
A BILL FOR AN ACT

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to temporarily
2 prohibit the office of Hawaiian affairs from expending or
3 requesting appropriations of general funds.

4 The legislature finds that, during the present period of
5 major budgetary constraints, the office of Hawaiian affairs
6 should rely upon the public land trust revenues and other non-
7 general funds for the office's administration and operation.

8 SECTION 2. Section 10-13, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§10-13 Appropriations; accounts; reports.** [~~Moneys~~] (a)
11 Special and other non-general funds appropriated by the
12 legislature for the office shall be payable by the director of
13 finance, upon vouchers approved by the board, or by any officer
14 elected or appointed by the board and authorized by the board to
15 approve such vouchers on behalf of the board. All moneys
16 received by or on behalf of the board shall be deposited with
17 the director of finance and kept separate from moneys in the
18 state treasury; except that any moneys received from the federal



1 government or from private contributions shall be deposited and
2 accounted for in accordance with conditions established by the
3 agencies or persons from whom the moneys are received; and
4 except that with the concurrence of the director of finance,
5 moneys received from the federal government for research,
6 training, and other related purposes of a transitory nature, and
7 moneys in trust or revolving funds administered by the office,
8 shall be deposited in depositories other than the state treasury
9 and shall be reported on to the state comptroller under section
10 40-81, and rules prescribed thereunder.

11 Income derived from the sale of goods or services and
12 income from lands and property as described in section 10-3,
13 shall be credited to special or other non-general funds;
14 provided that upon the recommendation of the office, the
15 comptroller shall establish such other separate accounts or
16 special funds for other designated revenues as may be directed
17 by the board or its authorized representative.

18 (b) From July 1, 2010 to June 30, 2015, the office shall
19 not expend any general funds, except general funds that were
20 appropriated and encumbered before July 1, 2010."

21 SECTION 3. Section 10-14.5, Hawaii Revised Statutes, is
22 amended by amending subsection (a) to read as follows:



1 "(a) The budget, six-year program and financial plan, and
2 the variance report of the office of Hawaiian affairs shall be
3 submitted by the board to the legislature and to each member
4 thereof in accordance with the budget submission schedule
5 specified for the governor in chapter 37 and shall contain the
6 program information specified in that chapter that is applicable
7 to the office of Hawaiian affairs. Not less than twenty days
8 prior to the convening of each regular session of the
9 legislature, the office of Hawaiian affairs shall submit to the
10 legislature an accounting of the expenditures made in the prior
11 fiscal year, by account code and budget program. By November 1
12 of each year preceding a legislative session in which a budget
13 is to be submitted, the board shall provide written notification
14 to the governor of the proposed total expenditures, by cost
15 categories and sources of funding, and estimated revenues of the
16 office of Hawaiian affairs for each fiscal year of the next
17 fiscal biennium.

18 Notwithstanding the foregoing or any other provision of
19 law, for any fiscal year between July 1, 2010 and June 30, 2015,
20 the office shall not submit to the legislature or governor any
21 biennial or supplemental budget or six-year program and



1 financial plan that includes a general fund appropriation
2 request."

3 SECTION 4. Section 10-14.6, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[+]§10-14.6[+] **Legislative review.** The legislature shall
6 consider the board's proposed program and financial plan;
7 evaluate alternatives to the board's recommendations; and
8 appropriate any [~~general fund portion of the budget and any~~
9 ~~matching~~] special or non-general fund appropriations."

10 SECTION 5. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect on July 1, 2010, and
13 shall be repealed on June 30, 2015; provided that sections
14 10-13, 10-14.5(a), and 10-14.6, Hawaii Revised Statutes, shall
15 be reenacted in the form in which they read on the day before
16 the effective date of this Act.

17

INTRODUCED BY:

Calvin K. King
JAN 27 2010



Report Title:

Office Of Hawaiian Affairs; General Fund Appropriations

Description:

Temporarily prohibits the office of Hawaiian affairs from expending or requesting appropriations of general funds. Takes effect on 7/1/2010 and sunsets on 6/30/2015.

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