

GOV. MSG. NO. 117(

EXECUTIVE CHAMBERS KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D. GOVERNOR KE KIA'ĀINA

June 7, 2023

The Honorable Ronald D. Kouchi President of the Senate, and Members of the Senate Thirty-Second State Legislature State Capitol, Room 409 Honolulu, Hawai'i 96813 /The Honorable Scott K. Saiki Speaker, and Members of the House of Representatives Thirty-Second State Legislature State Capitol, Room 431 Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 7, 2023, the following bill was signed into law:

HB133 HD1 SD2 CD1

RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS. ACT 071

Sincerely,

h Green M.D.

Josh Green, M.D. Governor, State of Hawai'i

Approved by the Governor

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7 2023

ACT 071

HOUSE OF REPRESENTATIVES THIRTY-SECOND LEGISLATURE, 2023 STATE OF HAWAII

H.B. NO. ¹³³ H.D. 1 S.D. 2 C.D. 1

A BILL FOR AN ACT

PART I. GENERAL PROVISIONS

RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS.

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

2	SEC	FION 1.	SHORT	TITLE.	This	Act	shall	be	known	and	l may	7
3	be cited	as the	office	of Hawa	iian	affai	rs App	prop	riatio	ons	Act	of
4	2023.											
5			PART I	I. PROG	RAM 2	APPRO	PRIATI	ONS				

6 SECTION 2. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$3,000,000 or so much
8 thereof as may be necessary for fiscal year 2023-2024 and the
9 same sum or so much thereof as may be necessary for fiscal year
10 2024-2025 for beneficiary advocacy.

11 The sums appropriated shall be expended by the office of12 Hawaiian affairs for the purposes of this Act.

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

2023-3454 HB133 CD1 HMS0

H.B. NO. ¹³³ H.D. 1 S.D. 2 C.D. 1

1 The sums appropriated shall be expended by the office of 2 Hawaiian affairs for the purposes of this Act. 3 PART III. PROGRAM PROVISIONS 4 SECTION 4. Provided that of the funds appropriated for 5 beneficiary advocacy, the sum of \$500,000 in general funds and 6 \$500,000 in trust funds for fiscal year 2023-2024 and the same 7 sums for fiscal year 2024-2025 shall be expended for office of 8 Hawaiian affairs beneficiaries for occupancy-ready housing 9 needs. 10 SECTION 5. Provided that of the funds appropriated for 11 beneficiary advocacy, the sum of \$415,000 in general funds and 12 \$415,000 in trust funds for fiscal year 2023-2024 and the same 13 sums for fiscal year 2024-2025 shall be expended to provide for 14 social services, including referral services and case 15 management, to at-risk office of Hawaiian affairs beneficiaries 16 to immediately address unexpected crises; provided further that 17 program activities shall be designed with an overall objective 18 to provide financial assistance to improve stability during 19 emergency situations; provided further that notwithstanding 20 section 10-17(e), Hawaii Revised Statutes, any funds expended 21 for the purpose of this section shall be in accordance with

2023-3454 HB133 CD1 HMSO

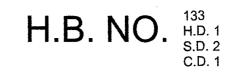
H.B. NO. ¹³³ H.D. 1 S.D. 2 C.D. 1

chapter 103D or 103F, Hawaii Revised Statutes, or a competitive
 grants process, as appropriate.

3 SECTION 6. Provided that of the funds appropriated for beneficiary advocacy, the sum of \$615,000 in general funds and 4 \$615,000 in trust funds for fiscal year 2023-2024 and the same 5 6 sums for fiscal year 2024-2025 shall be expended to provide for 7 educational improvement programs for Native Hawaiian students; 8 provided further that program activities shall be designed to 9 help Native Hawaiian students prepare for post-secondary 10 education and economic stability pursuits to support families and communities; provided further that notwithstanding section 11 12 10-17 (e), Hawaii Revised Statutes, any expenditures for the 13 purposes of this section shall be in accordance with chapter 14 103D or 103F, Hawaii Revised Statutes, or a competitive grants 15 process, as appropriate.

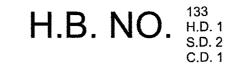
SECTION 7. Provided that of the funds appropriated for beneficiary advocacy, the sum of \$600,000 in general funds and \$600,000 in trust funds for fiscal year 2023-2024 and the same sums for fiscal year 2024-2025 shall be expended to provide for legal services and legal representation to office of Hawaiian affairs beneficiaries for:

2023-3454 HB133 CD1 HMSO



1	(1)	The assertion and defense of quiet title actions;
2	(2)	Assistance with ahupua'a and kuleana tenant rights,
3		including rights of access and rights to water;
4	(3)	Land title assistance, including review of title and
5		genealogy;
6	(4)	Preservation of traditional and customary practices;
7	(5)	Protection of culturally significant places, including
8		iwi kūpuna protections;
9	(6)	Preservation of Native Hawaiian land trust
10		entitlements;
11	(7)	Home ownership retention strategies for Native
12		Hawaiians; and
13	(8)	Family law-related matters, including adoption, foster
14		care, child welfare, incarcerated individuals,
15		guardianship, elder care, and similar matters;
16	provided	further that, notwithstanding section 10-17(e), Hawaii
17	Revised S	tatutes, any funds expended for the purposes of this
18	section s	hall be made in accordance with chapter 103D or 103F,
19	Hawaii Re	vised Statutes, as appropriate.
20	SECT	TON 8. Provided that of the funds appropriated for
21	beneficia	ry advocacy, the sum of \$500,000 in general funds and

2023-3454 HB133 CD1 HMSO



\$500,000 in trust funds for fiscal year 2023-2024 and the same
 sums for fiscal year 2024-2025 shall be expended for protections
 of 'āina (land and water), including climate change adaptation
 and mitigation strategies and practices.

SECTION 9. Provided that of the funds appropriated for
beneficiary advocacy, the sum of \$370,000 in general funds and
\$370,000 in trust funds for fiscal year 2023-2024 and the same
sums for fiscal year 2024-2025 shall be expended for 'ohana
(families and communities) economic stability.

10 PART IV. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE 11 SECTION 10. In accordance with section 9 of article VII of 12 the Hawaii State Constitution and sections 37-91 and 37-93, 13 Hawaii Revised Statutes, the legislature has determined that the 14 appropriations contained in H.B. No. 300, H.D. 1, S.D. 1, 15 C.D. 1, will cause the state general fund expenditure ceiling 16 for fiscal year 2023-2024 to be exceeded by \$1,063,767,367 or 17 10 per cent. In addition, the appropriations contained in this 18 Act will cause the general fund expenditure ceiling for fiscal year 2023-2024 to be further exceeded by \$3,000,000 or 1 per 19 The combined total amount of general fund appropriations 20 cent. contained in only these two Acts will cause the state general 21

2023-3454 HB133 CD1 HMSO

H.B. NO. ¹³³ H.D. 1 S.D. 2 C.D. 1

1	fund expenditure ceiling for fiscal year 2023-2024 to be
2	exceeded by \$1,066,767,367 or 11 per cent. The reasons for
3	exceeding the general fund expenditure ceiling are that:
4	(1) The appropriation made in this Act is necessary to
5	serve the public interest; and
6	(2) The appropriation made in this Act meets the needs
7	addressed by this Act.
8	SECTION 11. Provided that, whenever necessary, the board
9	of trustees of the office of Hawaiian affairs or the board's
10	designee may transfer sufficient funds and positions between
11	programs for operating purposes; provided further that these
12	transfers shall be consistent with legislative intent; provided
13	further that the office of Hawaiian affairs shall submit a
14	report to the legislature of all uses of this authority for the
15	previous twelve-month period from December 1 to November 30, no
16	later than twenty days prior to the regular sessions of 2024 and
17	2025.
18	SECTION 12. If any portion of this Act or its application

19 to any person, entity, or circumstance is held to be invalid for 20 any reason, the legislature declares that the remainder of the 21 Act and each and every other provision thereof shall not be



H.B. NO. ¹³³ H.D. 1 S.D. 2

affected thereby. If any portion of a specific appropriation is
 held to be invalid for any reason, the remaining portion shall
 be expended to fulfill the objective of such appropriation to
 the extent possible.

SECTION 13. In the event manifest clerical, typographical,
or other mechanical errors are found in this Act, the board of
trustees of the office of Hawaiian affairs is authorized to
correct these errors. All changes made pursuant to this section
shall be reported to the legislature at its next session.
SECTION 14. This Act shall take effect on July 1, 2023.

APPROVED this 7th day of June, 2023

John Mar

GOVERNOR OF THE STATE OF HAWAII



HB No. 133, HD 1, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: **MAY 0 4 2023** Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki Speaker House of Representatives

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Brian L. Takeshita Chief Clerk House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: MAY 0 4 2023 Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate

of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023.

President of the Senate

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Clerk of the Senate