

JAN 20 2017

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# A BILL FOR AN ACT

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

**PART I. GENERAL PROVISIONS**

1  
2 SECTION 1. The purpose of this Act is to appropriate funds  
3 for the biennial budget of the office of Hawaiian affairs. This  
4 Act shall be known and may be cited as the Office of Hawaiian  
5 Affairs Appropriations Act of 2017.

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

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

11 All appropriations are followed by letter symbols. Such letter  
12 symbols, where used, shall have the following meanings:

13 A general funds

14 T trust funds

15 "Position ceiling" means the maximum number of positions  
16 authorized for a particular program during a specified period or  
17 periods.



1 "Program ID" means the unique identifier for the specific  
2 program, and consists of the abbreviation for the office of  
3 Hawaiian affairs (OHA) followed by a designated number for the  
4 program.

5 **PART II. PROGRAM APPROPRIATIONS**

6 SECTION 3. The following sums, or so much thereof as may  
7 be necessary to accomplish the purposes and programs designated  
8 herein, are appropriated or authorized, as the case may be, from  
9 the sources of funding specified to the office of Hawaiian  
10 affairs for the fiscal biennium beginning July 1, 2017, and  
11 ending June 30, 2019. The total general fund expenditures, the  
12 number of permanent positions, denoted by one asterisk, and the  
13 number of temporary positions, denoted by two asterisks,  
14 established in each fiscal year of the biennium shall not exceed  
15 the sums and the position ceilings indicated for each year,  
16 except as provided elsewhere in this Act.



PROGRAM APPROPRIATIONS

| ITEM NO.         | PROG. ID | PROGRAM   | EXPENDING AGENCY         | APPROPRIATIONS      |        |                     |        |
|------------------|----------|-----------|--------------------------|---------------------|--------|---------------------|--------|
|                  |          |           |                          | FISCAL YEAR 2017-18 | M O F  | FISCAL YEAR 2018-19 | M O F  |
| Hawaiian Affairs |          |           |                          |                     |        |                     |        |
| 1                | 1.       | OHA150    | - OFFICE OF THE TRUSTEES |                     |        |                     |        |
| 2                |          |           |                          |                     | 0.47*  |                     | 0.47*  |
| 3                |          |           |                          |                     | 0.00** |                     | 0.00** |
| 4                |          | OPERATING | OHA                      | 104,947A            |        | 104,947A            |        |
| 5                |          |           |                          |                     | 4.53*  |                     | 4.53*  |
| 6                |          |           |                          |                     | 0.00** |                     | 0.00** |
| 7                |          |           | OHA                      | 322,011T            |        | 322,011T            |        |
| 8                |          |           |                          |                     |        |                     |        |
| 9                | 2.       | OHA160    | - ADMINISTRATION         |                     |        |                     |        |
| 10               |          |           |                          |                     | 5.03*  |                     | 5.03*  |
| 11               |          |           |                          |                     | 0.00** |                     | 0.00** |
| 12               |          | OPERATING | OHA                      | 1,785,300A          |        | 1,785,300A          |        |
| 13               |          |           |                          |                     | 31.97* |                     | 31.97* |
| 14               |          |           |                          |                     | 0.00** |                     | 0.00** |
| 15               |          |           | OHA                      | 2,368,928T          |        | 2,368,928T          |        |
| 16               |          |           |                          |                     |        |                     |        |
| 17               | 3.       | OHA175    | - BENEFICIARY ADVOCACY   |                     |        |                     |        |
| 18               |          |           |                          |                     | 1.47*  |                     | 1.47*  |
| 19               |          |           |                          |                     | 0.00** |                     | 0.00** |
| 20               |          | OPERATING | OHA                      | 2,631,327A          |        | 2,631,327A          |        |
| 21               |          |           |                          |                     | 18.53* |                     | 18.53* |
| 22               |          |           |                          |                     | 0.00** |                     | 0.00** |
| 23               |          |           | OHA                      | 3,411,589T          |        | 3,411,589T          |        |
| 24               |          |           |                          |                     |        |                     |        |





1 the sum of \$615,000 in general funds and \$615,000 in trust funds  
2 for fiscal year 2018-2019 shall provide for educational  
3 improvement programs for Native Hawaiian students. Program  
4 activities shall be designed to help Native Hawaiians meet or  
5 exceed educational standards; provided that notwithstanding  
6 section 10-17(e), Hawaii Revised Statutes, expenditure of any  
7 funds for the purposes of this section shall be made in  
8 accordance with chapter 103D or 103F, Hawaii Revised Statutes,  
9 or a competitive grants process, as appropriate.

10 SECTION 7. Provided that of the funds appropriated for  
11 beneficiary advocacy (OHA175), the sum of \$524,400 in general  
12 funds and \$524,400 in trust funds for fiscal year 2017-2018 and  
13 the sum of \$524,400 in general funds and \$524,400 in trust funds  
14 for fiscal year 2018-2019 shall provide for legal services and  
15 legal representation to office of Hawaiian affairs beneficiaries  
16 for: the assertion and defense of quiet title actions;  
17 assistance with ahupua'a and kuleana tenant rights, including  
18 rights of access and rights to water; land title assistance,  
19 including review of title and genealogy; preservation of  
20 traditional and customary practices; protection of culturally  
21 significant places; and preservation of Native Hawaiian land



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

6 SECTION 8. Provided that of the general funds and trust  
7 funds appropriated for beneficiary advocacy (OHA175), the sum of  
8 \$750,000 in general funds and \$750,000 in trust funds for fiscal  
9 year 2017-2018 and the sum of \$750,000 in general funds and  
10 \$750,000 in trust funds for fiscal year 2018-2019 shall be  
11 expended at the discretion of the board of trustees of the  
12 office of Hawaiian affairs for office of Hawaiian affairs  
13 beneficiaries for health improvement programs and services,  
14 housing improvement programs and services, and income  
15 improvement programs and services; provided further that no  
16 state general funds shall be expended unless matched by the  
17 expenditure of at least an equal amount of office of Hawaiian  
18 affairs' trust funds.

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

20 SECTION 9. Provided that whenever necessary, the board of  
21 trustees of the office of Hawaiian affairs or the board's



1 designee may transfer sufficient funds and positions between  
2 programs for operating purposes; provided further that these  
3 transfers shall not be inconsistent with legislative intent;  
4 provided further that a report of these fund transfers shall be  
5 made to the legislature no later than the end of the 2018 and  
6 2019 fiscal years, respectively.

7 SECTION 10. If any portion of this Act or its application  
8 to any person or circumstances is held to be invalid for any  
9 reason, the remainder of the Act and any provision thereof shall  
10 not be affected. If any portion of a specific appropriation is  
11 held to be invalid for any reason, the remaining portion shall  
12 be independent of the invalid portion and shall be expended to  
13 fulfill the objective and intent of the appropriation to the  
14 extent possible.

15 SECTION 11. If manifest clerical, typographical, or other  
16 mechanical errors are found in this Act, the board of trustees  
17 of the office of Hawaiian affairs may correct these errors. All  
18 changes made pursuant to this section shall be reported to the  
19 legislature at its next session.



# S.B. NO. 467

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

2

INTRODUCED BY:

*M. V. M.*  
By Request



# S.B. NO. 467

**Report Title:**

OHA Package; Office of Hawaiian Affairs; Appropriations; Budget

**Description:**

Appropriates funds for the Office of Hawaiian Affairs for the fiscal biennium beginning July 1, 2017, and ending June 30, 2019. Appropriations.

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

