
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 (a) "Program ID" means the unique identifier for the specific
8 program and consists of the abbreviation for the Office of
9 Hawaiian Affairs (OHA) followed by the organization number
10 for the program.

11 (b) "Means of financing" (or "MOF") means the source from
12 which funds are appropriated or authorized to be expended
13 for the programs and projects specified in this Act. All
14 appropriations are followed by letter symbols. Such
15 letter symbols, where used, shall have the following
16 meanings:

17 A general funds



1 T trust funds

2 (c) "Permanent position ceiling" means the maximum number of
3 permanent positions that an expending agency is authorized
4 for a particular program during a specified period or
5 periods, as denoted by an asterisk.

6 **PART II. PROGRAM APPROPRIATIONS**

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



PROGRAM APPROPRIATIONS

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	1.	OHA150 - OFFICE OF THE TRUSTEES					
2				0.47*		0.47*	
3		OPERATING	OHA	28,435A		28,435A	
4				4.53*		4.53*	
5			OHA	275,687T		275,687T	
6							
7	2.	OHA160 - ADMINISTRATION					
8				5.03*		5.03*	
9		OPERATING	OHA	700,159A		700,159A	
10				31.97*		31.97*	
11			OHA	2,861,727T		2,861,727T	
12							
13	3.	OHA175 - BENEFICIARY ADVOCACY					
14				1.47*		1.47*	
15		OPERATING	OHA	1,762,410A		1,762,410A	
16				18.53*		18.53*	
17			OHA	3,292,290T		3,292,290T	
18							



1 **PART III. PROGRAM PROVISIONS**

2 SECTION 4. Provided that the general fund appropriations
3 in part II of this Act shall be expended by the Office of
4 Hawaiian Affairs.

5 SECTION 5. Provided that of the funds appropriated for
6 beneficiary advocacy (OHA175), the sum of \$415,000 in general
7 funds and \$415,000 in trust funds for fiscal year 2017-2018 and
8 the same sums for fiscal year 2018-2019 shall be expended to
9 provide for social services, including referral services and
10 case management, to at-risk Office of Hawaiian Affairs
11 beneficiaries to immediately address unexpected crises. Program
12 activities shall be designed with an overall objective to
13 provide financial assistance to improve stability during
14 emergency situations; provided further that notwithstanding
15 section 10-17(e), Hawaii Revised Statutes, any funds expended
16 for the purposes of this section shall be in accordance with
17 chapter 103D or 103F, Hawaii Revised Statutes, as appropriate.

18 SECTION 6. Provided that of the funds appropriated for
19 beneficiary advocacy (OHA175), the sum of \$615,000 in general
20 funds and \$615,000 in trust funds for fiscal year 2017-2018 and
21 the same sums for fiscal year 2018-2019 shall be expended to



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

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

- 15 (1) the assertion and defense of quiet title actions; and
16 (2) assistance with ahupua'a and kuleana tenant rights,
17 including rights of access and rights to water; and
18 (3) land title assistance, including review of title and
19 genealogy; and
20 (4) preservation of traditional and customary practices; and
21 (5) protection of culturally significant places; and



1 (6) preservation of Native Hawaiian land trust entitlements;
2 provided further that notwithstanding section 10-17(e), Hawaii
3 Revised Statutes, any funds expended for the purposes of this
4 section shall be made in accordance with chapter 103D or 103F,
5 Hawaii Revised Statutes, as appropriate.

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

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

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



1 be expended to fulfill the objective of such appropriation to
2 the extent possible.

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

8 SECTION 11. Material to be repealed is bracketed and
9 stricken. New material in prior enacted laws is underscored.

10 SECTION 12. This Act shall take effect on July 1, 2017.



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. (HB335 HD2)

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

