

JAN 18 2013

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 "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, 2013, and
9 ending June 30, 2015. 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



PROGRAM APPROPRIATIONS							
				APPROPRIATIONS			
				FISCAL	M	FISCAL	M
ITEM	PROG.	EXPENDING		YEAR	O	YEAR	O
NO.	ID	PROGRAM	AGENCY	2013-14	F	2014-15	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	
2. OHA160 - ADMINISTRATION							
					7.60*		7.60*
	OPERATING		OHA	708,585A		708,585A	
					32.40*		32.40*
			OHA	2,870,150T		2,870,150T	
3. OHA175 - BENEFICIARY ADVOCACY							
					2.86*		2.86*
	OPERATING		OHA	2,762,980A		2,762,980A	
					14.14*		14.14*
			OHA	3,792,863T		3,792,863T	



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 one's Hawaiian identity, and explore
9 possible educational, career, and academic goals the students
10 may not have considered; provided further that any funds
11 expended for the purposes of this section shall be in accordance
12 with chapter 103D or 103F, Hawaii Revised Statutes, or a
13 competitive grants process, as appropriate.

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



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

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



1 Hawaiians; provided further that any funds expended for the
2 purposes of this section shall be in accordance with chapter
3 103D or 103F, Hawaii Revised Statutes, or a competitive grants
4 process, as appropriate.

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

18 SECTION 10. Provided that whenever the need arises, the
19 board of trustees of the office of Hawaiian affairs or their
20 designee is authorized to transfer sufficient funds and
21 positions between programs for operating purposes; provided
22 further that these transfers shall not be inconsistent with



1 legislative intent; and provided further that a report of these
2 fund transfers shall be made to the legislature no later than
3 the end of the 2014 and 2015 fiscal years.

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

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

18 SECTION 13. This Act shall take effect on July 1, 2013.

19
INTRODUCED BY: *Samuel Hironaka*

By Request



S.B. NO. 468

Report Title:

Office of Hawaiian Affairs Package; Appropriations; Budget

Description:

Appropriates funds for the office of Hawaiian affairs for the fiscal biennium beginning 07/01/2013 and ending 06/30/2015.

Effective 07/01/2013.

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

