
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 positions in each fiscal year of the biennium shall
15 not exceed the sums and the number indicated for each fiscal
16 year, except as provided elsewhere in this Act or as provided by
17 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		0.47*		0.47*	
				0.00#		0.00#	
	OPERATING		OHA	104,947A		104,947A	
				4.53*		4.53*	
				0.00#		0.00#	
			OHA	322,011T		322,011T	
2.	OHA160	ADMINISTRATION		5.03*		5.03*	
				0.00#		0.00#	
	OPERATING		OHA	1,785,300A		1,785,300A	
				31.97*		31.97*	
				0.00#		0.00#	
			OHA	2,368,928T		2,368,928T	
3.	OHA175	BENEFICIARY ADVOCACY		1.47*		1.47*	
				0.00#		0.00#	
	OPERATING		OHA	2,000,757A		2,000,757A	
				18.53*		18.53*	
				0.00#		0.00#	
			OHA	3,281,019T		3,281,019T	



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;
16 (2) Assistance with ahupua'a and kuleana tenant rights,
17 including rights of access and rights to water;
18 (3) Land title assistance, including review of title and
19 genealogy;
20 (4) Preservation of traditional and customary practices;
21 (5) Protection of culturally significant places; and



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

7 SECTION 8. Provided that of the general funds and trust
8 funds appropriated for beneficiary advocacy (OHA175), the sum of
9 \$500,000 in general funds and \$500,000 in trust funds for fiscal
10 year 2017-2018 and the sum of \$500,000 in general funds and
11 \$500,000 in trust funds for fiscal year 2018-2019 shall be
12 expended at the discretion of the board of trustees of the
13 office of Hawaiian affairs for office of Hawaiian affairs
14 beneficiaries; provided that no state general funds shall be
15 expended unless matched by the expenditure of at least an equal
16 amount of office of Hawaiian affairs' trust funds; provided that
17 the general funds and trust funds appropriated under this
18 section shall be expended only after the chief executive officer
19 of the office of Hawaiian affairs consults with the chairs of
20 the senate committee on ways and means and the house committee
21 on finance or their designees; and provided further that the



1 office of Hawaiian affairs shall submit a report to the
2 legislature listing expenditures made pursuant to this section,
3 no later than twenty days prior to the convening of the regular
4 sessions of 2018 and 2019.

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

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

16 SECTION 10. If any portion of this Act or its application
17 to any person, entity, or circumstance is held to be invalid for
18 any reason, the legislature declares that the remainder of the
19 Act and each and every other provision thereof shall not be
20 affected thereby. If any portion of a specific appropriation is
21 held to be invalid for any reason, the remaining portion shall
22 be expended to fulfill the objective of such appropriation to
23 the extent possible.



1 SECTION 11. If manifest clerical, typographical, or other
2 mechanical errors are found in this Act, the board of trustees
3 of the office of Hawaiian affairs is authorized to correct these
4 errors. All changes made pursuant to this section shall be
5 reported to the legislature at its next session.

6 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. (SD1)

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

