



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 7, 2019

GOV. MSG. NO. 1138

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth 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, 2019, the following bill was signed into law:

HB172 HD1 SD2 CD1

RELATING TO THE BUDGET OF THE OFFICE
OF HAWAIIAN AFFAIRS.
ACT 037 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor
on JUN 7 2019

ORIGINAL

ACT 037

HOUSE OF REPRESENTATIVES
THIRTIETH LEGISLATURE, 2019
STATE OF HAWAII

H.B. NO.

172
H.D. 1
S.D. 2
C.D. 1

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 2019.

5 SECTION 2. DEFINITIONS. As used in this Act, unless the
6 context otherwise requires:

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. These letter symbols, where
11 used, shall mean the following:

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 OHA, the abbreviation for the office of
5 Hawaiian affairs, followed by the organization number for the
6 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 appropriated or authorized from
11 the means of financing specified to the office of Hawaiian
12 affairs for the fiscal biennium beginning July 1, 2019, and
13 ending June 30, 2021. The total expenditures and the number of
14 positions in each fiscal year of the biennium shall not exceed
15 the sums and the numbers indicated for each fiscal year, except
16 as provided elsewhere in this Act, or as provided by general
17 law.



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID.	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1		Hawaiian Affairs					
2	1.	OHA150 - OFFICE OF THE TRUSTEES					
3				0.47*		0.47*	
4		OPERATING	OHA	58,323A		58,323A	
5				4.53*		4.53*	
6			OHA	275,687T		275,687T	
7							
8	2.	OHA160 - ADMINISTRATION					
9				5.03*		5.03*	
10		OPERATING	OHA	1,124,042A		1,124,042A	
11				31.97*		31.97*	
12			OHA	2,861,727T		2,861,727T	
13							
14	3.	OHA175 - BENEFICIARY ADVOCACY					
15				1.47*		1.47*	
16		OPERATING	OHA	1,855,514A		1,855,514A	
17				18.53*		18.53*	
18			OHA	3,292,290T		3,292,290T	
19							



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 \$415,000 in general
7 funds and \$415,000 in trust funds for fiscal year 2019-2020 and
8 the same sums for fiscal year 2020-2021 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 that
15 notwithstanding section 10-17(e), Hawaii Revised Statutes, any
16 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 \$615,000 in general
21 funds and \$615,000 in trust funds for fiscal year 2019-2020 and



1 the same sums for fiscal year 2020-2021 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 \$524,400 in general
12 funds and \$524,400 in trust funds for fiscal year 2019-2020 and
13 the same sums for fiscal year 2020-2021 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
20 and genealogy;



1 (4) Preservation of traditional and customary
2 practices;
3 (5) Protection of culturally significant places;
4 (6) Preservation of native Hawaiian land trust
5 entitlements; and
6 provided further that notwithstanding section 10-17(e), Hawaii
7 Revised Statutes, any funds expended for the purposes of this
8 section shall be made in accordance with chapter 103D or 103F,
9 Hawaii Revised Statutes, as appropriate.

10 SECTION 8. (a) Provided that of the trust funds
11 appropriated in part II of this Act, the sum of \$500,000 for
12 fiscal year 2019-2020 shall be expended for the costs for the
13 auditor to conduct or contract for a financial and management
14 audit of the Office of Hawaiian Affairs.

15 The auditor shall submit a report of the findings and
16 recommendations of the audit to the legislature, governor, and
17 the chairperson of the board of trustees of the office of
18 Hawaiian affairs no later than twenty days prior to the
19 convening of the regular session of 2020.

20 (b) Provided that the general funds appropriated for
21 fiscal year 2020-2021 pursuant to part II of this Act shall not



1 be released to the Office of Hawaiian Affairs until after the
2 audit report required by subsection (a) is received by the
3 legislature.

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

5 SECTION 9. Provided that whenever necessary, the board of
6 trustees of the Office of Hawaiian Affairs or the board's
7 designee may transfer sufficient funds and positions between
8 programs for operating purposes; provided further that these
9 transfers shall be consistent with legislative intent; and
10 provided further that the Office of Hawaiian Affairs shall
11 submit a report to the legislature of all uses of this authority
12 for the previous twelve month period from December 1 to November
13 30, no later than twenty days prior to the convening of the
14 regular sessions of 2020 and 2021.

15 SECTION 10. If any provision of this Act, or the
16 application thereto to any person or circumstance, is held
17 invalid, the invalidity does not affect other provisions or
18 applications of the Act that can be given effect without the
19 invalid provision or application, and to this end the provisions
20 of this Act are severable. If any portion of a specific
21 appropriation is held to be invalid for any reason, the

1 remaining portion shall be expended to fulfill the objective of
2 that appropriation to the extent possible.

3 SECTION 11. If manifest clerical, typographical, or other
4 mechanical errors are found in this Act, the board of trustees
5 of the Office of Hawaiian Affairs may correct these errors. All
6 changes made pursuant to this section shall be reported to the
7 legislature at its next session.

8 SECTION 12. This Act shall take effect on July 1, 2019.

APPROVED this 7 day of JUN, 2019



GOVERNOR OF THE STATE OF HAWAII



HB No. 172, HD 1, SD 2, CD 1

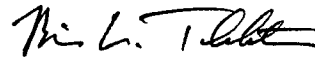
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives

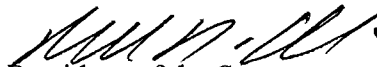


Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.



President of the Senate



Clerk of the Senate