
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 **PART I. GENERAL PROVISIONS**

2 SECTION 1. SHORT TITLE. This Act shall be known and may
3 be cited as the Office of Hawaiian Affairs Appropriations Act of
4 2017.

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

7 "Means of financing" or "MOF" means the source from which
8 funds are appropriated or authorized to be expended for the
9 programs and projects specified in this Act. All appropriations
10 are followed by letter symbols. Such letter symbols, where
11 used, shall have the following meanings:

12 A general funds

13 T trust funds

14 "Position ceiling" means the maximum number of permanent
15 and temporary full-time equivalent positions authorized for a
16 particular program during a specified period or periods, as
17 denoted by an asterisk for permanent full-time equivalent



1 positions and a pound sign for temporary full-time equivalent
2 positions.

3 "Program ID" means the unique identifier for the specific
4 program and consists of the abbreviation for the Office of
5 Hawaiian Affairs (OHA) followed by the organization number for
6 the program.

7 **PART II. PROGRAM APPROPRIATIONS**

8 SECTION 3. APPROPRIATIONS. The following sums, or so much
9 thereof as may be sufficient to accomplish the purposes and
10 programs designated herein, are hereby appropriated or
11 authorized from the means of financing specified to the Office
12 of Hawaiian Affairs for the fiscal biennium beginning July 1,
13 2017, and ending June 30, 2019. The total expenditures and the
14 number of permanent and temporary full-time equivalent positions
15 established in each fiscal year of the biennium shall not exceed
16 the sums and the position ceilings indicated for each fiscal
17 year, except as provided elsewhere in this Act or as provided by
18 general law.



PROGRAM APPROPRIATIONS

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ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2017-2018	M O F	FISCAL YEAR 2018-2019	M O F
Hawaiian Affairs							
1.	OHA150	OFFICE OF THE TRUSTEES					
	OPERATING		OHA	0.47*		0.47*	
				58,323A		58,323A	
				4.53*		4.53*	
			OHA	275,687T		275,687T	
2.	OHA160	ADMINISTRATION					
	OPERATING		OHA	5.03*		5.03*	
				1,124,042A		1,124,042A	
				31.97*		31.97*	
			OHA	2,861,727T		2,861,727T	
3.	OHA175	BENEFICIARY ADVOCACY					
	OPERATING		OHA	1.47*		1.47*	
				1,855,514A		1,855,514A	
				18.53*		18.53*	
			OHA	3,292,290T		3,292,290T	



1 the same sums for fiscal year 2018-2019 shall be expended to
2 provide for educational improvement programs for Native Hawaiian
3 students; provided further that program activities shall be
4 designed to help Native Hawaiian students meet or exceed
5 educational standards; and provided further that notwithstanding
6 section 10-17(e), Hawaii Revised Statutes, any expenditures for
7 the purposes of this section shall be in accordance with chapter
8 103D or 103F, Hawaii Revised Statutes, or a competitive grants
9 process, as appropriate.

10 SECTION 7. Provided that of the funds appropriated for
11 beneficiary advocacy (OHA175), the sum of \$524,400 in general
12 funds and \$524,400 in trust funds for fiscal year 2017-2018 and
13 the same sums for fiscal year 2018-2019 shall be expended to
14 provide for legal services and legal representation to Office of
15 Hawaiian Affairs beneficiaries for:

- 16 (1) The assertion and defense of quiet title actions;
- 17 (2) Assistance with ahupua'a and kuleana tenant rights,
18 including rights of access and rights to water;
- 19 (3) Land title assistance, including review of title and
20 genealogy;
- 21 (4) Preservation of traditional and customary practices;



1 (5) Protection of culturally significant places; and
2 (6) Preservation of Native Hawaiian land trust
3 entitlements;
4 provided further that notwithstanding section 10-17(e), Hawaii
5 Revised Statutes, any expenditures for the purposes of this
6 section shall be in accordance with chapter 103D or 103F, Hawaii
7 Revised Statutes, as appropriate.

8 **PART IV. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE**

9 SECTION 8. Provided that whenever necessary, the board of
10 trustees of the Office of Hawaiian Affairs or the board's
11 designee may transfer sufficient funds and positions between
12 programs for operating purposes; provided further that these
13 transfers shall be consistent with legislative intent; and
14 provided further that the Office of Hawaiian Affairs shall
15 submit a report to the legislature of all uses of this authority
16 for the previous twelve month period from December 1 to November
17 30, no later than twenty days prior to the regular sessions of
18 2018 and 2019.

19 SECTION 9. If any portion of this Act or its application
20 to any person, entity, or circumstance is held to be invalid for
21 any reason, the legislature declares that the remainder of the
22 Act and each and every other provision thereof shall not be
23 affected thereby. If any portion of a specific appropriation is



1 held to be invalid for any reason, the remaining portion shall
2 be expended to fulfill the objective of such appropriation to
3 the extent possible.

4 SECTION 10. If manifest clerical, typographical, or other
5 mechanical errors are found in this Act, the board of trustees
6 of the Office of Hawaiian Affairs is authorized to correct these
7 errors. All changes made pursuant to this section shall be
8 reported to the legislature at its next session.

9 SECTION 11. This Act shall take effect on July 1, 2017.



H.B. NO. 335
H.D. 2
S.D. 1
C.D. 1

Report Title:

OHA Package; Office of Hawaiian Affairs; Appropriations; Budget

Description:

Appropriates funds for the Office of Hawaiian Affairs for fiscal years 2017-2018 and 2018-2019. (CD1)

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

2017 HB335CD1

