
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 2023.

5 SECTION 2. DEFINITIONS. As used in this Act, unless the
6 context otherwise requires:

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. These letter symbols, where
11 used, shall mean the following:

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



1 denoted by an asterisk (*) for permanent full-time equivalent
2 positions and a pound sign (#) for temporary full-time
3 equivalent positions.

4 "Program ID" means the unique identifier for the specific
5 program and consists of OHA, the abbreviation for the office of
6 Hawaiian affairs, followed by the organization number for the
7 program.

8 **PART II. PROGRAM APPROPRIATIONS**

9 SECTION 3. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$87,000,000 or so
11 much thereof as may be necessary for fiscal year 2023-2024 and
12 the sum of \$3,000,000 or so much thereof as may be necessary for
13 fiscal year 2024-2025 for beneficiary advocacy.

14 The sums appropriated shall be expended by the office of
15 Hawaiian affairs for the purposes of this Act.

16 SECTION 4. There is appropriated out of the public land
17 trust fund the sum of \$3,000,000 or so much thereof as may be
18 necessary for fiscal year 2023-2024 and the same sum or so much
19 thereof as may be necessary for fiscal year 2024-2025 for
20 beneficiary advocacy.

21 The sums appropriated shall be expended by the office of
22 Hawaiian affairs for the purposes of this Act.



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F
1		Hawaiian Affairs					
2							
3	1.	OHA150 - OFFICE OF THE TRUSTEES					
4				0.47	*	0.47	*
5		OPERATING	OHA		A		A
6				4.53	*	4.53	*
7			OHA		T		T
8							
9	2.	OHA160 - ADMINISTRATION					
10				5.03	*	5.03	*
11		OPERATING	OHA		A		A
12				31.97	*	31.97	*
13			OHA		T		T
14							
15	3.	OHA175 - BENEFICIARY ADVOCACY					
16				1.47	*	1.47	*
17		OPERATING	OHA	87,000,000	A	3,000,000	A
18				18.53	*	18.53	*
19			OHA	3,000,000	T	3,000,000	T
20							

21 PART III. PROGRAM PROVISIONS

22 SECTION 5. Provided that of the funds appropriated for
 23 beneficiary advocacy, the sum of \$65,000,000 or so much thereof
 24 as may be necessary for fiscal year 2023-2024 in general funds
 25 for bulkhead repairs.

26 SECTION 6. Provided that of the funds appropriated for
 27 beneficiary advocacy, the sum of \$6,000,000 or so much thereof
 28 as may be necessary for fiscal year 2023-2024 in general funds
 29 to prepare an environmental impact statement for Hakuone.



1 SECTION 7. Provided that of the funds appropriated for
2 beneficiary advocacy, the sum of \$13,000,000 in general funds or
3 so much thereof as may be necessary for fiscal year 2023-2024
4 for Kukaniloko.

5 SECTION 8. Provided that of the funds appropriated for
6 beneficiary advocacy, the sum of \$75,600 in general funds and
7 \$75,600 in trust funds for fiscal year 2023-2024 and the same
8 sums for fiscal year 2024-2025 shall be expended to provide for
9 legal services and legal representation to office of Hawaiian
10 affairs beneficiaries for:

- 11 (1) The assertion and defense of quiet title actions;
- 12 (2) Assistance with ahupuaa and kuleana tenant rights,
13 including rights of access and rights to water;
- 14 (3) Land title assistance, including review of title and
15 genealogy;
- 16 (4) Preservation of traditional and customary practices;
- 17 (5) Protection of culturally significant places, including
18 iwi kupuna protections;
- 19 (6) Preservation of Native Hawaiian land trust
20 entitlements;
- 21 (7) Homeownership retention strategies for Native
22 Hawaiians; and



1 (8) Family law related matters including adoption, foster
 2 care, child welfare, incarcerated individuals,
 3 guardianship, elder care, and similar matters;
 4 provided further that, notwithstanding section 10-17(e), Hawaii
 5 Revised Statutes, any funds expended for the purposes of this
 6 section shall be made in accordance with chapter 103D or 103F,
 7 Hawaii Revised Statutes, as appropriate.

8 SECTION 9. Provided that of the funds appropriated for
 9 beneficiary advocacy, the sum of \$500,000 in general funds and
 10 \$500,000 in trust funds for fiscal year 2023-2024 and the same
 11 sums for fiscal year 2024-2025 shall be expended for protections
 12 of aina (land and water), including climate change adaptation
 13 and mitigation strategies and practices.

14 SECTION 10. Provided that of the funds appropriated for
 15 beneficiary advocacy, the sum of \$370,000 in general funds and
 16 \$370,000 in trust funds for fiscal year 2023-2024 and the same
 17 sums for fiscal year 2024-2025 shall be expended for ohana
 18 (families and communities) economic stability.

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

20 SECTION 11. Provided that, whenever necessary, the board
 21 of trustees of the office of Hawaiian affairs or the board's
 22 designee may transfer sufficient funds and positions between



1 programs for operating purposes; provided further that these
2 transfers shall be consistent with legislative intent; provided
3 further that the office of Hawaiian affairs shall submit a
4 report to the legislature of all uses of this authority for the
5 previous twelve-month period from December 1 to November 30, no
6 later than twenty days prior to the regular sessions of 2024 and
7 2025.

8 SECTION 12. If any portion of this Act or its application
9 to any person, entity, or circumstance is held to be invalid for
10 any reason, the legislature declares that the remainder of the
11 Act and each and every other provision thereof shall not be
12 affected thereby. If any portion of a specific appropriation is
13 held to be invalid for any reason, the remaining portion shall
14 be expended to fulfill the objective of the appropriation to the
15 extent possible.

16 SECTION 13. If manifest clerical, typographical, or other
17 mechanical errors are found in this Act, the board of trustees
18 of the office of Hawaiian affairs may correct these errors. All
19 changes made pursuant to this section shall be reported to the
20 legislature at its next session.

21 SECTION 14. This Act shall take effect on June 30, 2023.



Report Title:

Office of Hawaiian Affairs Package; Budget

Description:

Appropriates moneys to fund the operating expenses of the Office of Hawaiian Affairs for the fiscal biennium beginning on 7/1/2023 and ending on 6/30/2025. Effective 6/30/2023. (SD2)

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