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# 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 2023.

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. Such letter symbols, where  
11 used, 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 2023, and ending June 30, 2025. 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.



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PROGRAM APPROPRIATIONS

APPROPRIATIONS

ITEM NO.	PROG. ID.	PROGRAM	EXPENDING AGENCY	FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F
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Hawaiian Affairs

1. OHA150 - OFFICE OF THE TRUSTEES

0.00 *	0.00 *
0.00 #	0.00 #
00,000 A	00,000 A
0.00 *	0.00 *
0.00 #	0.00 #
000,000 T	000,000 T

OPERATING

OHA

2. OHA160 - ADMINISTRATION

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0.00 #	0.00 #
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0.00 *	00.00 *
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OPERATING

OHA

3. OHA175 - BENEFICIARY ADVOCACY

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OPERATING

OHA

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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 2023-2024  
8 and the same sums for fiscal year 2024-2025 shall be expended  
9 for office of Hawaiian affairs beneficiaries for occupancy-ready  
10 housing needs.

11          SECTION 6. Provided that of the funds appropriated for  
12 beneficiary advocacy (OHA175), the sum of \$                   in general  
13 funds and \$                   in trust funds for fiscal year 2023-2024  
14 and the same sums for fiscal year 2024-2025 shall be expended to  
15 provide for social services, including referral services and  
16 case management, to at-risk office of Hawaiian affairs  
17 beneficiaries to immediately address unexpected crises; provided  
18 further that program activities shall be designed with an  
19 overall objective to provide financial assistance to improve  
20 stability during emergency situations; and provided further that  
21 notwithstanding section 10-17(e), Hawaii Revised Statutes, any



1 funds expended for the purpose of this section shall be in  
2 accordance with chapter 103D or 103F, Hawaii Revised Statutes,  
3 or a competitive grants process, as appropriate.

4 SECTION 7. Provided that of the funds appropriated for  
5 beneficiary advocacy (OHA175), the sum of \$ in general  
6 funds and \$ in trust funds for fiscal year 2023-2024  
7 and the same sums for fiscal year 2024-2025 shall be expended to  
8 provide for educational improvement programs for Native Hawaiian  
9 students; provided further that program activities shall be  
10 designed to help Native Hawaiian students prepare for  
11 post-secondary education and economic stability pursuits to  
12 support families and communities; and provided further that  
13 notwithstanding section 10-17(e), Hawaii Revised Statutes, any  
14 expenditures for the purposes of this section shall be in  
15 accordance with chapter 103D or 103F, Hawaii Revised Statutes,  
16 or a competitive grants process, as appropriate.

17 SECTION 8. Provided that of the funds appropriated for  
18 beneficiary advocacy (OHA175), the sum of \$ in general  
19 funds and \$ in trust funds for fiscal year 2023-2024  
20 and the same sums for fiscal year 2024-2025 shall be expended to



1 provide for legal services and legal representation to office of  
2 Hawaiian affairs beneficiaries for:

- 3 (1) The assertion and defense of quiet title actions;
- 4 (2) Assistance with ahupuaa and kuleana tenant rights,  
5 including rights of access and rights to water;
- 6 (3) Land title assistance, including review of title and  
7 genealogy;
- 8 (4) Preservation of traditional and customary practices;
- 9 (5) Protection of culturally significant places, including  
10 iwi kupuna protections;
- 11 (6) Preservation of Native Hawaiian land trust  
12 entitlements;
- 13 (7) Home ownership retention strategies for Native  
14 Hawaiians; and
- 15 (8) Family law related matters including adoption, foster  
16 care, child welfare, incarcerated individuals,  
17 guardianship, elder care, and similar matters;

18 provided further that, notwithstanding section 10-17(e), Hawaii  
19 Revised Statutes, any funds expended for the purposes of this  
20 section shall be made in accordance with chapter 103D or 103F,  
21 Hawaii Revised Statutes, as appropriate.

1 SECTION 9. Provided that of the funds appropriated for  
 2 beneficiary advocacy (OHA175), the sum of \$ in general  
 3 funds and \$ in trust funds for fiscal year 2023-2024  
 4 and the same sums for fiscal year 2024-2025 shall be expended  
 5 for protections of aina (land and water), including climate  
 6 change adaptation and mitigation strategies and practices.

7 SECTION 10. Provided that of the funds appropriated for  
 8 beneficiary advocacy (OHA175), the sum of \$ in general  
 9 funds and \$ in trust funds for fiscal year 2023-2024  
 10 and the same sums for fiscal year 2024-2025 shall be expended  
 11 for ohana (families and communities) economic stability.

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

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



1 later than twenty days prior to the regular sessions of 2024 and  
2 2025.

3 SECTION 12. If any portion of this Act or its application  
4 to any person, entity, or circumstance is held to be invalid for  
5 any reason, the legislature declares that the remainder of the  
6 Act and each and every other provision thereof shall not be  
7 affected thereby. If any portion of a specific appropriation is  
8 held to be invalid for any reason, the remaining portion shall  
9 be expended to fulfill the objective of the appropriation to the  
10 extent possible.

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

16 SECTION 14. This Act shall take effect on July 1, 2023.





**Report Title:**

Office of Hawaiian Affairs Package; Budget; Appropriation

**Description:**

Appropriates moneys to fund the operating expenses of the Office of Hawaiian Affairs for the fiscal biennium beginning on 7/1/2023, and ending on 6/30/2025. (SD1)

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

