

ACT 303

H.B. NO. 646

A Bill for an Act Relating to the Office of Hawaiian Affairs.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Purpose. The purpose of this Act is to appropriate funds for the biennial budget of the Office of Hawaiian Affairs.

SECTION 2. In accordance with Article VII, Section 9, of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriations contained in this Act will cause the state general fund expenditure ceiling for fiscal year 1989-90 to be exceeded by \$2,066,742, or 0.088 per cent. The reasons for exceeding the general fund expenditure ceiling are that the appropriations made in this Act are necessary to serve the public interest and to meet the needs provided for by this Act.

SECTION 3. Definitions. Unless otherwise clear from the context, as used in this Act:

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

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

- A general funds
- B special funds
- N other federal funds

(c) "Position ceiling" means the maximum number of permanent positions authorized for a particular program during a specified period or periods, as noted by an asterisk.

SECTION 4. Appropriations. The following sums, or so much thereof as may be sufficient to accomplish the purposes and programs designated herein, are appropriated or authorized, as the case may be, from the sources of funding specified to the Office of Hawaiian Affairs for the fiscal biennium beginning July 1, 1989, and ending June 30, 1991. The total general fund expenditures and the number of permanent positions established in each fiscal year of the biennium shall not exceed the sums and the position ceilings indicated for each year, except as provided elsewhere in this Act.

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 1989-90	M O F	FISCAL YEAR 1990-91	M O F
Office of Hawaiian Affairs							
1.	OHA100 - Policy and Administration						
	OPERATING		OHA	2.50 *		2.50 *	
				468,330 A		224,482 A	
			OHA	2.50 *		2.50 *	
				309,809 B		224,481 B	
2.	OHA101 - Administrative Services						
	OPERATING		OHA	3.50 *		3.50 *	
				305,913 A		227,592 A	
			OHA	3.50 *		3.50 *	
				305,912 B		227,592 B	
3.	OHA102 - Public Information						
	OPERATING		OHA	2.00 *		2.00 *	
				150,558 A		152,584 A	
			OHA	2.00 *		2.00 *	
				150,557 B		152,584 B	
4.	OHA103 - Human Resources						
	OPERATING		OHA	1.50 *		1.50 *	
				151,086 A		100,745 A	
			OHA	1.50 *		1.50 *	
				151,086 B		100,744 B	
5.	OHA104 - Planning and Research						
	OPERATING		OHA	3.00 *		3.00 *	
				149,813 A		156,300 A	
			OHA	3.00 *		3.00 *	
				149,813 B		156,299 B	
6.	OHA105 - Culture						
	OPERATING		OHA	2.00 *		2.00 *	
				62,591 A		70,606 A	
			OHA	2.00 *		2.00 *	
				62,591 B		70,606 B	
7.	OHA106 - Government and Community Affairs						
	OPERATING		OHA	5.50 *		5.50 *	
				144,087 A		148,748 A	
			OHA	5.50 *		5.50 *	
				144,087 B		148,748 B	
8.	OHA107 - Land and Natural Resources						
	OPERATING		OHA	1.50 *		1.50 *	
				309,024 A		319,485 A	
			OHA	1.50 *		1.50 *	
				309,023 B		319,484 B	
9.	OHA108 - Economic Development						
	OPERATING		OHA	1.50 *		1.50 *	
				172,801 A		180,020 A	
			OHA	1.50 *		1.50 *	
				172,800 B		180,020 B	
			OHA	4.00 *		4.00 *	
				957,000 N		957,000 N	
10.	OHA109 - Education						
	OPERATING		OHA	1.50 *		1.50 *	
				152,539 A		157,818 A	
			OHA	1.50 *		1.50 *	
				152,539 B		157,818 B	

SECTION 5. Provided that the general fund appropriations in Section 3 of this Act shall be expended by the Office of Hawaiian Affairs.

SECTION 6. Provided that whenever the need arises, the chairperson of the trustees for the Office of Hawaiian Affairs is authorized to transfer sufficient funds and positions between programs for research and development and operating purposes; provided that a report of all such transfers shall be made to the legislature not less than twenty days prior to the convening of the 1990 and 1991 legislative session.

SECTION 7. Provided that the Office of Hawaiian Affairs and the State of Hawaii shall share equally in the costs of wages and fringe benefits paid for employees of the Office of Hawaiian Affairs. Fringe benefits shall be defined as benefits received by public employees, including hospital, medical, and dental care under the public employees health fund, temporary disability insurance, unemployment insurance, life and long term disability insurance, workers compensation, social security, and retirement benefits.

SECTION 8. Provided that of the funds appropriated for office of the administrator (OHA 100), the sum of \$10,000 in fiscal year 1989-90 and \$10,000 in fiscal year 1990-91 shall be used as a protocol fund.

SECTION 9. Provided that of the funds appropriated for policy and administration (OHA 100), the sum of \$50,000 in general funds and \$50,000 in special funds for fiscal year 1989-90 shall be expended to establish a Governor's task force for the development of a master plan to coordinate the provision of services by public and private entities to native Hawaiians and Hawaiian populations for the purpose of efficiently budgeting funds for this purpose.

SECTION 10. Provided that of the funds appropriated for policy and administration (OHA 100), the sum of \$158,520 in general funds for fiscal year 1989-90 shall be expended to address the question of blood quantum for Hawaiians, through the use of media coverage, informational campaign, and meetings in the communities and similar types of actions as determined to be appropriate by OHA; provided further that the results of the single definition ballot shall be transmitted to legislature not less than twenty days prior to the convening of the 1990 regular session for action regarding possible constitutional amendments.

SECTION 11. Provided that to ensure the proper expenditure of funds a financial and management audit shall be conducted on the Office of Hawaiian Affairs by the Legislative Auditor; provided further that the audit shall include an evaluation of all existing programs and contain recommendations on measures of effectiveness and reporting format for each program area; provided further that the Legislative Auditor submit a report of finding and recommendations to the legislature not less than twenty days prior to the 1990 regular session.

SECTION 12. Provided that of the funds appropriated for human resources (OHA 103), the sum of \$75,000 in general funds and \$75,000 in special funds for fiscal year 1989-90 and \$28,000 in general funds and \$28,000 in special funds for fiscal year 1990-91 shall be expended for the creation of an organization to be known as "Papa Ola Lokahi" to develop a Native Hawaiian (no blood quantum) comprehensive health care master plan for the purpose of efficiently appropriating funds for comprehensive health care.

SECTION 13. Provided that of the funds appropriated for planning and research (OHA 104), the sum of \$40,000 in general funds and \$40,000 in special funds for fiscal year 1989-90 and \$42,080 in general funds and \$42,080 in special funds for fiscal year 1990-91 shall be used for the purpose of matching funds for federal grants; provided further that the funds not expended for the above purpose shall revert back to the general fund or the special fund as the case may be.

SECTION 14. Provided that of the funds appropriated for land and natural resources (OHA 107), the sum of \$25,000 in general funds and \$25,000 in special funds for fiscal year 1989-90 and \$25,000 in general funds and \$25,000 in special funds for fiscal year 1990-91 shall be expended to establish a historic preservation task force to recommend and assist in the development of legislation to address known weaknesses in federal and state laws and county ordinances regarding the inadequacy of historic preservation legal protection; provided further that the Office of Hawaiian Affairs shall consult with the Hawaii historic places review board on the development of this project.

SECTION 15. This Act shall take effect on July 1, 1989.

(Approved June 13, 1989.)