

ACT 34

H.B. NO. 1307

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. This Act is recommended by the governor for immediate passage in accordance with article VII, section 9 of the Constitution of the State of Hawaii.

SECTION 2. The purpose of this Act is to appropriate moneys from the general, and certain special and revolving funds, for transfer and deposit into the office of Hawaiian affairs' trust fund for native Hawaiians. The appropriations represent twenty per cent of the receipts for the use of lands in the public land trust that were not transferred to the office but deposited instead into the various funds after the Hawaii Supreme Court decided *OHA v. State*, 96 Haw. 388 (2001), and state agencies were directed to discontinue transferring twenty per cent of receipts from the public land trust lands to the office pursuant to section 10-13.5, Hawaii Revised Statutes, as enacted by Act 273, Session Laws of Hawaii 1980.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$2,041,852 or so much thereof as may be necessary for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of budget and finance for the purposes of this Act.

SECTION 4. There is appropriated out of the state parking revolving fund the sum of \$21,313 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of accounting and general services for the purposes of this Act.

SECTION 5. There is appropriated out of the agricultural park special fund the sum of \$46,211 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of agriculture for the purposes of this Act.

SECTION 6. There is appropriated out of the state educational facilities improvement special fund the sum of \$38,201 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of education for the purposes of this Act.

SECTION 7. There is appropriated out of the foreign-trade zones special fund the sum of \$108,322 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of business, economic development, and tourism for the purposes of this Act.

SECTION 8. There is appropriated out of the natural energy laboratory of Hawaii authority special fund the sum of \$132,568 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of business, economic development, and tourism for the purposes of this Act.

SECTION 9. There is appropriated out of the Hawaii community development revolving fund the sum of \$945 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of business, economic development, and tourism for the purposes of this Act.

SECTION 10. There is appropriated out of the boating special fund the sum of \$975,801 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 11. There is appropriated out of the special land and development fund the sum of \$157,322 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 12. There is appropriated out of the state parks special fund the sum of \$455,422 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 13. There is appropriated out of the harbor special fund the sum of \$5,509,560 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

**ACT 34**

The sum appropriated shall be expended by the department of transportation for the purposes of this Act.

SECTION 14. There is appropriated out of the beach restoration special fund the sum of \$28,068 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 15. There is appropriated out of the water resource management fund the sum of \$37,388 for fiscal year 2002-2003 to be deposited into the public land trust proceeds trust fund and used to better the conditions of native Hawaiians.

The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 16. This Act shall take effect upon its approval.

(Approved April 23, 2003.)