Fragmenting Democratic Leadership in the State of Hawai'i

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Introduction

Hawai'i Governor David Ige released this year's adjustments to the state's biennial budget in December of 2015. The initial budget had been prepared by his predecessor's administration just prior to Ige's assuming office in December of 2014. Ige requested some minor on-the-fly adjustments during the legislative session in the spring of 2015. His adjustments presented in December 2015 to the legislative session meeting in the Spring of 2016 represent a more thought-out approach to his policy priorities, although his slate of proposed programs was modest. However, this might have been expected given this being the second year of a biennial budget and with expected state revenues to remain flat for the year.

This year, Governor Ige requested large increases in Fiscal Year 2017 funding for the Department of Budget and Finance, the Department of Education, The Department of Health, the Department of Human Services, and the Department of Transportation. The Office of the Attorney General and the Department of Land and Natural Resources saw the highest percent of positive change while the Department of Hawaiian Home Lands received the largest cut as a percentage of their budget. Ige also requested significant increases bond revenues to fund Capital Improvement Projects (CIPs).

As of this writing, the budget bill has been passed out of and reported by the House Finance Committee. The committee took a conservative approach to the budget, and made deep cuts to Ige's proposed programs. Budgetary issues that have dominated the news include augmenting the availability of affordable housing, funding for transportation projects, adjustments to the state's medical marijuana dispensary program, and the provision of air conditioning to K-12 classrooms.

State of the Economy

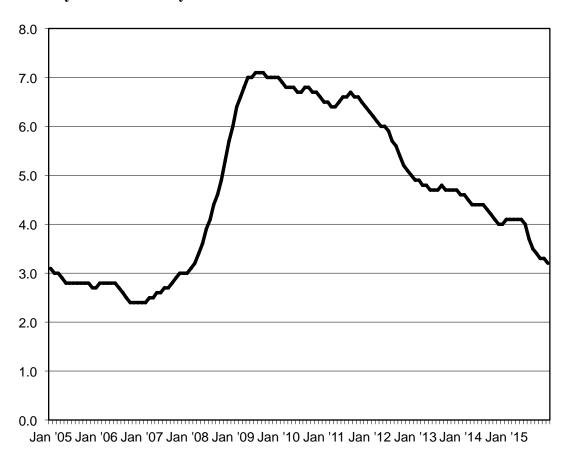
Tourism, a chief economic engine for the state, continued to be strong throughout 2015 and is expected to remain so through 2016. In 2015 there was a 4.1 percent increase in the amount of visitors to the islands over 2014, resulting in a 2.3 percent increase in visitor spending. For the year, the state received \$1.6 billion in tax revenue from tourists (Schaefers 29 January 2016). Visitor spending is expected to increase 2.4 percent over the prior year (Segal 12 February 2016). January of 2016 saw a record number of visitor arrivals in Hawai'i, with a 6.2 percent increase in the number of visitors from the previous year (Stewart 7 March 2016). However, a recent outbreak of Dengue Fever, affecting 236 residents and 25 visitors on Hawai'i Island, may cause a slight decline in tourism for the year.

The state's other main economic sector is agriculture. The state has undergone a significant change in its agriculture industry over the past 25 years. In the early 1980s the agriculture industry's focus was on two main products: sugar and pineapple. Labor and other economic conditions caused the exit of the sugar industry and a tremendous

cutback in pineapple production. Today, the state's agriculture portfolio is much more diversified although overall acreage has declined by 200,000 acres of cropland. The crop's with the greatest increase in production in recent years have been macadamia nuts and coffee (Gomes 22 February 2016).

Overall, the state's economy is healthy and growing, albeit at a slow rate. In February of 2016, the state Department of Business, Economic Development, and Tourism (DBEDT) maintained its forecast of an expected GDP growth rate of 2.3 percent for the year. Unemployment in the state has continued to decline to just over three percent (see Figure 1). The DBEDT estimates that unemployment will return to its prerecession low of under three percent by the end of the year. Much of the new employment is in the tourism and construction industries (Segal 26 January 2016).

Figure 1. Seasonally-Adjusted Unemployment Rate, January 2005 to January 2016



Source: BLS LAU

A large source of tax revenue for the state is its General Excise Tax (GET). Because the tax is collected at every point in the production and distribution process of goods, the rate of 4.0 percent (4.5 percent on the island of Oʻahu) belies a higher drag on the economy. In their Annual State-Local Tax Burden Rankings, the nonpartisan Tax Foundation ranked Hawaiʻi as having the 14th most burdensome state and local tax rates in the United States. Hawaiʻi residents saw 10.2 percent of their income go towards state and local taxes. For all 50 states, the average local tax bill was \$1,096, whereas residents of Hawaiʻi paid an average of \$3,480 (Star-Advertiser Staff 21 January 2016).

Demographics

According to the United States Census Bureau, the state of Hawai'i's population size has continued its trajectory of modest growth. It is estimated that the state's population has grown by 11,346 between 2014 and 2015, which brings the total number of residents to 1,431,603 (source: census.gov). The state's local governing units are at the county level, and there are no municipal governmental entities (although the local government of the island of Oʻahu refers to itself as the "City and County of Honolulu").

As Table 1 demonstrates, an internal analysis of the population disbursement across the Hawai'i islands shows the skewed population distribution of the state's residents. The island of O'ahu (Honolulu county) comprises 69.9 percent of the state's population, with a concentration 1650.9 residents per square mile. The remaining residents of the state populate the remaining counties with 13.7 percent of residing in Hawai'i county (known ad the "Big Island"), 11.5 percent in Maui county (comprising the islands of Maui, Lana'i, and Moloka'i), and five percent in Kaua'i county (the island of Kaua'i).

A comparative analysis of the demographics of each of the state's four main counties indicates that the citizens of Honolulu county received a higher percentage of Bachelor's Degrees or other higher educational degrees per total population (32.5 percent). Kaua'i county comes in second with 26.9 percent of the total population having degrees of higher education. Hawai'i county edges over Maui county to come in third with 25.9 percent of residents having received degrees of higher education while 25.6 of Maui county's residents have received similar degrees.

Maui county has the highest percentage of civilian laborers over the age of sixteen years with 68.6 percent, despite undergoing a 2.1 percent decline in total employment. Kauai county's civilian labor force represents approximately 63.2 percent of their population and saw a 1.1 percent increase in total employment. Honolulu county had the third smallest percentage of their population in the civilian labor force at 61.2 (due to the large military presence on O'ahu) and a 2.1 percent increase in total employment. Hawai'i county had the smallest percentage of their population in the civilian labor force with 59.1, percent despite having a 3.4 increase in total employment.

Table 1. Demographic Comparisons: Hawai'i Counties (Percentages, except as noted)

	Hawai'i	Honolulu	Maui	Kaua'i
Population Disbursement	13.7	69.9	11.5	5.0
Population (persons per sq mile)	48.2	1650.9	140.3	113.7
BA Degree or Higher	25.9	32.5	25.6	26.9
Born in US	88.8	80.6	82.3	84.2
Population in Civilian Labor Force (> 16 yr)	59.1	61.2	68.6	63.2
Total Employment Change	3.4	2.1	-2.1	1.1
Persons in poverty	18.1	9.8	13.1	12.3
Persons without Insurance (< 65 yr)	10.7	6.7	9.2	8.6

Source: ACS, Census.gov (2014 data)

Despite comprising the state's biggest land mass, Hawai'i county residents only make up about 13.7 percent of the state's total population. On the "Big Island," 18.1 percent of the residents live in poverty, which is the highest percentage in the state. Maui county came in second with 13.1 percent of its residents in poverty, and Kaua'i county coming in in third with 12.3 percent. Honolulu county on the other hand, being the focal point of Hawai'i's tourism industry had 9.8 percent of its population in poverty.

According to Table 1, a larger percentage of residents living Hawai'i county over 65 years of age go without insurance. An approximate 10.7 percent of Hawai'i county residents over 65 years of age go without insurance while 9.2 percent of Maui county

residents and 8.6 percent of Kaua'i residents of the same demographics are forced to do the same. Honolulu county had the smallest percentage of their elder residents falling into this category with only 6.7 percent of them uninsured.

The demographics of the "rainbow state" are vastly different compared to the rest of the United States. Well renown for being one of the most culturally and racially diverse states in the country, Hawai'i is the only state to never have had a majority white population (Pratt and Smith 2000). Currently in Hawai'i, approximately 26.7 percent of residents self-identify as "white" while 77.4 percent of the United States consider themselves to be of this demographic (see Table 2). In Hawai'i, "Asian" comprises the largest ethnic group with 37.5 percent of the population identifying as such. But Hawai'i also has a very large population of individuals with mixed races, with 23.0 percent of the population identifying as more than one race (census.gov).

The state of Hawai'i is proud to be as culturally diverse as it is racially and ethnically with 75.7 percent of households speaking English only, compared to 79.1 percent nationally (census.gov). In addition to Hawaiian, popular second languages include Japanese, Chinese, Korean, Portuguese, Tagalog, and other Pacific island languages.

Despite continually being ranked as having the largest homeless population out of any state in the country, the evidence presented in Table 2 shows that the percentage of persons in poverty and the percentage of civilians in the labor force are both higher than the United States as a whole. Hawai'i's percentage of civilians in the labor force that are unemployed as well as the number of families below poverty (3.3 percent and 7.8 percent, respectively) level are both below the United States' (6.2 percent and 12.7 percent, respectively). Residents of Hawai'i, on average, receive a higher median income (\$68,201) then the rest of the United States (\$53,482) (census.gov). However, the cost of living in Hawai'i, often termed "the price of paradise," is the highest of any state in the United States, so these statistics may not tell the full story of the economic well-being of state's residents (Yonan, 16 July 2013). With a much greater population density per square mile than the rest of the United States (211.8 persons per square mile compared to 87.4 persons per square mile), exorbitant housing costs in Hawai'i have been a serious issue. The median value of owner-occupied housing units in Hawai'i is \$504,500 while nationally it is \$175,700. The rent in Hawai'i is also much higher than the national average. The average United States citizen can expect to pay approximately \$920 as their median gross rent, while in Hawai'i residents pay \$1,417 (census.gov).

Playing a pivotal role in maintaining the United States presence in the Pacific region, Hawai'i has a disproportionate number of military bases, service people, and veterans (Belt 2012). In 2015, Hawai'i was ranked second highest in the country as the benefactor of military spending, with military spending making up about 10 percent of the state's Gross Domestic Product (Magin, 29 September 2015).

Table 2. Demographic Comparisons: Hawai'i vs. U.S.

(Percentages)

	Hawai'i	U.S.
White	26.7	77.4
HS Graduate	90.7	86.3
BA Degree or Higher	30.5	29.3
Born in US	82.1	86.9
Persons in poverty	11.4	14.8
Persons without Insurance (< 65 yr)	6.1	12.0
Civilian labor force (> 16 yr)	61.4	63.5
Employed	58.1	57.3
Unemployed	3.3	6.2
Families below Poverty Level	7.8	12.7
Source: ACS, Census.gov (2014 data)		

Political Composition of State Government

As it has for many years, the Democratic party continues to dominate the state legislature. The House of Representatives has been majority Democratic since statehood, and Republicans last had a majority in the Senate in 1965. The lack of party competition has given rise to cleavages within the Democratic party, particularly with respect to fiscal conservatism and various social issues such as gambling and same-sex marriage. An additional area of cleavage within the Democratic caucus involves leadership selection, and protracted leadership battles have been waged in both the House and Senate in recent years.

In the House of Representatives, the democrats hold a 44-7 majority. In the Senate, democrats have an overwhelming 24-1 advantage. The lone Senate republican, and default Minority Leader and Floor Leader is Senator Sam Slom, who serves on all committees as the voice of the loyal opposition. Governor Ige is also a Democrat, and a past chairman of the Senate Ways and Means Committee.

At the beginning of the 2016 Legislative session, State Senator Gilbert Kahele passed away. The senator represented district 1 on the Island of Hawai'i, Governor Ige appointed the late senator's son Kai Kahele to serve in his father's place. Although the late senator's term was to end in 2018, his son will have to run in the 2016 election in order to retain his seat. Kai Kahele, although lacking political experience, stated that he would continue the programs championed by his father, including the establishment of an aviation program at the University of Hawai'i at Hilo (SB 3073, Johnson 17 February 2016).

Each session the legislature makes recommendations for constitutional amendments subject to state wide referenda. This session, legislature is considering amendments that would establish elections for state-level judges, as well as public election of the state attorney general. However, the idea of judicial elections was met with a groundswell of opposition from the state's legal community (Dayton 14 February 2016).

In Hawai'i, the governor has term limits whereas state legislators do not. This session two bills were introduced to limit state representatives' terms. However, both bills failed early in the legislative term (SB 2753 and SB 2699).

At the end of February 2016 Representative Tulsi Gabbard (D-HI, District 2) stepped down from her position as the Vice-Chairwoman of the Democratic National Committee (DNC) in order to endorse presidential candidate Bernie Sanders. Gabbard had made national headlines for clashing with DNC Chairwomen Debbie Wasserman-Schultz over the paucity of presidential debates that the party scheduled (Alcindor 29 February 2016).

Governor-Legislature Relationship

In 2014, David Ige ousted sitting Governor Neil Abercrombie in the state's Democratic primary election. It was the first time in the state's history that a sitting governor failed to attain his or her party's nomination for reelection. During his term in office, Abercrombie alienated many sectors of his electoral coalition with his policy proposals as well as his brash and aggressive style as governor.

In terms of personal style, the pendulum swung completely to the other side from Abercrombie to Ige. While Abercrombie was bombastic, Ige was quiet and eschewed controversy to the point of seeming withdrawn. Ige's timidity in dealing with issues of public concern has drawn sharp criticism, particularly for his lack of leadership in dealing with the Thirty Meter Telescope protests.

In February, the governor was denounced by US Representative Tulsi Gabbard for his slow response to the Dengue Fever outbreak. Specifically, Gabbard criticized the governor for not having declared a state of emergency in the earlier stages of the outbreak. Ige maintained that it was the county's responsibility to handle the epidemic. As of February, the county of Hawai'i had yet to request a statewide declaration of emergency. However, Ige's office asserted it was working to release \$250,000 to fund eight "vector control" positions, including one etymologist, and one communications position (Stewart 9 February 2016).

Since taking office, Governor Ige has frequently talked about working in collaboration with the state legislature. Shortly after his State of the State address, Senate Ways and Means Chairwoman Jill Tokuda questioned administration officials about their inability to promptly spend federal funds. Other lawmakers indicated a greater desire to "manage and direct" certain state departments (Dayton 24 January 2016). Lawmakers also stated that the Governor's budget request exceeded state revenue expectations (Dayton 24 January 2016), portending a budget showdown tilted against the governor.

Major Issues

Public Health Issues

As noted above, a rise in public health concerns related to diseases spread by mosquitos, rats, and other pests swept through Hawai'i in late 2015 and early 2016 with the outbreak of Dengue Fever. Despite pressure from the public, the state legislature, US Representative Tulsi Gabbard, and US Senator Brian Schatz, Governor Ige was slow to address the issue. It was not until five months after the outbreak, when hundreds of residents had been affected and the diagnosis of at least one case of the Zika Virus, that the Governor declared a state of emergency. The declaration opened access to the state's Major Disaster Fund for the establishment of mitigation efforts in order to halt the spread of the viruses.

In order to better protect its residents from future outbreaks, the state proposed a set of companion bills, Senate Bill 2240 and House Bill 2061. These bills sought to appropriate funds to higher four officers to monitor populations of mosquitoes, rats and other pests deemed potentially dangerous to public health. The bills would also reestablish a vector control branch on Hawai'i Island, the epicenter of the Dengue Fever outbreak.

Mosquitoes were not the only pest to make the list of possible public health concerns. In an attempt to better address the issue of Rat Lungworm Disease, Senate Bill

2516 would appropriate \$1.4 million to the Department of Health. These funds would be used to establish rural health outreach program, including blood tests for identifying the disease and mechanisms to insure water purity as well as an integrated pest-management plan (Callis 9 February 2016).

Airport Security

The state decided to offer a contract extension to Securita, a private security company, to continue to provide security services to Hawai'i's airports. The three-year extension includes \$6 million in wage increases despite the indictment of several of the firm's employees for taking bribes from taxi and shuttle drivers at the Honolulu International Airport, and permitting drivers to violate airport ground transportation rules. Critics of the deal argued that the state should use sheriff's deputies instead of the private firm, but the state's Department of Transportation maintained that this option would be more expensive (AP 17 February 2016).

University of Hawai'i

Having faced financial difficulties for several years, the University of Hawai'i has taken to lobbying the state's legislature for increased financial assistance. Senate Bill 83 would re-allocate \$3 million from the state's tourism special fund to the university's athletic program for the purpose of covering travel expenses for athletes. The Hawai'i Tourism Authority opposed the plan, citing that they had already committed \$9 million of its funds to support 19 different sporting events in Hawai'i this year, which is expected to generate an economic impact of \$144 million (Schaefers 15 March 2016). UH authorities defended the bill calling student-athletes "ambassadors of aloha" (Tanaka, 19 February 2016).

In recent years, the University of Hawai'i at Hilo has lobbied the state legislature for financial support to build a new building for the University's nascent pharmacy program. For several years the legislature balked at the University's request, citing exorbitant costs for an unnecessarily large building. However, in 2015, the University scaled down its request, and the legislature approved the project, budgeting \$30 million for the school's building construction. Having finally received legislative approval, the University of Hawai'i at Hilo is facing another obstacle as construction bids for the building came in between \$2.5 million and \$5.5 million higher than expected (Kalani, 13 February 2016).

The high salaries of administrators at the state's university system has drawn a good deal of public criticism. The chairs of the Higher Education Committees in both the House and the Senate introduced bills (HB 1685 and SB 2768) that would allow lawmakers to veto the salaries of University of Hawai'i executives who make twice as much or more than the Governor. Currently seven UH executives earn more than twice the Governor's salary (Kalani 30 January 2016).

Homelessness and Public Housing

Between 2014 and 2015, Hawai'i saw an increase in its unsheltered homeless population by 23 percent and the number of unsheltered families increase by 46 percent. To deal with the chronic homelessness issue, the governor issued an emergency declaration in the October of 2015, as well as three extensions of the declaration. Under the emergency proclamation and extensions, the governor released \$6.3 million for homeless services, of which \$5 million would go to the United Way. The funding also helps to establish long-term micro-unit housing and relaxes zoning laws to hasten the building process (AP 24 February 2016).

In order to create more public housing, the governor also requested an additional \$15 million, on top of the already approved \$1.5 million, for a building repurposing project. The funds are to refurbish an under-utilized juvenile detention center in Honolulu, and to convert it to be used as affordable housing and facilities that would serve troubled children. The state judiciary, which control the site, and Hawai'i Housing Finance and Development Corporation (HHFDC) have agreed to co-fund the project with the HHFDC contributing \$54 million and the judiciary \$25.2 million. The total cost to renovate the site and turn it into a 18-story-tall building with 180 residential apartments is estimated to be \$80 million (Gomes 9 March 2016).

In order to further address the issue of homelessness and limited public housing in Hawai'i, the House and Senate introduced legislation that would limit the amount of time that tenants may occupy low-income housing. The Senate Bill planned for a seven-year limit but this was later dropped in favor of the House Bill which limited the time to five years. The proposed limits would apply to about 14 percent of the 6,195 units in the State and help alleviate the current backlog of demand for low-income housing, which stands at approximately 15,000 families. However, the state's plan may be in violation of federal regulations that prohibit the states from imposing time limits on public housing tenants that are federally subsidized, even if the tenants have occupied their units for decades (HB 2638, Dayton 15 February 2016).

Marijuana

In 2000, Hawai'i legalized the use the use of marijuana for medicinal purposes, but the state did not establish a legal way of obtaining the drug. Fifteen years later, the state legislature approved of the establishment of medical marijuana dispensaries, but the state limited the number of licenses to eight. In order to apply for a license, applicants were required to pay a \$5,000 non-refundable fee, prove their ability to allocate \$1 million in financial resources as well as an additional \$100,000 for each retail location. Selected applicants were then required to pay the state \$75,000 for each license and a yearly \$50,000 renewal fee (Johnson 6 February 2016).

By the beginning of 2016, the state's Department of Health had received 66 applications for licenses. The Health Department initially intended to keep the names of decision committee members a secret from the public but the lack of transparency drew sharp criticism from lawmakers and a threatened lawsuit from the Honolulu Star-Advertiser. The Health Department promised to release the names of committee members after licenses had been granted (Consillio 13 February 2016).

Among the dispensary license applicants was actor Woody Harrelson and a group of whose members include state Senate Democratic Majority Leader J. Kalani English, who helped to pass Act 241 which authorized the Department of Health to issue licenses. Although no one has accused him of ethical violations, some of English's colleagues have stated that his participation in a group seeking a license gives the appearance of a conflict of interest. In Hawai'i, state employees and lawmakers are prohibited from using their positions to receive unwarranted advantages and cannot use confidential information, obtained through their positions, to benefit themselves (Consillio 13 February 2016). Senator English was also criticized for applying for a license given his past legal troubles. The rules governing marijuana dispensaries require that each member of a company applying for a license shall "not have any felony convictions or any other disqualifying background history." In 1988, Senator English pleaded guilty to felony cocaine possession, however the charge was officially dismissed in 1990 (Dayton, 21 February 2016).

With the implementation of medical marijuana dispensary policy looming, a number of bills tweaking the state's marijuana policies were introduced in the state House of Representatives, this term. House Bill 1680 would have prohibited patients from growing their own medical marijuana. However, the measure died in the House Committee on Health in early February 2016. If passed, House Bill 2455 would regulate the pricing of marijuana at dispensaries and House Bill 1748 would give county counsels the ability to ban medical marijuana production centers and dispensaries in certain areas. House Bill 2222 would amend the definition of "debilitating medical condition" to provide physicians with greater discretion in prescribing medical marijuana (Johnson 16 February 2016).

Another bill, HB 1677, would establish a system to monitor doctors who certify patients for medical marijuana. Currently, 90 percent of medical marijuana certifications are recommended by only ten doctors. The proposed bill would require the state's medical board to conduct periodic reviews of physicians whom certify patients in order to both prevent misconduct and enable more doctors to prescribe the drug. Critics charge that the bill could have a chilling effect on doctors who may opt out of participating in certification (Johnson 25 January 2016).

House Bill 2707, introduced by Representative Della au Belatti, would establish a number of pro-patient regulations regarding the oversight of medical marijuana in the state. Of these regulations, one would establish a medical marijuana advisory committee

to monitor the state's dispensary program. A second provision of the bill would authorize the Department of Business, Economic Development and Tourism to collect and analyze data to measure the program's economic impact. Under the bill, the University of Hawai'i would be authorized to conduct medical marijuana research. The bill would also clarify that certain tax provisions do not apply to dispensaries in order to reduce overall costs to consumers. Finally, the bill would authorize "advance practice registered nurses" to certify patients to use medical marijuana.

Two bills were introduced in order to enhance state oversight of marijuana dispensaries. Senate Bill 2126 would establish a medical marijuana oversight commission in the Department of Health in order to evaluate the effectiveness of licensed dispensaries. Senate Bill 2384 would require the Department of Health to conduct unannounced inspections of dispensaries (Johnson 7 March 2016).

In other related legislation, House Bill 2555 and Senate Bill 2659 aim to establish a Department of Agriculture research program for industrial hemp and Senate Bill 2787 starts a hemp pilot project (Ashe, 3 March 2015). Senate Bill 2523 would allow open air marijuana growing operations and green houses to serve as medical marijuana productions centers. This bill requires that such productions centers to not be visible to the outside.

Advocates estimate dispensaries in Hawai'i may generate as many as 800 jobs and \$65 million per year in sales. Once dispensaries open, state health officials anticipate a doubling in the number of certified patients to 26,000 individuals (Consillio 6 February 2016).

Electric Utility Sale

In 2014, NextEra Energy Inc. announced its interest in purchasing Hawai'i Electric Inc. (HEI), the state's largest electric utility. The deal, which would cost NextEra \$4.3 billion, ran into opposition from the public, unions, regulators, and even the governor. The deal required NextEra to agree to increases in sustainable energy as a proportion of the state's energy portfolio. NextEra balked at some of these requirements, and in February 2016 threatened to walk away from the deal. HEI shareholders approved the sale in June 2016 but, the deal still awaits approval from state regulators. If NextEra fails to get approval from regulators it will have to pay HEI a \$90 million termination fee. Complicating the deal, a bill in the current legislation session (HB 2567) requires that the sale have a "substantial net benefit" to the public in order to earn approval from the Public Utilities Commission (Mykleseth 16 February 2016).

Governor Ige opposes the sale. The governor's main concern deals with his perception that NextEra will not be able to meet commitments to the state's clean energy plans. Ige said "the numerous commitments proposed by NextEra lack detail and any enforcement mechanisms and are mostly conditional." Ige criticized NextEra for

proposing a plan that is more beneficial upfront to their shareholders than to the long-term promises made to rate-payers in Hawai'i (Mykleseth 9 March 2016).

NextEra Energy Inc. claimed that they would not raise rates for four years and that customers would receive \$60 million in savings during that time period. However, the state Consumer Advocate, Jeff Ono, stated that the takeover ought to result in \$250 million in savings for consumers (Mykleseth 5 February 2016).

Solar industry advocacy groups have been the most outspoken against the sale. HECO is expected to walk away with \$11 million in compensation from the deal.

Transportation

In early 2016, Governor Ige proposed a set of tax increases that were meant to finance road maintenance and new construction projects. These taxes would increase the state's gasoline tax from 16 to 19 cents per gallon. The state vehicle registration fee would increase from \$45 to \$76.50 per year.

According to Senate Bill 2938, The Motor Vehicle Weight Tax would increase \$1 per pound for passenger vehicles under 4,000 pounds, raising the tax from \$1.75 to \$2.75 per pound. For vehicles more than 4,000 pounds, the fee would increase another cent per pound. For vehicles between 7,000 and 10,000 pounds, there would be a dollar increase per pound, from \$2.25 to \$3.25 per pound. For vehicles weighing more than 10,000 pounds, a flat rate fee would increase from \$300 to \$400 annually (Dayton 28 January 2016).

Proposals in House Bill 2049 and Senate Bill 2938 would increase the tax on diesel and aviation fuel from one to two cents per gallon (Cocke and Honoré 9 March 2016). In March the state Senate passed an amended version of Senate Bill 2938 which increased the vehicle weight fees a penny per pound. It is not known how much revenue the proposed registrations fee will produce, but the Department of Transportation requested the fuel tax and registration fee increase in order to fund \$45.1 million of road maintenance and widening projects (Callis and Johnson 13 March 2016)

The mayors of Hawai'i's four counties are lobbying for a 0.5 percent increase on the GET in order to make up for budgetary cuts in the counties' portion of the Transient Accommodations Tax (TAT). If the county had the additional 0.5 percent increase since last September, the counties would have brought in an additional \$1.7 million. These tax revenues must be earmarked for transportation projects such as public roads and highways, public transportation, pedestrian and bicycle paths and upgrades needed for compliance with the Americans with Disabilities Act (Lauer 28 January 2016). Currently, Honolulu county collects an additional half-percent of GET for such projects, making the GET rate 4.5 percent in Honolulu county and four percent in the three other counties.

Education

Hawai'i State Teachers Association (HSTA) proposed an increase in the General Excise Tax (GET) by 1 percentage point to five percent (5.5 percent for O'ahu) to generate \$750 million annually. The funds would support a cap on class sizes, additional teacher preparation time, and funding for special education teachers. In early February of 2016, an estimated 1,000 teachers rallied at the capitol in support of the tax hike. The teachers also supported an end to high-stakes testing as part of school curriculum (Kalani 6 February 2016). The bill to raise the GET for public education (SB 2599) failed in the legislature in March.

An internal Department of Education (DoE) audit revealed that its special education was running at a "marginal" level. Staffing shortages and inefficient technology hampered operations. The program serves 18,800 special needs students and accounts for a quarter of the DoE's general funds budget (\$325.5 million). The program also receives \$40 million in federal Individuals with Disabilities Education Act (IDEA) funds. Of the 3,786 available special education positions, 652 positions (17%) remain vacant. Out of 1,830 teaching positions, 120 were vacant (Kalani 6 February 2016).

In his budgetary request, Governor Ige asked for \$30 million for a new Leeward O'ahu high school, however the House version of the bill cuts funding for the school in half to \$15 million. Representative Bob McDermott criticized his fellow Republicans in the House, asking them to "do their [expletive] job" by reducing the number of students in the over-packed Campbell High School and funding the project (Dayton 15 March 2016).

Air Conditioning in Schools

In his 2016 State of the State Address, Governor Ige announced a plan to provide air conditioning to 1,000 public school classrooms by the end of the year. Senate Bill 3126 would loan the Department of Education \$100 million from the state's Green Energy Market Securitization (GEMS) program. The bill also appropriates \$7 million from the general fund for the first payment on the loan. The GEMS program was established in 2013 to provide low cost loans to homeowners and non-profit organizations for clean-energy improvements. To create the GEMS fund, the state sold \$150 million in bonds in 2014. The state has spent \$1.2 million in administrative costs but has only financed three consumer loans to date totaling \$107,000. Both the principle and the interest on the bonds are repaid through surcharges on electric bills (Kalani 11 February 2016). Senate Ways and Means Committee chair women Jill Tokuda questioned the appropriateness of raiding the GEMS fund as it was created to support alternative energy projects (Borreca 23 February 2016). Instead, Tokuda proposed using a portion of a \$170 million Medicaid reimbursement from the federal government for fiscal years 2014 and 2015 in order to provide funding for the air conditioning proposal.

The Medicaid funds were not included in Ige's proposed budget and are available as a part of the state's general fund (Dayton 25 February 2016)

On the House side, Finance Committee Chairwomen Sylvia Luke argued against the inclusion of language in House Bill 2569 for the appropriation of an additional \$7 million from the general treasure that would be used to pay off interest. Amendments have been proposed for both of the companion bills, most notably, Senate Bill 3126 will no longer use GEMS funds and instead use monies from the state's general (Dayton 15 March 2016).

Taxation

Senate Bill 2693 and House Bill 1850 would allow internet-based accommodations sites, such as AIRbnb, to collect and remit taxes on behalf of hosts. This would permit greater recovery of lost Transient Accommodation Tax (TAT) revenue. In recent years, the state has experienced difficulty recovering these revenues from providers such as Hotels.com and Expedia.com, resulting in lawsuits and settlements. In Hawai'i AIRbnb maintains between 9,000 and 10,000 listings (Schaefers 11 February 2016). The Department of Taxation supports the bills, claiming the process would make it easier to collect these taxes. In February HB 1850 moved through the House Committee on Finance with amendments and SB 2693 was passed with amendments by the Senate of Ways and Means committee (Schaefers, 3 March 2016).

Senate Bill 2454 would reduce or eliminate income taxes for those in the lowest tax bracket. Hawai'i residents who file joint returns with earnings less than \$6,600 per year and head-of-household tax filers who earn less than \$4,800 per year would be the benefactors of the tax adjustment. Tax filers whose income is more than \$150,000, joint filers who make more than \$300,000, and head-of-household filers who make in excess of \$225,000 will see an increase in their state income tax rates. It is estimated that the amount of revenue generated by the state from these low income families is typically \$49.7 million. With the adjusted tax rates, the state is expecting to bring in \$48 million in new revenue (Dayton 13 March 2016).

Disaster Preparation

In 2014, Hurricane Iselle caused 13.2 million in damages to Hawai'i Island. Much of the damage was caused by invasive Albizia trees, which grow very high and are easily toppled by strong winds. The Albizia trees were responsible for knocking out electricity for weeks on end to certain areas. During the 2015 session, bills to help remove Albizias died in the state legislature. This session a pair of bills (SB2750, HB2516) would provide \$5 million to the Department of Land and Natural Resources and the Big Island Invasive Species Committee to implement a coordinated management program for the trees (Stewart 5 February 2016).

Cigarette Tax Hike

Senate Bill 2690 would increase the tax on cigarettes from 16 cents to 20 cents per cigarette, which increases the taxes per pack from \$3.20 to \$4.00. This bill would generate \$14.3 million in revenue. Half of the new tax revenue would be earmarked for the struggling Hawai'i Cancer Center and the other half would go to the State Department of Health Chronic Disease Prevention and Health Promotion Division to fund stopsmoking programs (Dayton 26 February 2016).

Tourism

State lawmakers considered a bill that would require "vacation rentals" to be licensed annually under the state. Licensing would be processed annually by the Department of Commerce and Consumer Affairs. In order to be issued a license, rental owners would have to provide documentation that they have paid their taxes, and provide other business information. Some 40 percent of tourists stay in such rentals, and not all rental owners are paying the 14 percent in combined GET and TAT to the state. It is assumed that by forcing rental owners to pay these taxes, the state would generate an additional \$30-50 million in revenue per year (Yager 28 January 2016).

Budget Process

The Hawai'i State Legislature is composed of "citizen legislators" who meet for just over three months at the beginning of each year. According to the state's Constitution, the legislature convenes on the third Wednesday in January and meets for 60 working days. In 2016, the legislature convened on January 20 and is scheduled to adjourn *sine die* on May 5. If necessary, the legislative session may be extended by the governor or by each chamber's presiding officers at the request of 2/3 of the members of each chamber (Pratt and Smith 2000).

The governor is required to prepare two budgetary proposals. These proposals are prepared by the Department of Budget and Finance. The first is the budget request. This request is a biennial request in budget years and a supplemental in off-years. Because FY 2017 is an off-year request, it reflects adjustments to the FY 2016-17 biennial budget. In addition to the budget request, the governor is required to prepare a six-year financial plan for the state. The fiscal year begins on July 1 and runs through June 30 of the subsequent year. The governor submits the budget 30 days before the legislative session convenes. The governor's budgetary request reflects the needs of 17 departments, his/her office, the office of the Lieutenant Governor, and the University of Hawai'i System.

The state House of Representatives acts first upon the budget request, sending the bill to the Finance Committee for action. "First decking" is the date on which the budget must be passed out of the House Finance Committee so it can be voted upon by the full House before moving to the Senate. The date on which bills are passed from one

Table 3. Hawai'i State Budget Timeline, 2016 Session

Date	Action
Jan. 22	Budget Introduced in House
Mar. 9	Passed by House Finance Committee
Mar. 14	Reported by House Finance Committee
	Passed by House
	Received by Senate
	Passed Senate Ways and Means
	Reported by Senate Ways and Means
	Passed Senate
	Passed by Conference Committee
	Reported by Conference Committee
	Passed House and Senate
	Transmitted to Governor
	Signed by Governor

chamber to the other is called "crossover," which occurs a few days earlier for the budget than for other bills. Once the budget reaches the Senate, it is referred to the Ways and Means Committee. Second crossover is when the budget proceeds out of the Senate and to conference. Final decking is when the budget proceeds out of conference and back to both chambers for final floor action (see Table 3 for the 2016 budget timeline). The budget is constitutionally required to be balanced every year, mandating off-year adjustments.

Executive Budget

In his State of the State address, Governor Ige highlighted a few minor initiatives. Chief among them was the plan to provide 1,000 air-conditioning units to public school classrooms. Ige also stressed initiatives to deal with the state's ongoing homelessness problem including \$75 million to subsidize the cost of low-income rentals and another \$25 million to install infrastructure in order to encourage development of public housing

and affordable units. Ige also proposed that the state set aside \$30 million to support "innovation enterprises" (Dayton 26 January 2016).

Table 4 reports the governor's operating budget by means of financing. For Fiscal year 2017, the governor proposed increasing the operating budget by \$433.2 million. The governor projected an increase of \$297.6 million in expected revenues to come from the general fund, an additional \$386 million from trust funds and \$55.4 million from federal funds. These additional revenues would permit the state to spend \$346 million less out of its special funds (see Table 4).

The governor proposed increasing spending on Capital Improvement Projects (CIPs) by nearly \$1.8 billion more than what had been allocated in the previous budget. Funding for increased spending on these projects would overwhelmingly come from general obligation and revenue bonds (see Table 5).

The governor's operating budget adjustments by department for fiscal year 2017 are reported in Table 6. Major increases above the original budget request were planned for several departments, and a few were scheduled for cuts. The Office of the Attorney General's budget request was increased by \$13.8 million, the Department of Budget and Finance's budget was requested to be increased by \$147.7 million. Under the governor's plan, the Department of Education's funding would be increased by \$45.7 million, the Department of Health would receive an additional \$24.4 million, Human Services' funding would increase by \$137.6 million, the Department of Land and Natural Resources would receive an additional \$22.6 million which is a 19.53% increase from their original budget, the funding for the Department of Transportation would increase by \$29.3 million, and the University of Hawai'i would receive an additional \$9.8 million. The Departments that received the largest funding cuts include: Business, Economic Development and Tourism, which would lose \$3.5 million, Charter Schools which would take a cut of \$2.6 million, and Hawaiian Home Lands which would lose \$13.6 million of its original budget.

The Governor's Capital Improvement Projects (CIPs) funding is excluded from his Operating Budget and Adjustments report. For Fiscal Year 2017 the governor's CIPs funding was adjusted from \$767.0 million to \$1,767.9 million. Table 7 reports the governor's requested adjustments to the state's CIP budget. Over half of the CIP increases would go to the Department of Transportation, with large also increases going to the Department of Business, Economic Development and Tourism, Budget and Finance, Education, and the Department of Health (see Table 7).

Table 4.
Governor's FY 2017 Operating Budget Revenues
Statewide Totals by Means of Financing

	Original Budget (\$ millions)	Budget Adjustments (\$ millions)
General Funds	6,834.3	297.6
Special Funds	3,141.8	-346.0
Federal Funds	2,440.5	55.4
Other Federal Funds	186.0	18.3
Private Contributions	0.4	0.0
County Funds	0.2	0.0
Trust Funds	146.0	386.6
Interdept'l Transfers	87.3	4.3
Revolving Funds	446.6	10.0
Other Funds	13.5	7.0
Total	13,296.6	433.2

Source: Department of Budget and Finance, 2015

Table 5. Governor's FY 2017 CIP Budget Revenues Statewide Totals by Means of Financing

	Original	Budget
	Budget	Adjustments
	(\$ millions)	(\$ millions)
General Funds		14.3
Special Funds	35.2	68.3
General Obligation Bonds	188.5	885.7
G. O. Reimbursable Bonds		6.2
Revenue bonds	273.1	673.4
Federal Funds	265.3	58.3
Other Federal Funds		51.9
Private Contributions	1.8	4.8
County Funds		5.0
Trust Funds	3.0	
Other Funds	0.1	
Tota	1 767.0	1,767.9
Source: Department of Budget and		

Table 6. FY 2017 Governor's Operating Budget and Adjustments

	Original	Budget	
	Budget	Adjustments	Percent
	(\$ millions)	(\$ millions)	Change
Accounting and General Serv.	226.6	7.0	3.09
Agriculture	49.1	0.6	1.14
Attorney General	81.3	13.8	16.97
Business, Ec. Dev., & Tourism	354.8	-3.5	-0.99
Budget and Finance	2,554.0	147.7	5.78
Commerce & Consumer Aff.	77.1	1.7	2.20
Defense	114.0	2.4	2.11
Education	1,905.5	45.7	2.40
Charter Schools	81.4	-2.6	-3.19
Public Libraries	37.7	1.3	3.45
Governor	3.6	0.3	7.50
Hawaiian Home Lands	57.8	-13.6	-23.53
Health	1,000.9	24.4	2.44
Hawaii Health Systems Corp.	649.0	0.0	0.00
Human Resource Develop.	22.0	0.6	2.73
Human Services	3,128.8	137.6	4.40
Labor & Industrial Relations	466.9	3.0	0.64
Land & Natural Resources	115.7	22.6	19.53
Lt. Governor	1.6	-0.6	-37.50
Public Safety	269.7	6.4	2.37
Taxation	29.9	-0.5	-1.67
Transportation	951.2	29.3	3.08
University of Hawaii	1,117.8	9.8	0.88

Total 13,296.4 433.3

Note: Slight discrepancy in Adjustments Total due to rounding

Source: DBF, 2015

Table 7. FY 2017 Governor's CIP Budget and Adjustments

	Original	Budget
	Budget	Adjustments
	(\$ millions)	(\$ millions)
Accounting and General Serv.	20.7	37.0
Agriculture	0.5	16.6
Business, Ec. Dev., & Tourism		149.3
Budget and Finance		125.4
Defense	99.0	4.4
Education	78.0	112.9
Public Libraries	2.5	2.8
Hawaiian Home Lands	22.0	14.6
Health	23.7	181.9
Hawaii Health Systems Corp.	12.0	6.5
Human Services	5.0	30.7
Land & Natural Resources	26.2	27.8
Public Safety	12.5	84.5
Subsidies	2.0	
Transportation	462.9	901.0
University of Hawaii		72.5
Total	767.0	1,767.9

Note: Slight discrepancy in Adjustments Total due to rounding

Source: DBF, 2015

Legislative Budget

The budget bill is titled "The Supplemental Appropriations Act of 2016" (HB 1700). On March 9, the budget bill emerged from the House Finance Committee. Chairwoman Sylvia Luke criticized the governor's request on the grounds that spending exceeded expected revenue. The governor's request turned out to be in excess of \$488 million over projected revenues for his \$13.7 billion budget request. Some specific proposals drew criticism from legislators.

Among controversial proposals included the governor's plan to allocate \$30.8 million to hire new state employees. The allocation was based on a negotiated settlement with the United Public Works Union, which would require the state to cancel a number of privately-held employment contracts and allow the state to hire 502 public employees. In response, Luke budgeted only \$642,000 to close a number of state contracts in the Department of Public Safety. On a related note, her budget would eliminate 95 unfilled positions in state government that have been vacant for over two years. Luke said "we are asking the departments to re-assess the positions to see why they are so hard to fill. If we need to be more competitive with the private sector to attract quality employees, then we need to consider that" (Dayton 10 March 2016).

It is argued that by allocating \$164 million to pre-pay Other Post-Employment Benefits Liabilities (health benefits for retired public workers), the state would save millions of dollars in the long run. However, Luke said "I'm not ready to make that commitment as of yet" (Dayton 10 March 2016).

Another unresolved issue deals with the Rainy Day Fund. In his budget request, Ige asked that \$100 million be deposited into the fund. Without indicating her opinion on the allocation, Luke said, "We may do something less or more depending on what the ending financial plan looks like." (Dayton 10 March 2016).

Finally, Ige requested an increase of approximately \$160 million to be used for rebuilding the Hawai'i State hospital in Kaneohe, increasing the Health Department's budget CIPs from \$23.7 million to \$181.9 million (see Table 7). Luke said she would withhold the money until progress has been made in demolishing a building that is preventing progress on the hospital project (Dayton 10 March 2016). The budget now rests in the hands of the Senate, which is generally less fiscally conservative then the House.

Reflections of Politics Elsewhere

This legislative session, Hawai'i responded to the movement against police violence. Senate Bill 2411 appropriates \$1.35 million to be distributed to counties to purchase body cameras for police officers. The bill also regulates the usage of such cameras. The American Civil Liberties Union of Hawai'i testified that the bill provided

too much discretion in the use of the devices to county police departments. The Senate bill has sparked opposition from the police union, the State of Hawai'i Organization of Police Officers (Cocke 10 Febraury 2016)

The anti-vaccination trend impacted legislation at the state capitol in early February 2016. State residence testified against vaccines, claiming they caused various maladies ranging from Autism to the Zika virus. Their testimony influence lawmakers to kill a bill that would have sped up the states process for adopting federal vaccination guidelines (AP 5 February 2016).

The state got on the fossil fuel divestment bandwagon this session. Senate Bill 2155 would require the state's Employee Retirement System (ERS) to divest from all coal, oil, or gas companies by 2021. The ERS currently holds \$537 million in direct and indirect investments in fossil fuel companies (Dayton 31 January 2016).

The Hawai'i Health Connector is the state's health exchange program for Affordable Care Act ("Obamacare") enrollments. The connector has been hemorrhaging money since it went live. This session, the governor is seeking \$9.4 million to prop up the troubled exchange (Consillio 19 February 2016).

Summary/Conclusion

To date, the House has rejected the majority of or extremely modified the governor's proposals for new programs. Given flat revenue projections, there may be no new money to fund these projects. The budget now moves to the Senate, populated by less fiscally conservative legislators. But given Ige's slow responses to crises and his perceived lack of leadership in many issue areas, the legislature may be emboldened to reject many of his requests. As of now, the legislature seems to neither respect nor fear the governor.

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