
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 2021.

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. The letter symbols, where used,
11 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
2 equivalent 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 2021, and ending June 30, 2023. The total expenditures and the
14 number of positions in each fiscal year of the biennium shall
15 not exceed the sums and the numbers indicated for each fiscal
16 year, except as provided elsewhere in this Act, or as provided
17 by general law.



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID.	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
1							
2		Hawaiian Affairs					
3	1.	OHA150 - OFFICE OF THE TRUSTEES					
4				0.00*		0.00*	
5				0.00#		0.00#	
6		OPERATING	OHA	0.00A		0.00A	
7				0.00*		0.00*	
8				0.00#		0.00#	
9			OHA	0.00T		0.00T	
10							
11	2.	OHA160 - ADMINISTRATION					
12				0.00*		0.00*	
13				0.00#		0.00#	
14		OPERATING	OHA	0.00A		0.00A	
15				0.00*		0.00*	
16				0.00#		0.00#	
17			OHA	0.00T		0.00T	
18							
19	3.	OHA175 - BENEFICIARY ADVOCACY					
20				0.00*		0.00*	
21				0.00#		0.00#	
22		OPERATING	OHA	0.00A		0.00A	
23				0.00*		0.00*	
24				0.00#		0.00#	
25			OHA	0.00T		0.00T	
26							



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 \$ in general
7 funds and \$ in trust funds for fiscal year 2021-2022
8 and the same sums for fiscal year 2022-2023 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; provided
12 further that program activities shall be designed with an
13 overall objective to provide financial assistance to improve
14 stability during emergency situations; and provided further
15 that, notwithstanding section 10-17(e), Hawaii Revised Statutes,
16 any funds expended for the purposes of this section shall be in
17 accordance with chapter 103D or 103F, Hawaii Revised Statutes,
18 or a competitive grants process, as appropriate.

19 SECTION 6. Provided that, of the funds appropriated for
20 beneficiary advocacy (OHA175), the sum of \$ in general
21 funds and \$ in trust funds for fiscal year 2021-2022



1 and the same sums for fiscal year 2022-2023 shall be expended to
 2 provide for educational improvement programs for native Hawaiian
 3 students; provided further that program activities shall be
 4 designed to help native Hawaiian students succeed academically;
 5 and provided further that, notwithstanding section 10-17(e),
 6 Hawaii Revised Statutes, any expenditures for the purposes of
 7 this section shall be in accordance with chapter 103D or 103F,
 8 Hawaii Revised Statutes, or a competitive grants process, as
 9 appropriate.

10 SECTION 7. Provided that, of the funds appropriated for
 11 beneficiary advocacy (OHA175), the sum of \$ in general
 12 funds and \$ in trust funds for fiscal year 2021-2022
 13 and the same sums for fiscal year 2022-2023 shall be expended to
 14 provide for legal services and legal representation to office of
 15 Hawaiian affairs beneficiaries for:

- 16 (1) The assertion and defense of quiet title actions;
- 17 (2) Assistance with ahupuaa and kuleana tenant rights,
 18 including rights of access and rights to water;
- 19 (3) Land title assistance, including review of title and
 20 genealogy;
- 21 (4) Preservation of traditional and customary practices;



1 (5) Protection of culturally significant places; and
2 (6) Preservation of native Hawaiian land trust
3 entitlements;
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 **PART IV. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE**

9 SECTION 8. Provided that, whenever necessary, the board of
10 trustees of the office of Hawaiian affairs or the board's
11 designee may transfer sufficient funds and positions between
12 programs for operating purposes; provided further that these
13 transfers shall be consistent with legislative intent; and
14 provided further that the office of Hawaiian affairs shall
15 submit a report to the legislature of all uses of this authority
16 for the previous twelve-month period from December 1 to November
17 30, no later than twenty days prior to the regular sessions of
18 2022 and 2023.

19 SECTION 9. If any portion of this Act or its application
20 to any person, entity, or circumstance is held to be invalid for
21 any reason, the legislature declares that the remainder of the



1 Act and each and every other provision thereof shall not be
2 affected thereby. If any portion of a specific appropriation is
3 held to be invalid for any reason, the remaining portion shall
4 be expended to fulfill the objective of the appropriation to the
5 extent possible.

6 SECTION 10. In the event manifest clerical, typographical,
7 or other mechanical errors are found in this Act, the board of
8 trustees of the office of Hawaiian affairs is authorized to
9 correct these errors. All changes made pursuant to this section
10 shall be reported to the legislature at its next session.

11 SECTION 11. This Act shall take effect on July 1, 2021.

12



Report Title:

Office of Hawaiian Affairs Package; OHA Budget; Program
Operating Costs; Appropriation

Description:

Appropriates funds for Fiscal Biennium 2021-2023 for the Office
of Hawaiian Affairs Office of the Trustees (OHA150),
Administration (OHA160), and Beneficiary Advocacy (OHA175).
(SD1)

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not legislation or evidence of legislative intent.*

