

2/28/92

OHA settlement funds left out of money bills

■ OHA trustees to vote on ouster

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Star-Bulletin

As lawmakers hurry to meet next week's deadline for money bills, missing from the legislative computation is a multimillion-dollar settlement to the state Office of Hawaiian Affairs.

The administration has calculated that it owes OHA \$102 million for the 10 years the agency failed to receive its full share of state revenues.

OHA contends that the compensation amount should be \$25 million to \$30 million more.

The disagreement has kept the OHA proposal from being included in the financial mosaic now being crafted by lawmakers.

The state's settlement to the state Department of Hawaiian Home Lands, however, is advancing in the Legislature.

But even that amount is less than what

the Hawaiian Homes Commission had requested.

"We're still hopeful" of reaching an agreement before session is over, said Clayton Hee, OHA board chairman. "We realize the

budget projections are not looking good. But we're wide open and more than willing to negotiate in good faith."

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The state is collecting a lot less money from taxes than it expected, and that financial crunch is the reason why some lawmakers are nervous about the stalemate.

"If it's not resolved this session, I think it will be a while," said Rep. Peter Apo, House vice speaker and a member of the Senate-House Hawaiian Caucus.

Lawmakers and Gov. John Waihee are willing to spend precious tax revenues to remedy past wrongs suffered by Hawaiians,

Apo said. But he wondered how long the commitment would last. "Right now the color in the Legislature is Hawaiian, so to speak. Next year (after state elections), I don't know."

And given certain developments nationally, Apo said he believes the "clock may be ticking on the general public's continued support and sympathy for Hawaiians. That's why the real forum for settlement will be through sovereignty of some sort."

Sen. Mike Crozier, chairman of the Hawaiian Programs Committee, said further delays translate into "loss of opportunities" for OHA. Without the money, OHA can only talk about its plans to help Hawaiians, he said.

OHA's compensation could be inserted into legislative form at a later date, so the "issue is far from dead," said Sen. Malama Solomon, a former OHA trustee and Senate majority floor leader. "I cannot believe we've exhausted all our options. You have to be creative in coming up with solutions because you're dealing with beneficiaries

and constituents who do not trust the public system, and they have a right to feel that way, given what's happened to the Hawaiian people."

But as much as lawmakers would like to support the compensation proposals, worries over the revenue drop have had their effect.

The Senate Ways and Means Committee yesterday cut state compensation to the Department of Hawaiian Home Lands from \$16 million to \$12 million. The lower figure is the amount cited by Gov. John Waihee in his State of the State address.

But in legislative hearings, Hoaliku Drake, Hawaiian Homes chairwoman, said the figure should be raised to \$21 million. That amount covers the illegal use or control of some 29,000 acres of department land through past proclamations and executive orders.

The bill, which now goes to the Senate for a vote, includes an additional \$27 million for other provisions such as construction and development projects.