

STAND. COM. REP. NO.

1695

Honolulu, Hawaii

APR 09 2021

RE: H.B. No. 204
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 204, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS,"

begs leave to report as follows:

The purpose and intent of this measure is to appropriate funds for the operating expenses of the Office of Hawaiian Affairs (OHA).

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 2, which amends this measure by:

- (1) Inserting trust fund and position ceiling amounts for the Office of Hawaiian Affairs' Office of the Trustees, Administration, and Beneficiary Advocacy operating budgets for fiscal years 2021-2022 and 2022-2023;
- (2) Inserting a general fund amount of \$2,054,000 for the Beneficiary Advocacy operating budget for fiscal years 2021-2022 and 2022-2023;
- (3) Inserting an appropriation amount of \$500,000 in general funds for fiscal year 2021-2022 and the same sum for



fiscal year 2022-2023 for Office of Hawaiian Affairs beneficiaries for occupancy ready housing needs;

- (4) Inserting an appropriation amount of \$415,000 in general funds and \$415,000 in trust funds for fiscal year 2021-2022 and the same sums for fiscal year 2022-2023 for referral services and case management to at-risk Office of Hawaiian Affairs beneficiaries for financial assistance to improve stability during emergency situations;
- (5) Inserting an appropriation amount of \$615,000 in general funds and \$615,000 in trust funds for fiscal year 2021-2022 and the same sums for fiscal year 2022-2023 for educational improvement programs for native Hawaiian students; and
- (6) Inserting an appropriation amount of \$524,400 in general funds and \$524,400 in trust funds for fiscal year 2021-2022 and the same sums for fiscal year 2022-2023 to provide for legal services and legal representation to Office of Hawaiian Affairs beneficiaries.

Your Committee received testimony in support of the proposed S.D. 2 from the Office of Hawaiian Affairs.

Your Committee finds that the Office of Hawaiian Affairs is a semi-autonomous state agency, established by article XII, section 4 and article XI, section 5, of the Hawaii State Constitution and chapter 10, Hawaii Revised Statutes, that is responsible for improving the well-being of native Hawaiians. This measure appropriates funds for the Office of Hawaiian Affairs' operating budget in support of plans for the upcoming biennium and is vital to fulfilling the mandates of the Office of Hawaiian Affairs.

Your Committee has amended this measure by adopting the proposed S.D. 2 and further amending this measure by:

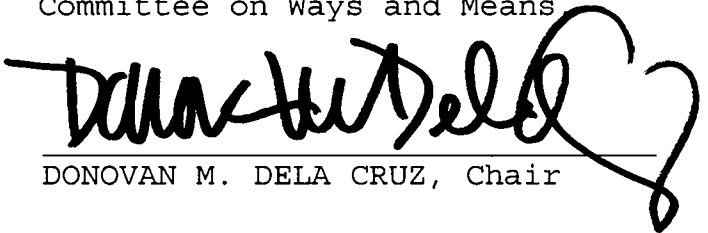
- (1) Increasing the general fund amount for the Beneficiary Advocacy operating budget for fiscal years 2021-2022 and 2022-2023 from \$2,054,000 to \$2,254,000;



- (2) Amending section 8 of Act 37, Session Laws of Hawaii 2019, to provide that general funds appropriated to the Office of Hawaiian Affairs for fiscal year 2020-2021 by part II of Act 37 shall not be released until after the CLA - OHA & LLCs Contract and Disbursement Review - Report, dated December 4, 2019, is received by the Legislature, retroactive to June 30, 2021;
- (3) Providing that the general funds appropriated to the Office of Hawaiian Affairs for fiscal year 2020-2021 by part II of Act 37, Session Laws of Hawaii 2019, shall not lapse until June 30, 2022, retroactive to June 30, 2021;
- (4) Appropriating \$200,000 of the general funds appropriated to OHA175 for fiscal year 2021-2022 for the Office of Hawaiian Affairs to conduct or contract for a follow-up contract and disbursement review of the CLA - OHA & LLCs Contract and Disbursement Review - Report, dated December 4, 2019; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 204, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 204, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means

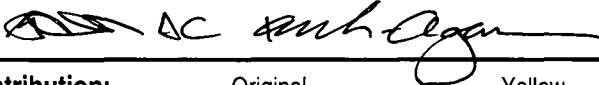


DONOVAN M. DELA CRUZ, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 204, SD 1</i>	<i>HWN, WAM</i>	<i>4/9/21</i>		
<input checked="" type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: <u><i>PASS WITH AMENDMENTS</i></u>				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	11			
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes

The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:
<i>HB 204, SD 1</i>	<i>HWN, WAM</i>	<i>4/7/21</i>

The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	<i>11</i>			

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


Distribution: Original Yellow Pink Goldenrod
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