	21	53.00	53.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	10,437	9,877	- 560	5	4,596	2,760	- 1,836	40	16,736	18,572	+ 1,836	11
	FISCAL YEAR 2022-23				FISCAL YEAR 2023-24							
	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	98	+ 13	15	85	85	+ 0	0	85	85	+ 0	0
2. %HRGS OFFCER REC ORDERS ADOPTED BY FINAL ADM AUTH	90	92	+ 2	2	90	90	+ 0	0	90	90	+ 0	0
3. % HRGS OFFR REC ORDERS ADPT FINAL ADM AUTH SUSTAIN	90	95	+ 5	6	90	90	+ 0	0	90	90	+ 0	0
4. % OF ERROR-FREE INVOICES PROCESSED	99	99	+ 0	0	99	99	+ 0	0	99	99	+ 0	0
5. %COMPLAINTS/INQ RESPONDED TO IN TIMELY MANNER	95	97	+ 2	2	95	95	+ 0	0	95	95	+ 0	0
6. %LEG HRGS TO WHICH TIMELY WRITTN TESTMNY SUBMTTD	95	98	+ 3	3	95	98	+ 3	3	95	98	+ 3	3
7. %REQUESTS FOR SYSTEMS ADDTNS OR ENHANCE FULFILLED	50	87	+ 37	74	50	85	+ 35	70	50	85	+ 35	70
8. % INFORMATION SYS WORK REQ COMPLETED IN REQ'D TIME	85	77	- 8	9	85	80	- 5	6	85	80	- 5	6
<b>PART III: PROGRAM TARGET GROUP</b>												
1. DE FACTO POPULATION IN HAWAII (000)	1403	1588	+ 185	13	1403	1588	+ 185	13	1403	1588	+ 185	13
2. LICENSEES (000)	525	527	+ 2	0	540	542	+ 2	0	540	542	+ 2	0
3. DCCA DIVISIONS	13	13	+ 0	0	13	13	+ 0	0	13	13	+ 0	0
4. BOARDS & COMMISSIONS ADMIN ASSIGNED TO DCCA	53	53	+ 0	0	53	53	+ 0	0	53	53	+ 0	0
5. DCCA EMPLOYEES	551	550	- 1	0	551	550	- 1	0	551	550	- 1	0
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # WRITTN NOTICES ISS BY HRGS OFF RE: PROCED EVENTS	450	113	- 337	75	450	400	- 50	11	450	400	- 50	11
2. # PRE-HRG EVENTS BY HRG OFF INVOLVG THE PARTIES	200	70	- 130	65	200	150	- 50	25	200	150	- 50	25
3. # HEARINGS CONDUCTED BY HEARINGS OFFICERS	150	28	- 122	81	150	100	- 50	33	150	100	- 50	33
4. # RECOMMENDED & FINAL ORDERS ISS BY HRGS OFFICERS	200	46	- 154	77	200	150	- 50	25	200	150	- 50	25
5. TOTAL EDUCATIONAL OUTREACH IMPRESSIONS	25000	693000	+ 668000	2672	25000	100000	+ 75000	300	25000	100000	+ 75000	300
6. # SYSTEMS ADDED OR ENHANCED	145	145	+ 0	0	145	145	+ 0	0	145	145	+ 0	0
7. # OF INFORMATION SYSTEMS WORK REQUESTS	4300	4149	- 151	4	4300	3939	- 361	8	4300	3939	- 361	8
8. # OF INVOICES PROCESSED	8000	8000	+ 0	0	8000	8000	+ 0	0	8000	8000	+ 0	0

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 01 05  
CCA 191

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**PROGRAM TITLE: GENERAL SUPPORT**

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**PART I - EXPENDITURES AND POSITIONS**

The position variance is based on staff departures, retirements, and the hiring freeze impeding recruitment. The FY 22 and FY 23 1st quarter expenditure variances are due to vacancies.

**PART II - MEASURES OF EFFECTIVENESS**

Item 1: Hearings Officers strive to meet or exceed deadlines for completion of hearings. Statutory deadlines apply only to certain cases; all other matters are completed in a timely manner taking into consideration the legal issues involved and parties' reasonable requests for continuances.

Item 7: We believe previous setting for this metric is lower than it should be and will it be adjusted going forward to align to current expectations.

**PART III - PROGRAM TARGET GROUPS**

Item 1: Variance based on State of Hawaii Data Book updating and increase in visitors.

**PART IV - PROGRAM ACTIVITIES**

Items 1 through 4: Hearings conducted as well as recommended and final orders are dependent on requests for hearing filed with the Office of Administrative Hearings (OAH). Statutory changes to the procurement laws and the pandemic-related decrease in motor vehicle traffic resulted in decreased filings in procurement and no-fault denial cases. There was also a decrease in disciplinary actions taken against licensees.

Item 5: In FY 23, the metric for consumer outreach was converted from "total events" to "total impressions" to reflect a tangible and measurable metric for individual public engagement. The initial figure of 25,000 was established with the base organic impressions rate from FY 21. The reopening of community events and dedicated digital advertising accounted for a significant increase of total actual impressions in FY 23.

PROGRAM TITLE: ENFORCEMENT OF INFORMATION PRACTICES  
 PROGRAM-ID: AGS-105  
 PROGRAM STRUCTURE NO: 1002

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24						
	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	8.50	+	0.00	0	10.50	8.50	-	2.00	19	10.50	10.50	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	809	821	+	12	1	237	229	-	8	3	997	1,005	+	8	1
<b>TOTAL COSTS</b>															
<b>POSITIONS</b>	8.50	8.50	+	0.00	0	10.50	8.50	-	2.00	19	10.50	10.50	+	0.00	0
<b>EXPENDITURES (\$1000's)</b>	809	821	+	12	1	237	229	-	8	3	997	1,005	+	8	1

	FISCAL YEAR 2022-23				FISCAL YEAR 2023-24					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
<b>PART II: MEASURES OF EFFECTIVENESS</b>										
1. # OF INFORMAL REQUESTS (AOD) RECEIVED IN FY	1000	1275	+	275	28	1000	1300	+	300	30
2. % OF INFORMAL REQUESTS RESOLVED IN THE SAME FY	90	100	+	10	11	90	99	+	9	10
3. # OF FORMAL CASES OPENED IN FY (COR, RFA, ETC)	180	141	-	39	22	180	150	-	30	17
4. % OF FORMAL CASES OPEN AND CLOSED IN SAME FY	40	70	+	30	75	40	70	+	30	75
5. % OF TOTAL CASES OPEN AND CLOSED IN SAME FY	75	97	+	22	29	75	95	+	20	27
6. # OF FORMAL CASES PENDING AT END OF FY	100	98	-	2	2	100	100	+	0	0
7. # OF OIP WEBSITE PAGE HITS, EXCL. HOME PAGE & OIP	87000	198831	+	111831	129	87000	200000	+	113000	130
<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, COUNTY, AND INDEPENDENT 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
<b>PART IV: PROGRAM ACTIVITY</b>										
1. # OF FORMAL/INFORMAL OPINIONS ISSUED	10	13	+	3	30	10	10	+	0	0
2. # OF TRAINING MATERIALS ADDED/REVISED	1	13	+	12	1200	1	10	+	9	900
3. # OF SPECIAL PRESENTATIONS	0	0	+	0	0	0	0	+	0	0
4. # OF WRITTEN PUBLIC COMMUNICATIONS AND REPORTS	20	33	+	13	65	20	35	+	15	75
5. # OF LEGISLATIVE PROPOSALS MONITORED	70	180	+	110	157	140	240	+	100	71
6. # OF LAWSUITS MONITORED	35	40	+	5	14	35	35	+	0	0
7. # OF AGENCIES SUBMITTING UIPA LOGS	265	262	-	3	1	265	265	+	0	0
8. # OF FORMAL CASES CLOSED WITHOUT OPINIONS	0	129	+	129	0	0	150	+	150	0

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

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**AGS 105**

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

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

In FY 23, the Office of Information Practices (OIP) 8.5 full-time equivalent (FTE) positions were fully staffed and OIP trained three new Staff Attorneys and one Administrative Assistant. OIP received \$809,377 in legislative appropriations plus \$17,071 in collective bargaining funds, for a total allocation of \$826,448, of which OIP expended \$814,052 for personnel services and other current expenses.

In FY 24, the variance in positions is due to new positions authorized by Act 164, SLH 2023.

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

Item 1: While the number of informal requests received through OIP's Attorney of the Day (AOD) service have typically not exceeded 1,000 per year, OIP received in FY 2023 the second highest number (1,275) in its history since 2011.

Item 2: All informal requests received through AODs are typically responded to within the same day, which is why 100% are resolved in the same year they are received.

Item 3: In FY 23, OIP received 141 formal cases consisting of Requests for Assistance (RFA), Correspondence (CORR), UIPA record requests (UIPA), Appeals to OIP (APP), Requests for Opinions (RFO), and Requests for Reconsideration (RECON). This was a 22% decrease from the planned number of requests that OIP received from government agencies and the public.

Item 4: Of the total formal cases that were opened in FY 23, OIP closed 70% (99) of those cases in the same fiscal year, which is 75% more than planned.

Item 5: Of all formal and informal cases opened in FY 23 (1,417), 97% (1,374) were closed in the same year. This was 29% more than the planned number of closings.

Item 7: Excluding home page hits and OIP's own usage of its website, OIP had 198,831 website page hits in FY 23, which was 129% more than planned and shows growing usage of OIP's website by others.

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

No data available; future revisions to be made.

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

Item 1: OIP issued 13 formal or informal opinions, which was 30% more than planned.

Item 2: OIP added or revised 13 training materials, which is 1200% more than planned.

Item 4: OIP issued 33 written public communications and reports in the form of What's New articles, its Annual Report, and its summary reports of State and county UIPA Record Request Log reports. This was 65% more than planned.

Item 5: OIP monitored 180 legislative proposals in FY 23, which is 157% more than planned.

Item 6: OIP monitored 40 lawsuits relating to the UIPA, Sunshine Law or OIP, which is 14% more than planned.

Item 8: OIP closed 129 formal cases without opinions. There was no estimate for this statistic, and OIP closed with 129 more than planned.

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
<b>OPERATING COSTS</b>												
POSITIONS	191.50	171.50	- 20.00	10	191.50	169.50	- 22.00	11	191.50	191.50	+ 0.00	0
EXPENDITURES (\$1000's)	20,390	18,125	- 2,265	11	4,519	3,773	- 746	17	16,843	17,570	+ 727	4
<b>TOTAL COSTS</b>												
POSITIONS	191.50	171.50	- 20.00	10	191.50	169.50	- 22.00	11	191.50	191.50	+ 0.00	0
EXPENDITURES (\$1000's)	20,390	18,125	- 2,265	11	4,519	3,773	- 746	17	16,843	17,570	+ 727	4
					FISCAL YEAR 2022-23				FISCAL YEAR 2023-24			
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % ATTORNEY CASELDS EXCEED NATL STD FOR FELONY CASES	0	250	+ 250	0	0	250	+ 250	0				

## VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

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

**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  
 PROGRAM-ID: BUF-151  
 PROGRAM STRUCTURE NO: 100301

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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>	133.50	133.50	+ 0.00	0	133.50	133.50	+ 0.00	0	133.50	133.50	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	12,508	11,757	- 751	6	2,779	2,779	+ 0	0	10,362	10,362	+ 0	0
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	133.50	133.50	+ 0.00	0	133.50	133.50	+ 0.00	0	133.50	133.50	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	12,508	11,757	- 751	6	2,779	2,779	+ 0	0	10,362	10,362	+ 0	0
	<b>FISCAL YEAR 2022-23</b>				<b>FISCAL YEAR 2023-24</b>							
	<b>PLANNED</b>	<b>ACTUAL</b>	<b>± CHANGE</b>	<b>%</b>	<b>PLANNED</b>	<b>ESTIMATED</b>	<b>± CHANGE</b>	<b>%</b>				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % ATTORNY CASELDS EXCEED NATL STD FOR FELONY CASES	0	250	+ 250	0	0	250	+ 250	0				
2. % ATTRNY CASELDS EXCEED NATL STD FOR MISDMNR CASES	481	444	- 37	8	481	481	+ 0	0				
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	100	+ 10	11	90	100	+ 10	11				
<b>PART III: PROGRAM TARGET GROUP</b>												
1. INDIGENTS REQUIRING SERVICES FOR FELONY CASES	6134	5727	- 407	7	6134	6500	+ 366	6				
2. INDIGENTS REQUIRING SERVICES FOR MISDEMEANOR CASES	41855	22665	- 19190	46	41855	23000	- 18855	45				
3. INDIGENTS REQUIRING SERVICES FOR APPEALS CASES	157	62	- 95	61	157	80	- 77	49				
4. INDIGENTS REQUIRNG SVCS FOR MENTAL COMMITMNT CASES	265	582	+ 317	120	265	400	+ 135	51				
5. INDIGENTS REQUIRNG SERVICES FOR FAMILY COURT CASES	8698	2631	- 6067	70	8698	2700	- 5998	69				
6. INDIGENTS REQUIRING SERVICES FOR PRISON CASES	2469	1547	- 922	37	2469	2000	- 469	19				
<b>PART IV: PROGRAM ACTIVITY</b>												
1. CASES ACCEPTED - FELONY	5495	4884	- 611	11	5495	6000	+ 505	9				
2. CASES ACCEPTED - MISDEMEANOR	40449	21175	- 19274	48	40449	21000	- 19449	48				
3. CASES ACCEPTED - FAMILY COURT	7214	2137	- 5077	70	7214	2300	- 4914	68				
4. CASES ACCEPTED - APPEAL	157	62	- 95	61	157	75	- 82	52				
5. CASES ACCEPTED - MENTAL COMMITMENT	265	582	+ 317	120	265	500	+ 235	89				



# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

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BUF 151

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

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

The variance in expenditures is due to employee turnover and difficulty to hire on neighbor islands.

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

Item 1: The Office of the Public Defender (OPD) maintains statistics for felonies and misdemeanors in general but does not maintain statistics for specific grade levels of felonies or misdemeanors (e.g., high-level felonies, mid-level felonies). Therefore, the OPD effectiveness measurements for felonies are based on "mid-level felonies," as all attorneys assigned to felony cases are assigned mid-level felonies. Applying "mid-level felony cases per year" as the standard, the percentage of attorney caseloads exceeding the national standard for felony cases is 250%. This measurement is used due to the fact that the attorneys are assigned varied levels of felonies (e.g., sexual assault, high-level, mid-level, and low-level felonies) with the exception of murder. (Note: if "low-level felony" is used as the standard, the percentage of caseloads exceeding the national standard for felony cases is 167%).

Items 3-4: There is no available data available to measure percentage of attorney caseloads exceeding national standards for family court and appeal cases. These measures will be changed or removed during the next Program Structure update.

Item 5: Rule 22(a) of the Rules of the Supreme Court of Hawaii (RSCH) mandates that attorneys complete at least three credit hours of approved continuing legal education (CLE) during each annual reporting period. RSCH Rule 22(b) requires at least once every three years in which CLE credits are required, attorneys shall complete one hour of approved ethics or professional responsibility education. The OPD provides the required training hours during its annual seminar. The number of credit hours completed by attorneys is 24 credit hours, two hours to be credited for ethics and professional responsibility.

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

Items 2-6: The variances in the number of indigent defendants requiring services for misdemeanor, felony, appeals, family court, mental commitment, and prison cases reflect the unpredictability of the variables that determine the program target groups.

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

Items 2-5: The variances in the number of indigent defendants requiring services for misdemeanor, felony, appeals, family court, mental commitment, and prison cases reflect the unpredictability of the variables that determine the program activities.

PROGRAM TITLE: CONVEYANCES AND RECORDINGS  
 PROGRAM-ID: LNR-111  
 PROGRAM STRUCTURE NO: 100303

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24			
	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>	57.00	37.00	- 20.00	35	57.00	35.00	- 22.00	39	57.00	57.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	7,713	6,228	- 1,485	19	1,700	981	- 719	42	6,343	7,062	+ 719	11
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	57.00	37.00	- 20.00	35	57.00	35.00	- 22.00	39	57.00	57.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	7,713	6,228	- 1,485	19	1,700	981	- 719	42	6,343	7,062	+ 719	11
	<b>FISCAL YEAR 2022-23</b>				<b>FISCAL YEAR 2023-24</b>							
	<b>PLANNED</b>	<b>ACTUAL</b>	<b>± CHANGE</b>	<b>%</b>	<b>PLANNED</b>	<b>ESTIMATED</b>	<b>± CHANGE</b>	<b>%</b>				
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. NO. OF DAYS BETWEEN RECORDING & COMPLETION - REGULAR SYS	7	7	+ 0	0	7	7	+ 0	0				
2. NO. OF DAYS BETWEEN RECORDING & COMPLETION - LAND COURT	11	11	+ 0	0	45	45	+ 0	0				
3. NO. OF DAYS BETWEEN REQUEST & COMPLETION - COPIES	3	3	+ 0	0	3	3	+ 0	0				
4. NO. OF DAYS BETWEEN REQUEST & COMPLETION-UCC SEARCHES	7	7	+ 0	0	7	7	+ 0	0				
5. NO. OF DAYS BETWEEN 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	205103	- 19897	9	225000	217000	- 8000	4				
2. NUMBER OF DOCUMENTS RECORDED - LAND COURT	76000	54181	- 21819	29	76000	50000	- 26000	34				
3. LAND COURT CERTIFICATES OF TITLE ISSUED	18000	15698	- 2302	13	18000	16000	- 2000	11				
4. LAND COURT ORDERS RECORDED	4000	3262	- 738	18	4000	3000	- 1000	25				
5. MAPS FILED - LAND COURT AND REGULAR SYSTEM	148	168	+ 20	14	148	148	+ 0	0				
6. COPIES REQUESTED - LAND COURT & REGULAR SYSTEM	800000	1034665	+ 234665	29	850000	800000	- 50000	6				
7. UNIFORM COMMERCIAL CODE SEARCHES REQUESTED	120	96	- 24	20	120	120	+ 0	0				
<b>PART IV: PROGRAM ACTIVITY</b>												
1. NO. OF DOCUMENTS PROCESSED - REGULAR SYSTEM	225000	205103	- 19897	9	225000	217000	- 8000	4				
2. NO. OF DOCUMENTS PROCESSED - LAND COURT	76000	54181	- 21819	29	76000	50000	- 26000	34				
3. LAND COURT CERTIFICATES OF TITLE PRODUCED	18000	15698	- 2302	13	18000	16000	- 2000	11				
4. LAND COURT ORDERS PROCESSED	4000	3262	- 738	18	4000	3000	- 1000	25				
5. MAPS PROCESSED - LAND COURT AND REGULAR SYSTEM	148	168	+ 20	14	148	148	+ 0	0				
6. COPIES PROCESSED	800000	1034665	+ 234665	29	850000	800000	- 50000	6				
7. UNIFORM COMMERCIAL CODE RECORD SEARCHES PROCESSED	120	96	- 24	20	120	120	+ 0	0				

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

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LNR 111

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**PROGRAM TITLE: CONVEYANCES AND RECORDINGS**

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**PART I - EXPENDITURES AND POSITIONS**

FY 23: Positions were below budget due to the delay in hiring and the lack of qualified candidates by virtue of the specialized skills and experience required for the Bureau of Conveyances (BOC) operations. The specialized skills and experience requirements also drive internal promotions, which does not decrease the number of total vacancies. The expenditures were below budget due to these vacancies in permanent positions.

FY 24: Positions are below budget due to recent retirements and resignations, as well as the lack of qualified candidates by virtue of the specialized skills and experience required for BOC. Expenditures are below budget due to the same vacancies in permanent positions.

**PART II - MEASURES OF EFFECTIVENESS**

There are no significant variances to report for measures of effectiveness.

**PART III - PROGRAM TARGET GROUPS**

Items 2-5: The variances in FY 23 are due to unpredictable changes in government, business, and consumer market and economic conditions and resulting fluctuations in activities.

Items 2-4: For FY 24 variances, BOC estimates a continued decrease in recordings due to the continued decline in government, business, and consumer market and economic conditions and resulting fluctuations in activities.

Item 6: The variance in FY 23 is due to a one-time bulk image and data download purchase by a third-party title plant company.

Item 7: The variance in FY 23 is due to unpredictable changes in government, business, and consumer market and economic conditions and resulting fluctuations in activities, primarily related to COVID-19 restrictions.

**PART IV - PROGRAM ACTIVITIES**

See Part III, Program Target Groups, Item Nos. 2-5, 2-4, 6, and 7 above.

PROGRAM TITLE: COMMISSION ON THE STATUS OF WOMEN  
 PROGRAM-ID: HMS-888  
 PROGRAM STRUCTURE NO: 100304

	FISCAL YEAR 2022-23				THREE MONTHS ENDED 09-30-23				NINE MONTHS ENDING 06-30-24						
	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>	169	140	-	29	17	40	13	-	27	68	138	146	+	8	6
<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>	169	140	-	29	17	40	13	-	27	68	138	146	+	8	6

	FISCAL YEAR 2022-23				FISCAL YEAR 2023-24					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
<b>PART II: MEASURES OF EFFECTIVENESS</b>										
1. # WOMEN ELECTED TO LEG OFFICE AS % TOTAL SEATS	30	30	+	0	0	30	30	+	0	0
2. # CONSTITUENT CASES REFERRED TO & TRACKED BY COMM	150	250	+	100	67	150	150	+	0	0
3. # LAWS RE WOMENS ISSUES ENACT/REVISE AS % ADVOCATE	20	4	-	16	80	20	20	+	0	0
4. # CSW MENTIONS, PRESS RELEASES, AND INTERVIEWS	100	20	-	80	80	100	100	+	0	0
5. # INQUIRIES TO COMMISSION ON WOMEN'S ISSUES	3500	250	-	3250	93	3500	3000	-	500	14
<b>PART III: PROGRAM TARGET GROUP</b>										
1. TOTAL STATE POPULATION (THOUSANDS)	1425	1140	-	285	20	1425	1425	+	0	0
2. TOTAL STATE FEMALE POPULATION (THOUSANDS)	719	702	-	17	2	719	719	+	0	0
3. WOMEN IN LABOR FORCE (THOUSANDS) (AVERAGE)	352	307	-	45	13	352	350	-	2	1
4. FEMALES BETWEEN THE AGES OF 15 TO 64 (THOUSANDS)	453	431	-	22	5	453	453	+	0	0
5. FEMALES OVER 65 (THOUSANDS)	146	150	+	4	3	146	150	+	4	3
6. NATIVE HAWAIIAN WOMEN IN THE STATE OF HAWAII	143000	143003	+	3	0	143000	143000	+	0	0
7. FOREIGN BORN WOMEN IN HAWAII	250000	256272	+	6272	3	250000	250000	+	0	0
8. COMPACT OF FREE ASSOCIATION (COFA) WOMEN	6000	6000	+	0	0	6000	6000	+	0	0
9. TRANSGENDER WOMEN	4208	4208	+	0	0	4208	4225	+	17	0

<b>PART IV: PROGRAM ACTIVITY</b>										
1. # INTER-ORGANIZATION/AGENCY MEETINGS	350	100	-	250	71	350	350	+	0	0
2. # PROJ/EVENTS INITIATED, CO-SPONSORD OR SUPPORTD	100	25	-	75	75	100	100	+	0	0
3. # VOLUNTEERS/STAFF PARTCPTG IN PROJS/EVENTS (HRS)	100	65	-	35	35	100	100	+	0	0
4. # SEXUAL HARASSMENT AND GENDER BIAS TRAININGS	20	20	+	0	0	20	20	+	0	0
5. # SPEAKING ENGAGEMENTS BY COMMISSIONERS & STAFF	65	60	-	5	8	65	65	+	0	0
6. # BILLS RESEARCHED, INITIATED, SUPPORTED	75	75	+	0	0	75	75	+	0	0
7. # TRAINEES ATTENDED TRAININGS, EVNTS, OR PRGMS	10	2	-	8	80	10	10	+	0	0
8. FUNDS SPENT ON COMMUNITY COLLABORATION EVENTS	5000	1000	-	4000	80	5000	3500	-	1500	30
9. # INTERNS, EXTERNS, AND FELLOWS	10	4	-	6	60	10	10	+	0	0

# VARIANCE REPORT NARRATIVE FY 2023 AND FY 2024

10 03 04  
HMS 888

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

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**PART I - EXPENDITURES AND POSITIONS**

other program activities with only one employee.

The variance in expenditures is due to the vacancy of the Executive Director position.

**PART II - MEASURES OF EFFECTIVENESS**

2. The variance is due to crisis needs, including shelter and childcare, that were greater than anticipated.

3. The variance is due to the lack of an Executive Director through the second half of the legislative session and the general difficulty in getting bills enacted or laws amended.

4. The variance is due to the optimistic planned figure needing to be adjusted and the vacancy of the Executive Director position.

5. The variance is due to the optimistic planned figure needing to be adjusted and the vacancy of the Executive Director position. All trainings and events are on hold while the position remains vacant, so inquiries have declined.

**PART III - PROGRAM TARGET GROUPS**

1. The variance in the total State population is due to the non-publishing of this data by the Office of Elections.

3. The variance in the number of women in the labor force is due to the continued impact of the COVID-19 pandemic on childcare and other women's sectors.

**PART IV - PROGRAM ACTIVITIES**

1, 2, 3, 7, 8 and 9. The variances are due to the vacancy of the Executive Director position. Although the Commission on the Status of Women received increased exposure due to the new Hawaii Feminist COVID-19 Response Team and the Hawaii Feminist Economic Recovery Plan, it was difficult to coordinate meetings, trainings, events, internships, and