

ACT 221

S.B. NO. 973

A Bill for an Act Relating to the Office of Hawaiian Affairs.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that there is a need to clarify the laws relating to the budget of the office of Hawaiian affairs and to ensure that beneficiaries can participate in the preparation of the budget and be kept informed of the expenditures and programs of the office.

SECTION 2. Chapter 10, Hawaii Revised Statutes, is amended by adding two new sections to be appropriately designated and to read as follows:

“§10- Budget preparation and submission; auditing. (a) The budget, six-year program and financial plan, and the variance report of the office of Hawaiian affairs shall be submitted by the board to the legislature and to each member thereof in accordance with the budget submission schedule specified for the governor in chapter 37 and shall contain the program information specified in that chapter that is applicable to the office of Hawaiian affairs. Not less than twenty days prior to the convening of each regular session of the legislature, the office of Hawaiian affairs shall submit to the legislature an accounting of the expenditures made in the prior fiscal year, by account code and budget program. By November 1 of each year preceding a legislative session in which a budget is to be submitted, the board shall provide written notification to the governor of the proposed total expenditures, by cost categories and sources of funding, and estimated revenues of the office of Hawaiian affairs for each fiscal year of the next fiscal biennium.

(b) The board shall provide opportunities for beneficiaries in every county to participate in the preparation of each biennial and supplemental budget of the office of Hawaiian affairs. These opportunities shall include an accounting by trustees of the funds expended and of the effectiveness of programs undertaken.

(c) The office shall be subject to governmental audit.

§10- Legislative review. The legislature shall consider the board’s proposed program and financial plan; evaluate alternatives to the board’s recom-

mendations; and appropriate any general fund portion of the budget and any matching special fund appropriations.”

SECTION 3. Section 10-15, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§10-15]]~~ **Annual report.** The board shall prepare and make public their annual report which shall include an enumeration of their activities, income, and expenditures during the year. The annual report for the previous fiscal year shall be submitted to the governor and the legislature ten days prior to the convening of each regular session of the legislature. The board shall prepare and submit special reports as may be required by the legislature.”

SECTION 4. Section 10-14, Hawaii Revised Statutes, is repealed.

SECTION 5. By December 31, 1990, and December 31, 1991, the office of Hawaiian affairs shall submit a report to the legislature on the progress made in improving the management of the office and on the effectiveness of the programs of the office.

SECTION 6. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 7. This Act shall take effect on July 1, 1992, except that SECTION 5 of this Act and the requirement that the board of trustees of the office of Hawaiian affairs shall provide opportunities for beneficiaries in every county to participate in the preparation of each biennial and supplemental budget as provided for in SECTION 2 of this Act shall take effect on July 1, 1990.

(Approved June 25, 1990.)

Note

1. Edited pursuant to HRS §23G-16.5.