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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE  
DEPARTMENT OF LAND AND NATURAL RESOURCES' STATE HISTORIC  
PRESERVATION DIVISION.

1           WHEREAS, Article IX, sections 7 and 9 of the Hawaii  
2 Constitution and Chapter 6E, Hawaii Revised Statutes (HRS),  
3 demonstrate recognition of the importance of historic and  
4 cultural resources to the State; and  
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6           WHEREAS, Chapter 6E, HRS, authorizes the creation of a  
7 comprehensive historic preservation program within the  
8 Department of Land and Natural Resources (DLNR) to promote the  
9 conservation and use of historic and cultural properties in  
10 Hawaii for the education, inspiration, pleasure, and enrichment  
11 of its citizens; and  
12

13           WHEREAS, DLNR's State Historic Preservation Division  
14 (Division) is entrusted with, among other things:  
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- 16           (1) Preserving historic property listed on the Hawaii  
17 Register of Historic Places;  
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- 19           (2) Coordination of the evaluation and management of  
20 burial sites, many of which contain native Hawaiian  
21 skeletal remains;  
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- 23           (3) Preserving and protecting historic sites on public  
24 lands designated as historic preserves;  
25
- 26           (4) Maintaining an inventory of more than 38,000 historic  
27 sites throughout the state;  
28
- 29           (5) Providing the public and governmental agencies with  
30 technical information and assistance relating to  
31 historic preservation programs and processes; and



1           (6) Offering archaeological services to help other  
2           governmental agencies fulfill their historic  
3           preservation responsibilities;

4  
5 and

6  
7           WHEREAS, the Division is also required to review numerous  
8 proposed project plans for compliance with the historic  
9 preservation laws relating to historic artifacts and burial  
10 sites; and

11  
12           WHEREAS, the Division has been under harsh criticism since  
13 about 2003, for its handling of historic sites and ancient  
14 remains, including improper re-interment and preservation of  
15 historic artifacts and boxes of iwi or burial remains, and the  
16 bulldozing and desecration of Hawea Heiau in Hawaii Kai that was  
17 discovered in June 2009; and

18  
19           WHEREAS, there have also been issues with and statements of  
20 missing archaeological reports and the lack of an up-to-date  
21 inventory of historic sites, which need to be investigated; and

22  
23           WHEREAS, the Division has also experienced management and  
24 staffing challenges: some positions with critical  
25 responsibilities have not yet been filled, and as of August  
26 2009, the Division, including its neighbor island offices, was  
27 understaffed, with no more than 14 employees and seven vacant  
28 positions, resulting in a backlog of paperwork that has stalled  
29 projects and continues to pose problems for developers,  
30 archaeologists, the community, and ultimately the state's  
31 economy; and

32  
33           WHEREAS, there have also been reports of issues partly to  
34 do with a lack of accountability in securing and expending State  
35 and federal funds; and

36  
37           WHEREAS, if the Division fails to meet federal mandates,  
38 the State risks losing the associated federal funds; and

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40           WHEREAS, the Division has immense responsibility without  
41 the necessary staffing and fiscal resources; now, therefore,

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43           BE IT RESOLVED by the House of Representatives of the  
44 Twenty-fifth Legislature of the State of Hawaii, Regular Session



1 of 2010, the Senate concurring, that the Auditor is requested to  
2 conduct a management audit of the Division; and

3  
4 BE IT FURTHER RESOLVED that the audit should examine and  
5 assess:

- 6  
7 (1) Compliance with state and federal mandates;  
8  
9 (2) Information management;  
10  
11 (3) The backlog of paperwork and services;  
12  
13 (4) The documentation, re-interment, and preservation of  
14 historic artifacts and boxes of iwi and associated  
15 burial objects;  
16  
17 (5) The organizational structure of the division,  
18 including workplace conditions, staff  
19 responsibilities, staffing coverage, recruiting,  
20 hiring, and employment practices, and any other  
21 management issues;  
22  
23 (6) Internal budgeting and fiscal controls to ensure the  
24 effective and appropriate expenditure of appropriated  
25 funds; and  
26  
27 (7) Adequacy of resources to carry out the Division's  
28 mandated responsibilities;

29  
30 and

31  
32 BE IT FURTHER RESOLVED that in conducting the audit, the  
33 Auditor is requested to gather and consider information provided  
34 by government agency staff, historic preservation consultants,  
35 island burial councils, representatives from the native Hawaiian  
36 community, landowners, businesses, and other members of the  
37 community that are most directly impacted by and depend on the  
38 Division's mandated services; and

39  
40 BE IT FURTHER RESOLVED that the Auditor is requested to  
41 submit a report of its findings and recommendations, including  
42 any proposed legislation, to the Legislature no later than 20  
43 days prior to the convening of the Regular Session of 2011; and  
44



# H.C.R. NO. 66

1 BE IT FURTHER RESOLVED that certified copies of this  
2 Concurrent Resolution be transmitted to the Auditor, Chairperson  
3 of the Board of Land and Natural Resources, and Administrator of  
4 the State Historic Preservation Division.  
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OFFERED BY:

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FEB 05 2010

