

---

---

# A BILL FOR AN ACT

RELATING TO THE BUDGET OF 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 appropriate funds  
2 for the biennial budget of the office of Hawaiian affairs. This  
3 Act shall be known and may be cited as the "Office of Hawaiian  
4 Affairs Appropriations Act of 2011".

5           SECTION 2. Unless otherwise clear from the context, as  
6 used in this Act:

7           "Program ID" means the unique identifier of the specific  
8 program, and consists of the abbreviation for the office of  
9 Hawaiian affairs followed by a designated number for the  
10 program.

11           "Means of financing", or "MOF", means the source from which  
12 funds are appropriated or authorized, as the case may be, to be  
13 expended for the programs and projects specified in this Act.

14 Letter symbols following appropriations have the following  
15 meanings:

16           A: General Funds

17           T: Trust Funds



1 "Position ceiling" means the maximum number of permanent  
 2 positions authorized for a particular program during a specified  
 3 period or periods, as noted by an asterisk.

4 SECTION 3. The following sums, or so much thereof as may  
 5 be necessary to accomplish the purposes and programs designated  
 6 herein, are appropriated or authorized, as the case may be, from  
 7 the sources of funding specified to the office of Hawaiian  
 8 affairs for the fiscal biennium beginning July 1, 2011 and  
 9 ending June 30, 2013. The total general fund expenditures and  
 10 the number of permanent positions established in each fiscal  
 11 year of the biennium shall not exceed the sums and the position  
 12 ceiling indicated for each year, except as provided elsewhere in  
 13 this Act.

14 P R O G R A M A P P R O P R I A T I O N S

				APPROPRIATIONS	
ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	FISCAL M	FISCAL M
				YEAR O	YEAR O
				2011-12 F	2012-13 F
Hawaiian Affairs					
1. OHA150 - OFFICE OF THE TRUSTEES					
				.63*	.63*
	OPERATING		OHA	28,435A	28,435A
				4.37*	4.37*
			OHA	275,687T	275,687T



1	2.	OHA160 - ADMINISTRATION		
2			7.60*	7.60*
3		OPERATING	OHA	724,856A
4				724,856A
5				32.40*
6			OHA	2,861,728T
7	3.	OHA175 - BENEFICIARY ADVOCACY		
8			2.86*	2.86*
9		OPERATING	OHA	1,716,368A
10				1,716,368A
11				14.14*
12			OHA	2,673,432T

13 SECTION 4. Provided that the general fund appropriations  
 14 in section 3 of this Act shall be expended by the office of  
 15 Hawaiian affairs.

16 SECTION 5. Provided that of the funds appropriated for  
 17 beneficiary advocacy (OHA 175), the sum of \$415,000 in general  
 18 funds and \$415,000 in trust funds for fiscal year 2011-2012 and  
 19 the sum of \$415,000 in general funds and \$415,000 in trust funds  
 20 for fiscal year 2012-2013 shall provide for social services to  
 21 office of Hawaiian affairs beneficiaries to include information  
 22 and referral services, case management and counseling,  
 23 establishment of individual development accounts, financial  
 24 literacy, and financial assistance. Referral services include  
 25 those relating to education assistance, employment and income  
 26 security, individual and family care, health needs, housing,  
 27 legal services, genealogy research, business assistance, and



1 general information; provided further that notwithstanding  
2 section 10-17(e), Hawaii Revised Statutes, any funds expended  
3 for the purposes of this section shall be in accordance with  
4 chapter 103D or 103F, Hawaii Revised Statutes, as appropriate.

5 SECTION 6. Provided that of the funds appropriated for  
6 beneficiary advocacy (OHA 175), the sum of \$615,570 in general  
7 funds and \$615,570 in trust funds for fiscal year 2011-2012 and  
8 the sum of \$615,570 in general funds and \$615,570 in trust funds  
9 for fiscal year 2012-2013 shall provide for educational  
10 enrichment programs for native Hawaiian children in grades K  
11 through 12 throughout the State. Program activities are to be  
12 designed to optimize learning for Hawaiian students and are  
13 intended to develop a stronger interest in learning, connect  
14 learning and education to one's Hawaiian identity, and explore  
15 possible educational, career, and academic goals the students  
16 may not have considered; provided further that notwithstanding  
17 section 10-17(e), Hawaii Revised Statutes, any funds expended  
18 for the purposes of this section shall be in accordance with  
19 chapter 103D or 103F, Hawaii Revised Statutes, as appropriate.

20 SECTION 7. Provided that of the funds appropriated for  
21 beneficiary advocacy (OHA 175), the sum of \$524,400 in general  
22 funds and \$524,400 in trust funds for fiscal year 2011-2012 and



1 the sum of \$524,400 in general funds and \$524,400 in trust funds  
2 for fiscal year 2012-2013 shall provide legal services and legal  
3 representation to office of Hawaiian affairs beneficiaries for:  
4 the assertion and defense of quiet title actions; assistance  
5 with ahupua'a and kuleana tenant rights, including rights of  
6 access and rights to water; land title assistance, including  
7 review of title and genealogy; preservation of traditional and  
8 customary practices; protection of culturally significant  
9 places; and preservation of native Hawaiian land trust  
10 entitlements; provided further that notwithstanding section 10-  
11 17(e), Hawaii Revised Statutes, any funds expended for the  
12 purposes of this section shall be in accordance with chapter  
13 103D or 103F, Hawaii Revised Statutes, as appropriate.

14 SECTION 8. Provided that whenever the need arises, the  
15 board of trustees of the office of Hawaiian affairs or their  
16 designee is authorized to transfer sufficient funds and  
17 positions between programs for operating purposes; provided  
18 further that these transfers shall not be inconsistent with  
19 legislative intent; and provided further that a report of these  
20 fund transfers shall be made to the legislature no later than  
21 thirty days prior to the convening of the 2012 and 2013 regular  
22 sessions.



1 SECTION 9. If any portion of this Act or its application  
2 to any person or circumstances is held to be invalid for any  
3 reason, the remainder of the Act and any provision thereof shall  
4 not be affected. If any portion of a specific appropriation is  
5 held to be invalid for any reason, the remaining portion shall  
6 be independent of the invalid portion and shall be expended to  
7 fulfill the objective and intent of the appropriation to the  
8 extent possible.

9 SECTION 10. In the event manifest clerical, typographical,  
10 or other mechanical errors are found in this Act, the board of  
11 trustees of the office of Hawaiian affairs is hereby authorized  
12 to correct such errors. All changes made pursuant to this  
13 section shall be reported to the legislature at its next  
14 session.

15 SECTION 11. This Act shall take effect on July 1, 2011.

16

INTRODUCED BY: Calvin K. Aoy  
By Request

JAN 21 2011



**Report Title:**

OHA Budget

**Description:**

Appropriates funds for the operating and capital improvement budget of the Office of Hawaiian Affairs for fiscal years 2011-2012 and 2012-2013.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

