

MAR 07 2013

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE
MANAGEMENT OF STATE BOATING FACILITIES BY THE DIVISION OF
BOATING AND OCEAN RECREATION OF THE DEPARTMENT OF LAND AND
NATURAL RESOURCES.

1 WHEREAS, small boat harbors and boating facilities are part
2 of the State's ocean recreation and coastal areas programs
3 established in chapter 200, Hawaii Revised Statutes, and are
4 managed by the Department of Land and Natural Resources'
5 Division of Boating and Ocean Recreation (Boating Division); and
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7 WHEREAS, the proper operation and maintenance of small boat
8 harbors allow the public to benefit from the State's natural
9 marine resources through recreational boating, commercial and
10 personal fishing, and maritime-related business operations; and
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12 WHEREAS, residents and visitors alike use boating
13 facilities to participate in ocean-based activities, such as
14 yacht races, canoe regattas, ocean swimming, and surfing and
15 sailing contests; and
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17 WHEREAS, inadequate management of state boating facilities
18 has been a recurring problem, as cited in Auditor Report No.
19 01-09, "Audit of the Management of State Boating Facilities by
20 the Department of Land and Natural Resources"; and
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22 WHEREAS, the Auditor's report in 1993 and its follow-up
23 report in 1998 also attest to the problem of inadequate
24 management, which had changed little when further audits were
25 conducted in 2001 and 2006; and
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27 WHEREAS, the Boating Division's mismanagement and neglect
28 has resulted in boating facilities deteriorating to the point
29 where their continued use threatens public safety; and
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1 WHEREAS, of the State's small boat harbors, perhaps the
2 best known is Ala Wai small boat harbor in Honolulu; and
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4 WHEREAS, the Ala Wai small boat harbor facilities, like
5 many of the State's other small boat harbors, need major repairs
6 and maintenance; and
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8 WHEREAS, the 2001 Auditor's report also found that the
9 Boating Division lacked adequate controls to ensure the accuracy
10 and integrity of its financial affairs, such as determining the
11 cost of operating its boating facilities; and
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13 WHEREAS, in response to the 2001 Auditor's report, the
14 Legislature passed S.B. No. 755, which was enacted as Act 285,
15 Session Laws of Hawaii 2001, and codified as section 200-19,
16 Hawaii Revised Statutes, to allow for private financing of small
17 boat harbor improvements by execution of a capital advancement
18 contract between the Board of Land and Natural Resources and a
19 private party; and
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21 WHEREAS, Act 259, Session Laws of Hawaii 2001, appropriated
22 the sum of \$2,000,000 for fiscal year 2001-2002, and the sum of
23 \$3,000,000 for fiscal year 2002-2003, for repair and maintenance
24 of small boat harbor facilities; and
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26 WHEREAS, Act 41, Session Laws of Hawaii 2004, appropriated
27 the sum of \$9,000,000 for fiscal year 2004-2005 for improvements
28 at various existing boating facilities throughout the State and
29 other berthing and shore facilities including boat ramps; and
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31 WHEREAS, Act 178, Session Laws of Hawaii 2005, appropriated
32 the sum of \$5,000,000 for fiscal year 2005-2006 for improvements
33 at various boating facilities; and
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35 WHEREAS, Act 213, Session Laws of Hawaii 2007, appropriated
36 the sum of \$1,840,000 for fiscal biennium 2007-2009 for
37 improvements at various boating facilities; and
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39 WHEREAS, the portion of Auditor Report No. 06-04,
40 "Financial Audit of the Department of Land and Natural
41 Resources", relating to the operation and management of the
42 Boating Division found that although some of the prior
43 recommendations had been implemented, the absence of effective



1 management oversight continues to plague the Boating Division;
2 and

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4 WHEREAS, in spite of the Legislature's continued efforts to
5 rectify the problem of repair, maintenance, and management of
6 the small boat harbors, the problems persist; now, therefore,

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8 BE IT RESOLVED by the Senate of the Twenty-seventh
9 Legislature of the State of Hawaii, Regular Session of 2013, the
10 House of Representatives concurring, that the Auditor is
11 requested to conduct a follow-up audit to the 2001 Audit of the
12 Management of State Boating Facilities by the Department of Land
13 and Natural Resources (Report No. 01-09) and the portion of the
14 2006 Financial Audit of the Department of Land and Natural
15 Resources (Report No. 06-04) relating to the Division of Boating
16 and Ocean Recreation, particularly as it applies to the Ala Wai
17 small boat harbor; and

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19 BE IT FURTHER RESOLVED that the Auditor is requested to
20 report findings and recommendations, including any proposed
21 legislation, to the Legislature no later than twenty days prior
22 to the convening of the Regular Session of 2014; and

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24 BE IT FURTHER RESOLVED that certified copies of this
25 Concurrent Resolution be transmitted to the Chairperson of the
26 Board of Land and Natural Resources and the Auditor.

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OFFERED BY: _____

