

JAN 24 2019

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# A BILL FOR AN ACT

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

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

1           SECTION 1.   Section 10-5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§10-5   Board of trustees; powers and duties.   The board  
4 shall have the power in accordance with law to:

5           (1)   Manage, invest, and administer the proceeds from the  
6                sale or other disposition of lands, natural resources,  
7                minerals, and income derived from whatever sources for  
8                native Hawaiians and Hawaiians, including all income  
9                and proceeds from that pro rata portion of the trust  
10              referred to in section 10-3;

11           (2)   Exercise control over real and personal property set  
12                aside to the office by the State of Hawaii, the United  
13                States of America, or any private sources, and  
14                transferred to the office for native Hawaiians and  
15                Hawaiians;

16           (3)   Collect, receive, deposit, withdraw, and invest money  
17                and property on behalf of the office;



- 1 (4) Formulate policy relating to the affairs of native  
2 Hawaiians and Hawaiians, provided that such policy  
3 shall not diminish or limit the benefits of native  
4 Hawaiians under article XII, section 4, of the state  
5 Constitution;
- 6 (5) Otherwise act as a trustee as provided by law;
- 7 (6) Delegate to the administrator, its officers and  
8 employees such powers and duties as may be proper for  
9 the performance of the powers and duties vested in the  
10 board; provided that the board shall approve or  
11 disapprove and directly supervise the chief financial  
12 officer, director of human resources, and attorney as  
13 provided in section 10-12(b);
- 14 (7) Provide grants to individuals, and public or private  
15 organizations to better the conditions of native  
16 Hawaiians and Hawaiians consistent with the standards  
17 set forth in section 10-17;
- 18 (8) Make available technical and financial assistance and  
19 advisory services to any agency or private  
20 organization for native Hawaiian and Hawaiian  
21 programs, and for other functions pertinent to the



1 purposes of the office of Hawaiian affairs. Financial  
2 assistance may be rendered through contractual  
3 arrangements as may be agreed upon by the board and  
4 any such agency or organization; and

5 (9) Adopt and use a common seal by which all official acts  
6 shall be authenticated."

7 SECTION 2. Section 10-12, Hawaii Revised Statutes, is  
8 amended to read as follows:

9 "§10-12 Assistant; staff. (a) The administrator may  
10 employ and retain such officers and employees as may be  
11 necessary to carry out the functions of the office. Such  
12 officers and employees may be hired without regard to chapter  
13 76, and shall serve at the pleasure of the administrator.

14 (b) Notwithstanding any provision of subsection (a), the:

15 (1) Chief financial officer;

16 (2) Director of human resources; and

17 (3) Attorney,

18 of the office of Hawaiian affairs shall be appointed by the  
19 administrator subject to approval by the board and shall serve  
20 under the supervision and at the pleasure of the board.



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1        (c) Officers and employees of the office of Hawaiian  
 2 affairs shall be included in any benefit program generally  
 3 applicable to officers and employees of the State."

4        SECTION 3. New statutory material is underscored.

5        SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Michelle Kidani

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# S.B. NO. 1446

**Report Title:**

Office of Hawaiian Affairs; Board of Trustees; Chief Financial Officer; Director of Human Resources; Attorney; Supervision

**Description:**

Requires the administrator of the Office of Hawaiian Affairs to receive approval from the board for appointments of the chief financial officer, director of human resources, and attorney. Places the board in a direct supervisory role over the chief financial officer, director of human resources, and attorney.

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

