
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. 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. Such letter symbols, where
11 used, 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
18 positions and a pound (#) sign for temporary full-time
19 equivalent positions.

1 "Program ID" means the unique identifier for the specific
2 program and consists of the abbreviation for the Office of
3 Hawaiian Affairs (OHA) followed by the organization number for
4 the program.

5 **PART II. PROGRAM APPROPRIATIONS**

6 SECTION 3. APPROPRIATIONS. The following sums, or so much
7 thereof as may be sufficient to accomplish the purposes and
8 programs designated herein, are hereby appropriated or
9 authorized from the means of financing specified to the Office
10 of Hawaiian Affairs for the fiscal biennium beginning July 1,
11 2019, and ending June 30, 2021. The total expenditures and the
12 number of positions in each fiscal year of the biennium shall
13 not exceed the sums and the numbers indicated for each fiscal
14 year, except as provided elsewhere in this Act, or as provided
15 by general law.

P R O G R A M A P P R O P R I A T I O N S

A P P R O P R I A T I O N S

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ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-20	FISCAL YEAR 2020-21
Hawaiian Affairs					
1.	OHA150	OFFICE OF THE TRUSTEES		0.47*	0.47*
				0.00#	0.00#
	OPERATING		OHA	89,045A	89,045A
				4.53*	4.53*
				0.00#	0.00#
			OHA	275,687T	275,687T
2.	OHA160	ADMINISTRATION		5.03*	5.03*
				0.00#	0.00#
	OPERATING		OHA	1,559,749A	1,559,749A
				31.97*	31.97*
				0.00#	0.00#
			OHA	2,861,727T	2,861,727T
3.	OHA175	BENEFICIARY ADVOCACY		1.47*	1.47*
				0.00#	0.00#
	OPERATING		OHA	2,331,785A	2,331,785A
				18.53*	18.53*
				0.00#	0.00#
			OHA	3,172,863T	3,172,863T

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
22 the same sums for fiscal year 2020-2021 shall be expended to

1 provide for educational improvement programs for Native Hawaiian
2 students; provided further that program activities shall be
3 designed to help Native Hawaiian students succeed academically;
4 and provided further that notwithstanding section 10-17(e),
5 Hawaii Revised Statutes, any expenditures for the purposes of
6 this section shall be in accordance with chapter 103D or 103F,
7 Hawaii Revised Statutes, or a competitive grants process, as
8 appropriate.

9 SECTION 7. Provided that of the funds appropriated for
10 beneficiary advocacy (OHA175), the sum of \$524,400 in general
11 funds and \$524,400 in trust funds for fiscal year 2019-2020 and
12 the same sums for fiscal year 2020-2021 shall be expended to
13 provide for legal services and legal representation to Office of
14 Hawaiian Affairs beneficiaries for:

- 15 (1) The assertion and defense of quiet title actions;
- 16 (2) Assistance with ahupua'a and kuleana tenant rights,
17 including rights of access and rights to water;
- 18 (3) Land title assistance, including review of title and
19 genealogy;
- 20 (4) Preservation of traditional and customary practices;
- 21 (5) Protection of culturally significant places; and
- 22 (6) Preservation of Native Hawaiian land trust entitlements;

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

5 SECTION 8. Provided that of the funds appropriated for
6 beneficiary advocacy (OHA 175), the sum of \$500,000 in general
7 funds and \$500,000 in trust funds for fiscal year 2019-2020 and
8 the same sums for fiscal year 2020-2021 shall provide for
9 housing improvement programs to assist Native Hawaiians,
10 including those that are homeless, at-risk of homelessness, in
11 transitional housing, in unstable or unaffordable rentals,
12 and/or in pursuit of homeownership to increase their capacity to
13 attain housing stability. Programs shall be designed with an
14 overall objective to address barriers that hinder Native
15 Hawaiians from obtaining stable housing; provided that
16 notwithstanding section 10-17(e), Hawaii Revised Statutes, any
17 funds expended for the purposes of this section shall be in
18 accordance with chapter 103D or 103F, Hawaii Revised Statutes,
19 or a competitive grants process, as appropriate.

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

21 SECTION 9. Provided that whenever necessary, the board of
22 trustees of the Office of Hawaiian Affairs or the board's

1 designee may transfer sufficient funds and positions between
2 programs for operating purposes; provided further that these
3 transfers shall be consistent with legislative intent; and
4 provided further that the Office of Hawaiian Affairs shall
5 submit a report to the legislature of all uses of this authority
6 for the previous twelve month period from December 1 to November
7 30 no later than twenty days prior to the regular sessions of
8 2020 and 2021.

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

17 SECTION 11. In the event manifest clerical, typographical,
18 or other mechanical errors are found in this Act, the board of
19 trustees of the Office of Hawaiian Affairs is authorized to
20 correct these errors. All changes made pursuant to this section
21 shall be reported to the legislature at its next session.

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