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# 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 2013".

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

7           "Means of financing", or "MOF", means the source from which  
8 funds are appropriated or authorized, as the case may be, to be  
9 expended for the programs and projects specified in this Act.  
10 Letter symbols following appropriations have the following  
11 meanings:

12           A: General Funds

13           T: Trust Funds

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

17           "Program ID" means the unique identifier of the specific  
18 program, and consists of the abbreviation for the office of



1 Hawaiian affairs followed by a designated number for the  
2 program.

3 SECTION 3. The following sums, or so much thereof as may  
4 be necessary to accomplish the purposes and programs designated  
5 herein, are appropriated or authorized, as the case may be, from  
6 the sources of funding specified to the office of Hawaiian  
7 affairs for the fiscal biennium beginning July 1, 2013, and  
8 ending June 30, 2015. The total general fund expenditures and  
9 the number of permanent positions established in each fiscal  
10 year of the biennium shall not exceed the sums and the position  
11 ceilings indicated for each year, except as provided elsewhere  
12 in this Act.



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2013-2014	M O F	FISCAL YEAR 2014-2015	M O F
1		Hawaiian Affairs					
2	1.	OHA150 - OFFICE OF THE TRUSTEES					
3				0.63*		0.63*	
4		OPERATING	OHA	28,435A		28,435A	
5				4.37*		4.37*	
6			OHA	275,687T		275,687T	
7							
8	2.	OHA160 - ADMINISTRATION					
9				7.60*		7.60*	
10		OPERATING	OHA	700,159A		700,159A	
11				32.40*		32.40*	
12			OHA	2,861,727T		2,861,727T	
13							
14	3.	OHA175 - BENEFICIARY ADVOCACY					
15				2.86*		2.86*	
16		OPERATING	OHA	2,177,278A		1,627,278A	
17				14.14*		14.14*	
18			OHA	3,208,433T		2,658,433T	



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

4 SECTION 5. Provided that of the funds appropriated for  
5 beneficiary advocacy (OHA 175), the sum of \$400,000 in general  
6 funds and \$400,000 in trust funds for fiscal year 2013-2014 and  
7 the sum of \$400,000 in general funds and \$400,000 in trust funds  
8 for fiscal year 2014-2015 shall provide for social services to  
9 office of Hawaiian affairs beneficiaries to include information  
10 and referral services, case management and counseling,  
11 establishment of individual development accounts, financial  
12 literacy training, and financial assistance. Referral services  
13 include those relating to education assistance, employment and  
14 income security, individual and family care, health needs,  
15 housing, legal services, genealogy research, business  
16 assistance, and general information; provided further that  
17 notwithstanding section 10-17(e), Hawaii Revised Statutes, any  
18 funds expended for the purposes of this section shall be in  
19 accordance with chapter 103D or 103F, Hawaii Revised Statutes,  
20 as appropriate.

21 SECTION 6. Provided that of the funds appropriated for  
22 beneficiary advocacy (OHA 175), the sum of \$750,000 in general



1 funds and \$750,000 in trust funds for fiscal year 2013-2014 and  
2 the sum of \$750,000 in general funds and \$750,000 in trust funds  
3 for fiscal year 2014-2015 shall provide for educational  
4 enrichment programs for Native Hawaiian children in grades K  
5 through 12 throughout the State. Program activities are to be  
6 designed to optimize learning for Hawaiian students and are  
7 intended to develop a stronger interest in learning, connect  
8 learning and education to the students' Hawaiian identity, and  
9 explore possible educational, career, and academic goals the  
10 students may not have considered; provided further that  
11 notwithstanding section 10-17(e), Hawaii Revised Statutes,  
12 expenditure of any funds for the purposes of this section shall  
13 be made in accordance with chapter 103D or 103F, Hawaii Revised  
14 Statutes, or a competitive grants process, as appropriate.

15 SECTION 7. Provided that of the funds appropriated for  
16 beneficiary advocacy (OHA 175), the sum of \$524,400 in general  
17 funds and \$524,400 in trust funds for fiscal year 2013-2014 and  
18 the sum of \$524,400 in general funds and \$524,400 in trust funds  
19 for fiscal year 2014-2015 shall provide for legal services and  
20 legal representation to office of Hawaiian affairs beneficiaries  
21 for: the assertion and defense of quiet title actions;  
22 assistance with ahupua'a and kuleana tenant rights, including



1 rights of access and rights to water, land title assistance,  
2 including review of title and genealogy, preservation of  
3 traditional and customary practices, protection of culturally  
4 significant places, and preservation of Native Hawaiian land  
5 trust entitlements; provided further that notwithstanding  
6 section 10-17(e), Hawaii Revised Statutes, expenditure of any  
7 funds expended for the purposes of this section shall be made in  
8 accordance with chapter 103D or 103F, Hawaii Revised Statutes,  
9 as appropriate.

10 SECTION 8. Provided that of the funds appropriated for  
11 beneficiary advocacy (OHA 175), the sum of \$750,000 in general  
12 funds and \$750,000 in trust funds for fiscal year 2013-2014 and  
13 the sum of \$750,000 in general funds and \$750,000 in trust funds  
14 for fiscal year 2014-2015 shall provide for health improvement  
15 services to office of Hawaiian affairs beneficiaries, to  
16 include, but not necessarily be limited to, information and  
17 referral services, case management and counseling, and the  
18 establishment of prevention programs. Direct services and  
19 prevention programs include those designed to have the greatest  
20 statewide impact on the overall wellness of Native Hawaiians  
21 through targeted foci on the reduction of Native Hawaiian  
22 chronic diseases rates, especially obesity. Through both



1 prevention programs and direct services, significant gains could  
2 be made for the most vulnerable and highest risk Native  
3 Hawaiians; provided further that notwithstanding section 10-  
4 17(e), Hawaii Revised Statutes, expenditure of any funds  
5 expended for the purposes of this section shall be made in  
6 accordance with chapter 103D or 103F, Hawaii Revised Statutes,  
7 or a competitive grants process, as appropriate.

8 SECTION 9. Provided that of the funds appropriated for  
9 beneficiary advocacy (OHA 175), the sum of \$250,000 in general  
10 funds and \$250,000 in trust funds for fiscal year 2013-2014 and  
11 the sum of \$250,000 in general funds and \$250,000 in trust funds  
12 for fiscal year 2014-2015 shall provide leverage funding to the  
13 office of Hawaiian affairs on behalf of its beneficiaries for  
14 partnership with other entities and organizations on projects in  
15 support of Kahua Waiwai (Economic Self Sufficiency), 'Āina (Land  
16 & Water), Maui Ola (Health), Ke Ea (Governance), and Ho'ona'auao  
17 (Education); provided further that notwithstanding section 10-  
18 17(e), Hawaii Revised Statutes, any funds expended for the  
19 purposes of this section shall be made in accordance with  
20 chapter 103D or 103F, Hawaii Revised Statutes, or a grants  
21 process, as appropriate.



1 SECTION 10. Provided that whenever necessary, the board of  
2 trustees of the office of Hawaiian affairs or the board's  
3 designee is authorized to transfer sufficient funds and  
4 positions between programs for operating purposes; provided  
5 further that these transfers shall not be inconsistent with  
6 legislative intent; provided further that a report of these fund  
7 transfers shall be made to the legislature no later than the end  
8 of the 2014 and 2015 fiscal years.

9 SECTION 11. If any portion of this Act or its application  
10 to any person or circumstances is held to be invalid for any  
11 reason, the remainder of the Act and any provision thereof shall  
12 not be affected. If any portion of a specific appropriation is  
13 held to be invalid for any reason, the remaining portion shall  
14 be independent of the invalid portion and shall be expended to  
15 fulfill the objective and intent of the appropriation to the  
16 extent possible.

17 SECTION 12. In the event manifest clerical, typographical,  
18 or other mechanical errors are found in this Act, the board of  
19 trustees of the office of Hawaiian affairs may correct such  
20 errors. All changes made pursuant to this section shall be  
21 reported to the legislature at its next session.

22 SECTION 13. This Act shall take effect on July 1, 2013.  
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1 **Report Title:**

2 Office of Hawaiian Affairs Package; Appropriations; Budget

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4 **Description:**

5 Appropriates funds for the office of Hawaiian affairs for the  
6 fiscal biennium beginning July 1, 2013, and ending June 30,  
7 2015. Effective July 1, 2013. (HB222 HD2)

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

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