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# 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 2021.

5           SECTION 2. DEFINITIONS. Unless otherwise clear from the

6 context, as used in this Act:

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. The letter symbols, where used,

11 shall have the following meanings:

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 the abbreviation for the office of  
5 Hawaiian affairs (OHA) followed by the organization number for  
6 the 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 hereby appropriated or  
11 authorized from the means of financing specified to the office  
12 of Hawaiian affairs for the fiscal biennium beginning July 1,  
13 2021, and ending June 30, 2023. The total expenditures and the  
14 number of positions in each fiscal year of the biennium shall  
15 not exceed the sums and the numbers indicated for each fiscal  
16 year, except as provided elsewhere in this Act, or as provided  
17 by general law.



1	Hawaiian Affairs			
2	1. OHA150 - OFFICE OF THE TRUSTEES			
3			0.47*	0.47*
4			0.00#	0.00#
5	OPERATING	OHA	0A	0A
6			4.53*	4.53*
7			0.00#	0.00#
8		OHA	275,687T	275,687T
9				
10	2. OHA160 - ADMINISTRATION			
11			5.03*	5.03*
12			0.00#	0.00#
13	OPERATING	OHA	0A	0A
14			31.97*	31.97*
15			0.00#	0.00#
16		OHA	2,861,727T	2,861,727T
17				
18	3. OHA175 - BENEFICIARY ADVOCACY			
19			1.47*	1.47*
20			0.00#	0.00#
21	OPERATING	OHA	2,054,000A	2,054,000A
22			18.53*	18.53*
23			0.00#	0.00#
24		OHA	3,292,290T	3,292,290T
25				



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 \$500,000 in general  
7 funds and \$500,000 in trust funds for fiscal year 2021-2022 and  
8 the same sums for fiscal year 2022-2023 shall be expended for  
9 office of Hawaiian affairs beneficiaries for occupancy ready  
10 housing needs.

11          SECTION 6. Provided that, of the funds appropriated for  
12 beneficiary advocacy (OHA175), the sum of \$415,000 in general  
13 funds and \$415,000 in trust funds for fiscal year 2021-2022 and  
14 the same sums for fiscal year 2022-2023 shall be expended to  
15 provide for social services, including referral services and  
16 case management, to at-risk office of Hawaiian affairs  
17 beneficiaries to immediately address unexpected crises; provided  
18 further that program activities shall be designed with an  
19 overall objective to provide financial assistance to improve  
20 stability during emergency situations; and provided further  
21 that, notwithstanding section 10-17(e), Hawaii Revised Statutes,



1 any funds expended for the purposes of this section shall be in  
2 accordance with chapter 103D or 103F, Hawaii Revised Statutes,  
3 or a competitive grants process, as appropriate.

4 SECTION 7. Provided that, of the funds appropriated for  
5 beneficiary advocacy (OHA175), the sum of \$615,000 in general  
6 funds and \$615,000 in trust funds for fiscal year 2021-2022 and  
7 the same sums for fiscal year 2022-2023 shall be expended to  
8 provide for educational improvement programs for native Hawaiian  
9 students; provided further that program activities shall be  
10 designed to help native Hawaiian students succeed academically;  
11 and provided further that, notwithstanding section 10-17(e),  
12 Hawaii Revised Statutes, any expenditures for the purposes of  
13 this section shall be in accordance with chapter 103D or 103F,  
14 Hawaii Revised Statutes, or a competitive grants process, as  
15 appropriate.

16 SECTION 8. Provided that, of the funds appropriated for  
17 beneficiary advocacy (OHA175), the sum of \$524,400 in general  
18 funds and \$524,400 in trust funds for fiscal year 2021-2022 and  
19 the same sums for fiscal year 2022-2023 shall be expended to  
20 provide for legal services and legal representation to office of  
21 Hawaiian affairs beneficiaries for:



- 1 (1) The assertion and defense of quiet title actions;
- 2 (2) Assistance with ahupuaa and kuleana tenant rights,
- 3 including rights of access and rights to water;
- 4 (3) Land title assistance, including review of title and
- 5 genealogy;
- 6 (4) Preservation of traditional and customary practices;
- 7 (5) Protection of culturally significant places; and
- 8 (6) Preservation of native Hawaiian land trust
- 9 entitlements;

10 provided further that, notwithstanding section 10-17(e), Hawaii  
11 Revised Statutes, any funds expended for the purposes of this  
12 section shall be made in accordance with chapter 103D or 103F,  
13 Hawaii Revised Statutes, as appropriate.

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

15 SECTION 9. Provided that, whenever necessary, the board of  
16 trustees of the office of Hawaiian affairs or the board's  
17 designee may transfer sufficient funds and positions between  
18 programs for operating purposes; provided further that these  
19 transfers shall be consistent with legislative intent; and  
20 provided further that the office of Hawaiian affairs shall  
21 submit a report to the legislature of all uses of this authority



1 for the previous twelve-month period from December 1 to  
2 November 30, no later than twenty days prior to the regular  
3 sessions of 2022 and 2023.

4 SECTION 10. If any portion of this Act or its application  
5 to any person, entity, or circumstance is held to be invalid for  
6 any reason, the legislature declares that the remainder of the  
7 Act and each and every other provision thereof shall not be  
8 affected thereby. If any portion of a specific appropriation is  
9 held to be invalid for any reason, the remaining portion shall  
10 be expended to fulfill the objective of the appropriation to the  
11 extent possible.

12 SECTION 11. In the event manifest clerical, typographical,  
13 or other mechanical errors are found in this Act, the board of  
14 trustees of the office of Hawaiian affairs is authorized to  
15 correct these errors. All changes made pursuant to this section  
16 shall be reported to the legislature at its next session.

17 SECTION 12. This Act shall take effect on July 1, 2021.



**Report Title:**

Office of Hawaiian Affairs Package; OHA Budget; Operating Costs;  
Program Appropriations

**Description:**

Appropriates funds for Fiscal Biennium 2021-2023 beginning on  
7/1/2021, and ending on 6/30/2023 for the Office of Hawaiian  
Affairs Office of the Trustees (OHA150), Administration  
(OHA160), and Beneficiary Advocacy (OHA175). (Proposed SD2)

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

