
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. The purpose of this Act is to appropriate funds
3 for the biennial budget of the office of Hawaiian affairs and
4 this Act shall be known and may be cited as the "Office of
5 Hawaiian Affairs Appropriations Act of 2007."

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

8 "Program ID" means the unique identifier of the specific
9 program, and consists of the abbreviation for the office of
10 Hawaiian affairs followed by a designated number for the
11 program.

12 "Means of financing", or "MOF", means the source from which
13 funds are appropriated or authorized, as the case may be, to be
14 expended for the programs and projects specified in this Act.

15 Letter symbols following appropriations have the following
16 meanings:

17 A: General Funds

18 C: General Obligation Bond Funds



1 T: Trust Funds

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

5 SECTION 3. The following sums, or so much thereof as may
6 be necessary to accomplish the purposes and programs designated
7 herein, are appropriated or authorized, as the case may be, from
8 the sources of funding specified to the office of Hawaiian
9 affairs for the fiscal biennium beginning July 1, 2007, and
10 ending June 30, 2009. The total general fund expenditures and
11 the number of permanent positions established in each fiscal
12 year of the biennium shall not exceed the sums and the position
13 ceiling indicated for each year, except as provided elsewhere in
14 this Act.



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1		Hawaiian Affairs					
2	1.	OHA150 - OFFICE OF THE TRUSTEES					
3				.65*		.60*	
4		OPERATING	OHA	31,149A		31,149A	
5				4.35*		4.40*	
6			OHA	272,193T		284,608T	
7							
8	2.	OHA160 - SUPPORT SERVICES					
9				7.60*		7.22*	
10		OPERATING	OHA	936,263A		936,263A	
11				30.40*		30.78*	
12			OHA	2,837,087T		2,952,722T	
13		INVESTMENT CAPITAL	OHA	3,050,000C			C
14			OHA		T	52,990,000T	
15							
16	3.	OHA175 - BENEFICIARY ADVOCACY					
17				3.23*		3.23*	
18		OPERATING	OHA	2,085,696A		2,119,663A	
19				15.77*		15.77*	
20			OHA	3,098,206T		3,190,167T	



1 SECTION 4. Provided that the general fund appropriations
2 in section 3 of this Act shall be expended by the office of
3 Hawaiian affairs.

4 SECTION 5. Provided that of the funds appropriated for
5 beneficiary advocacy (OHA 175), the sum of \$415,000 in general
6 funds and \$415,000 in trust funds for fiscal year 2007-2008 and
7 the sum of \$415,000 in general funds and \$415,000 in trust funds
8 for fiscal year 2008-2009 shall provide for social services to
9 office of Hawaiian affairs beneficiaries to include information
10 and referral services, case management and counseling,
11 establishment of individual development accounts, financial
12 literacy, and financial assistance. Referral services include
13 those relating to education assistance, employment and income
14 security, individual and family care, health needs, housing,
15 legal services, genealogy research, business assistance, and
16 general information; provided further that notwithstanding
17 section 10-17(e), Hawaii Revised Statutes, any funds expended
18 for the purposes of this section shall be in accordance with
19 chapter 103D or 103F, Hawaii Revised Statutes, as appropriate.

20 SECTION 6. Provided that of the funds appropriated for
21 beneficiary advocacy (OHA 175), the sum of \$490,433 in general



1 funds and \$490,433 in trust funds for fiscal year 2007-2008 and
2 the sum of \$524,400 in general funds and \$524,400 in trust funds
3 for fiscal year 2008-2009 shall provide for educational
4 enrichment programs for native Hawaiian children in grades K
5 through 12 throughout the State. Program activities are to be
6 designed to optimize learning for Hawaiian students and are
7 intended to develop a stronger interest in learning, connect
8 learning and education to one's Hawaiian identity, and explore
9 possible educational, career, and academic goals the students
10 may not have considered; provided further that notwithstanding
11 section 10-17(e), Hawaii Revised Statutes, any funds expended
12 for the purposes of this section shall be in accordance with
13 chapter 103D or 103F, Hawaii Revised Statutes, as appropriate.

14 SECTION 7. Provided that of the funds appropriated for
15 beneficiary advocacy (OHA 175), the sum of \$592,302 in general
16 funds and \$592,302 in trust funds for fiscal year 2007-2008 and
17 the sum of \$592,302 in general funds and \$592,302 in trust funds
18 for fiscal year 2008-2009 shall provide legal services and legal
19 representation to office of Hawaiian affairs beneficiaries for:
20 the assertion and defense of quiet title actions; assistance
21 with ahupua`a and kuleana tenant rights, including rights of



1 access and rights to water, land title assistance, including
2 review of title and genealogy, preservation of traditional and
3 customary practices, protection of culturally significant
4 places, and preservation of native Hawaiian land trust
5 entitlements; provided further that notwithstanding section
6 10-17(e), Hawaii Revised Statutes, any funds expended for the
7 purposes of this section shall be in accordance with chapter
8 103D or 103F, Hawaii Revised Statutes, as appropriate.

9 SECTION 8. Provided that whenever the need arises, the
10 board of trustees of the office of Hawaiian affairs or their
11 designee is authorized to transfer sufficient funds and
12 positions between programs for operating purposes; provided
13 further that these transfers shall not be inconsistent with
14 legislative intent; and provided further that a report of these
15 fund transfers shall be made to the legislature no later than
16 thirty days prior to the convening of the 2008 and 2009 regular
17 sessions.

18 **PART II. CAPITAL IMPROVEMENT PROJECT**

19 SECTION 9. The sum of \$56,040,000 appropriated or
20 authorized in part I of this Act for a capital improvement
21 project shall be expended by the office of Hawaiian affairs for



- 1 the project listed below. The amount after each cost element
- 2 and the total funding for the project are in thousands of
- 3 dollars.



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1		Hawaiian Affairs					
2		OHA160 - SUPPORT SERVICES					
3							
4	1.	CULTURAL CENTER AND OFFICE BUILDING, OAHU					
5							
6							
7		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A NEW CULTURE CENTER AND OFFICE BUILDING ON OAHU.					
8							
9							
10		DESIGN		3,050			
11		CONSTRUCTION				49,490	
12		EQUIPMENT				3,500	
13		TOTAL FUNDING	OHA	3,050	C		C
14			OHA		T	52,990	T



1 SECTION 13. The board of trustees of the office of
2 Hawaiian affairs or their designee shall determine when and the
3 manner in which the authorized capital improvement project shall
4 be initiated.

5 SECTION 14. Any law or any provision to the contrary
6 notwithstanding, the board of trustees of the office of Hawaiian
7 affairs or their designee may supplement funds for any cost
8 element for a capital improvement project authorized under this
9 Act by transferring such sums as may be needed from the funds
10 appropriated for other cost elements of the same project by this
11 Act.

12 **PART V. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE**

13 SECTION 15. If any portion of this Act or its application
14 to any person or circumstances is held to be invalid for any
15 reason, the remainder of the Act and any provision thereof shall
16 not be affected. If any portion of a specific appropriation is
17 held to be invalid for any reason, the remaining portion shall
18 be independent of the invalid portion and shall be expended to
19 fulfill the objective and intent of the appropriation to the
20 extent possible.



1 SECTION 16. In the event manifest clerical, typographical,
2 or other mechanical errors are found in this Act, the board of
3 trustees of the office of Hawaiian affairs is hereby authorized
4 to correct such errors. All changes made pursuant to this
5 section shall be reported to the legislature at its next
6 session.

7 SECTION 17. This Act shall take effect on July 1, 2007.



Report Title:

OHA Budget

Description:

Appropriates funds for the operating and capital improvement budget of the Office of Hawaiian Affairs for fiscal years 2007-2008 and 2008-2009. (SD2)

