

# OHA seeks to widen its autonomy

By Becky Ashizawa  
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Office of Hawaiian Affairs trustees say they should decide how the agency uses some of its money, not state lawmakers.

"It is trustees who are accountable for the special funds which come to OHA, not the Legislature," said Clayton Hee, OHA's board chairman.

Trustees are afraid of losing control over a major source of money because of a new budget requirement approved by the state Legislature a year ago.

OHA plans to introduce a measure next session to repeal that section of the law.

The issue is about protecting OHA's autonomy and authority as much as it is over money, Hee said.

But how OHA manages and spends its total budget, not only special funds, has been a major source of criticism from constituents and lawmakers.

The state auditor, in a 1990 report, said OHA should provide more accurate spending records to the state Legislature.

OHA is required to submit budget and financial plans to lawmakers for approval, because part of the agency's budget is made up of legislative appropriations.

But trustees say an additional provision adopted in 1990 also gives state lawmakers the power to determine how OHA should use its special fund money.

Special funds are considered an entitlement the state owes OHA, and trustees are given broad responsibility to manage the fund.

Trustees must ensure that special funds are used to benefit Hawaiians with at least 50 percent native blood.

The recently adopted statute contradicts the duties and powers of the board, as found in the state Constitution, and violates prior legislative acts, said Sherry Broder, an attorney working for OHA.

"The premise behind the creation of OHA was self-determination for Hawaiian people — the idea that Hawaiians should determine what is best for Hawaiians," Broder said in a legal analysis of the act.

"Making administration of the special funds subject to legislative approval interferes with direct accountability to OHA voters," Broder added.

## OHA spending

OHA trustees approved these special-fund appropriations in October:

- **\$70,500:** For furniture for OHA's board and reception rooms.
- **\$25,000:** To prepare documents showing the need for trustee salaries.
- **\$50,000:** To help the Native Hawaiian Legal Corp. provide legal services for Hawaiian clients settling claims against the Hawaiian Homes program.
- **\$4,500:** To prepare and file incorporation papers for an education foundation within OHA.