



LEAGUE OF
WOMEN VOTERS
OF HAWAII

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AND THE 2017 “RUSTY SCAPEL” WINNER IS...

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HB 375, CD 1 (Act 214, Session Laws of Hawaii 2017) has been selected by the League of Women Voters and Common Cause Hawaii for their 2017 "Rusty Scalpel" award. The "Rusty Scalpel" award recognizes enactment of a bill whose subject has been substantially amended without opportunity for legislative review as required by the Hawaii Constitution.

Article III, Section 14 of our State Constitution provides “Each law shall embrace but one subject which shall be expressed in its title.” HB 375 was titled “Relating to Taxation”. When introduced, HB 375 proposed amending income tax rates to negate any income tax liability for those at or below poverty thresholds. The Senate Ways and Means Committee was the first to drastically amend the bill, gutting its contents, and replacing it with provisions to repeal the sunset date for the refundable food/excise tax credit. Then during Conference Committee, the bill was drastically altered to appropriate \$1 million, subject to a dollar for dollar match by the private sector, to the Hawaii Tourism Authority, working in conjunction with the Hawaii Lodging and Tourism Association, for projects to address homelessness in tourist and resort areas.

Corie Tanida, of Common Cause Hawaii said, “While addressing homelessness in Hawaii is important and commendable, an ‘appropriation’ is not the same as ‘taxation’. The final version of this bill doesn’t pass the relatively ‘low bar’ of having the bill’s subject match the bill’s title.”

Article III, Section 15 of our State Constitution provides that “No bill shall become law unless it shall pass three readings in each house on separate days.” The unambiguous intent is to provide the House and Senate, separately, the opportunity to thoroughly review every single bill. Amending a bill’s subject in conference committee without such review ignores this Constitutional requirement.

According to Ann Shaver, President of the League of Women Voters of Hawaii, “The 2017 session was a ‘Good News, Bad News’ situation. HB 375, CD 1 was the only real candidate for our 2017 ‘Rusty Scalpel’ award. On the other hand, HB375, CD1 was the worst we’ve seen in the five years we have presented this award.” On July 12, 2017, without the Governor’s signature, HB 375 became Act 214, Session Laws of Hawaii 2017.

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The League of Women Voters of Hawaii is a non-partisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. For more information, visit <http://www.lwv-hawaii.com>

Common Cause Hawaii is a state chapter of the national Common Cause organization. Common Cause is a nonpartisan, grassroots organization dedicated to protecting and improving Hawaii's political process and holding government accountable to the public interest. For more information, visit hi.commoncause.org