
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. The purpose of this Act is to appropriate funds
3 for the biennial budget of the office of Hawaiian affairs. This
4 Act shall be known and may be cited as the "Office of Hawaiian
5 Affairs Appropriations Act of 2015".

6 SECTION 2. Unless otherwise clear from the context, as
7 used in this Act:

8 (a) "Program ID" means the unique identifier of the
9 specific program, and consists of the abbreviation for the
10 office of Hawaiian affairs followed by a designated number for
11 the program.

12 (b) "Means of Financing", or "MOF", means the source from
13 which funds are appropriated or authorized, as the case may be,
14 to be expended for the programs and projects specified in this
15 Act. Letter symbols following appropriations have the following
16 meanings:

17 A general funds

18 T trust funds



1 (c) "Position ceiling" means the maximum number of
2 permanent positions authorized for a particular program during a
3 specified period or periods, as noted by an asterisk.

4 **PART II. PROGRAM APPROPRIATIONS**

5 SECTION 3. The following sums, or so much thereof as may
6 be necessary to accomplish the purposes and programs designated
7 herein, are appropriated or authorized, as the case may be, from
8 the sources of funding specified to the office of Hawaiian
9 affairs for the fiscal biennium beginning July 1, 2015, and
10 ending June 30, 2017. The total general fund expenditures and
11 the number of permanent positions established in each fiscal
12 year of the biennium shall not exceed the sums and the position
13 ceilings indicated for each year, except as provided elsewhere
14 in this Act.



PROGRAM APPROPRIATIONS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2015-16	M O F	FISCAL YEAR 2016-17	M O F
		Hawaiian Affairs					
	1.	OHA150 - OFFICE OF THE TRUSTEES					
		OPERATING	OHA	0.47*		0.47*	
				28,435A		28,435A	
				4.53*		4.53*	
			OHA	275,687T		275,687T	
	2.	OHA160 - SUPPORT SERVICES					
		OPERATING	OHA	5.03*		5.03*	
				700,159A		700,159A	
				31.97*		31.97*	
			OHA	2,861,727T		2,861,727T	
	3.	OHA175 - BENEFICIARY ADVOCACY					
		OPERATING	OHA	1.47*		1.47*	
				2,262,410A		2,262,410A	
				18.53*		18.53*	
			OHA	3,292,290T		3,292,290T	



1 **PART III. PROGRAM PROVISIONS**

2 SECTION 4. Provided that the general fund appropriations
3 in section 3 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 (OHA 175), the sum of \$415,000 in general
7 funds and \$415,000 in trust funds for fiscal year 2015-2016 and
8 the sum of \$415,000 in general funds and \$415,000 in trust funds
9 for fiscal year 2016-2017 shall provide for social services,
10 including referral services and case management, to at-risk
11 office of Hawaiian affairs beneficiaries to immediately address
12 unexpected crises. Program activities shall be designed with an
13 overall objective to provide financial assistance to improve
14 stability during emergency situations; provided 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 as appropriate.

19 SECTION 6. Provided that of the funds appropriated for
20 beneficiary advocacy (OHA 175), the sum of \$615,000 in general
21 funds and \$615,000 in trust funds for fiscal year 2015-2016 and



1 the sum of \$615,000 in general funds and \$615,000 in trust funds
2 for fiscal year 2016-2017 shall provide for educational
3 improvement programs for Native Hawaiian students. Program
4 activities shall be designed to help Native Hawaiians meet or
5 exceed educational standards; provided that notwithstanding
6 section 10-17(e), Hawaii Revised Statutes, expenditure of any
7 funds for the purposes of this section shall be made in
8 accordance with chapter 103D or 103F, Hawaii Revised Statutes,
9 or a competitive grants process, as appropriate.

10 SECTION 7. Provided that of the funds appropriated for
11 beneficiary advocacy (OHA 175), the sum of \$524,400 in general
12 funds and \$524,400 in trust funds for fiscal year 2015-2016 and
13 the sum of \$524,400 in general funds and \$524,400 in trust funds
14 for fiscal year 2016-2017 shall provide for legal services and
15 legal representation to office of Hawaiian affairs beneficiaries
16 for: the assertion and defense of quiet title actions;
17 assistance with ahupua'a and kuleana tenant rights, including
18 rights of access and rights to water; land title assistance,
19 including review of title and genealogy; preservation of
20 traditional and customary practices; protection of culturally
21 significant places; and preservation of Native Hawaiian land



1 trust entitlements; provided further that notwithstanding
2 section 10-17(e), Hawaii Revised Statutes, expenditure of any
3 funds expended for the purposes of this section shall be made in
4 accordance with chapter 103D or 103F, Hawaii Revised Statutes,
5 as appropriate.

6 SECTION 8. Provided that of the funds appropriated for
7 beneficiary advocacy (OHA 175), the sum of \$500,000 in general
8 funds and \$500,000 in trust funds for fiscal year 2015-2016 and
9 the sum of \$500,000 in general funds and \$500,000 in trust funds
10 for fiscal year 2016-2017 shall be expended on programs for
11 office of Hawaiian affairs beneficiaries. Programs shall be
12 administered at the discretion of the office of Hawaiian
13 affairs.

14 SECTION 9. Provided that:

15 (1) The appropriation for each fiscal year for beneficiary
16 advocacy (OHA 175) shall be expended at the discretion
17 of the board of trustees of the office of Hawaiian
18 affairs, subject to paragraphs (2) and (3);

19 (2) No state general funds shall be expended unless
20 matched by the expenditure of at least an equal amount
21 of the office of Hawaiian affairs' trust funds;



1 (3) All state general funds appropriated for beneficiary
2 advocacy (OHA 175) shall be expended only for the
3 direct support of beneficiaries; and

4 (4) The office of Hawaiian affairs shall submit a report
5 to the legislature no later than twenty days prior to
6 the convening of the regular sessions of 2016 and 2017
7 on the expenditures made pursuant to this section.

8 SECTION 10. Provided that whenever necessary, the board of
9 trustees of the office of Hawaiian affairs or the board's
10 designee may transfer sufficient funds and positions between
11 programs for operating purposes; provided further that these
12 transfers shall not be inconsistent with legislative intent;
13 provided further that a report of these fund transfers shall be
14 made to the legislature no later than the end of the 2016 and
15 2017 fiscal years, respectively.

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

17 SECTION 11. If any portion of this Act or its application
18 to any person or circumstances is held to be invalid for any
19 reason, the remainder of the Act and any provision thereof shall
20 not be affected. If any portion of a specific appropriation is
21 held to be invalid for any reason, the remaining portion shall



1 be independent of the invalid portion and shall be expended to
2 fulfill the objective and intent of the appropriation to the
3 extent possible.

4 SECTION 12. If manifest clerical, typographical, or other
5 mechanical errors are found in this Act, the board of trustees
6 of the office of Hawaiian affairs may correct these errors. All
7 changes made pursuant to this section shall be reported to the
8 legislature at its next session.

9 SECTION 13. This Act shall take effect on July 1, 2015.



Report Title:

OHA Package; Office of Hawaiian Affairs; Appropriations; Budget

Description:

Appropriates funds for the Office of Hawaiian Affairs for the fiscal biennium beginning July 1, 2015, and ending June 30, 2017. (SD2)

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

