

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 23, 2013 8:29 PM
To: waltestimony
Cc: les75432@Gmail.com
Subject: Submitted testimony for HCR80 on Mar 25, 2013 08:45AM

HCR80

Submitted on: 3/23/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Les Parsons	Individual	Support	Yes

Comments: House of Representatives Committee on Water and Land Aloha Representatives Evans and Lowen and members of the Committee My name is Les Parsons, a long-time sailor/voyager and an individual who has had a lasting interest in harbor matters. But I must say that interest (and concern) is waning due to numerous frustrations and disappointments. I think it's safe to say that for many of us, if not most, in our professional or work lives we're held accountable for our job performance. Therefore, I do not believe it is unreasonable to expect that a state organization should meet certain specified standards. And that is the reason for periodic audits. In this case, the work and performance of the Division of Boating and Ocean Recreation. Anyone who has read through the two official published Audits cited in HCR 80, now being considered by this Committee, will understand that in both cases it cannot be said that DOBOR came through the review with anything close to flying colors. In fact, some of the Audit language is highly critical, if not harsh. So yes, requesting a detailed report on how issues raised, or problems identified in Audits have been rectified or otherwise addressed is entirely justifiable. The legislature is entitled to this information. The public is entitled to the information. And most especially affected stakeholders (boaters) are entitled to a comprehensive progress report. A report which is not WINDOW DRESSING. I would note that there are inaccuracies in the language of HCR 80 which hopefully will be addressed by the Committee. Respectfully submitted, Les Parsons Ala Wai Harbor Tenant

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HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
SUBMIT A REPORT TO THE LEGISLATURE ON ACTIONS TAKEN IN
RESPONSE TO THE FINDINGS AND RECOMMENDATIONS CONTAINED IN
THE AUDITOR'S REPORT NOS. 01-09 AND 06-04, RELATING TO THE
DIVISION OF BOATING AND OCEAN RECREATION.

1 WHEREAS, the Office of the Auditor issued Report No. 01-09
2 in 2001, titled *Audit of the Management of State Boating*
3 *Facilities by the Department of Land and Natural Resources*; and

facilities have continued to deteriorate due to a lack of proper and necessary emphasis on maintenance

4
5 WHEREAS, in Report No. 01-09, the Auditor found that
6 inadequate management of state boating facilities had been a
7 recurring problem and that, due to the boating program's
8 mismanagement and neglect, ~~facilities have deteriorated to the~~
9 ~~point that their continued use threatened public safety; and~~

10
11 WHEREAS, in Report No. 01-09, the Auditor recommended that
12 the Division of Boating and Ocean Recreation address operational
13 deficiencies in state boating facilities by ensuring the
14 availability of necessary funding for repair and maintenance
15 projects; ensuring that the boating program receives a fair
16 share of enforcement; and ensuring that all persons moored in
17 state boating facilities possess current mooring permits, vessel
18 inspection certification, and vessel registrations; and

and/or liveaboard permits

or U.S. Coast Guard Documentation.

19
20 WHEREAS, in Report No. 01-09, the Auditor also recommended
21 that the Division of Boating and Ocean Recreation improve
22 controls over its financial activities by ensuring that
23 expenditures are properly classified, establishing a better
24 inventory system, segregating duties for cash collection,
25 improving efforts to collect delinquent user fees, and requiring
26 more audits of its commercial permit holders; and

27



H.C.R. NO. 80

see multiple and unheeded deficiency reports by the Ala Wai Citizens Harbor Patrol volunteers

1 WHEREAS, the Office of the Auditor issued Report No. 06-04
2 in 2006, titled *Financial Audit of the Department of Land and*
3 *Natural Resources*; and
4

5 WHEREAS, in Report No. 06-04, the Auditor found that the
6 operation and management of the Division of Boating and Ocean
7 Recreation still needed improvement; that at the small boat
8 harbors under the Division's care, the condition of some
9 facilities posed serious safety hazards; that internal controls
10 over the handling of cash and issuance of boating permits were
11 insufficient; and that, while the Division is supposed to be
12 self-sufficient, the small boat harbors' fee structure ~~had not~~
13 ~~changed since 1995, making it difficult to cover increasing~~
14 ~~operating costs; and~~
15

should be reexamined

16 WHEREAS, in Report No. 06-04, the Auditor recommended that
17 the Department's management review the operations of the
18 Division of Boating and Ocean Recreation, including performing
19 safety inspections of all small boat harbors; now, therefore,
20

21 BE IT RESOLVED by the House of Representatives of the
22 Twenty-seventh Legislature of the State of Hawaii, Regular
23 Session of 2013, the Senate concurring, that the Department of
24 Land and Natural Resources is requested to submit a ~~report~~
25 to the Legislature no later than twenty days prior to the convening
26 of the Regular Session of 2014 on actions taken by the
27 Department in response to the findings and recommendations
28 contained in the Auditor's Report Nos. 01-09 and 06-04, relating
29 to the Division of Boating and Ocean Recreation; and
30

detailed

31 BE IT FURTHER RESOLVED that the Legislature requests that
32 the report include information regarding the Division of Boating
33 and Ocean Recreation's use of best management practices and
34 information technology to keep records of the repair,
35 maintenance, and daily management of each harbor, including
36 daily accounting of cash receivables; and
37

monthly, as was prior practice with harbor tenants,

38 BE IT FURTHER RESOLVED that the Division of Boating and
39 Ocean Recreation is requested to meet with harbor tenants and
40 other stakeholders to discuss ~~any~~ unaddressed findings or
41 recommendations from the Auditor's Report Nos. 01-09 and 06-04,
42 including potential solutions; and
43



1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Chairperson of the
3 Board of Land and Natural Resources and the Auditor.
4
5
6

OFFERED BY:

Cindy Evans

[Signature]

[Signature]

[Signature]

Denny Coffey

[Signature]

Nicole Edwards

[Signature]

[Signature]

MAR 08 2013



lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 24, 2013 8:01 AM
To: waltestimony
Cc: streamfellow@yahoo.com
Subject: Submitted testimony for HCR80 on Mar 25, 2013 08:45AM

HCR80

Submitted on: 3/24/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dwight Streamfellow	Individual	Support	No

Comments: Way over do for the protection and management of this public Agency.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 22, 2013 3:56 PM
To: waltestimony
Cc: rgaffney@pacificboatsales.com
Subject: Submitted testimony for HCR80 on Mar 25, 2013 08:45AM

HCR80

Submitted on: 3/22/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rick Gaffney	Individual	Support	No

Comments: I strongly support HCR 80 and all other legislation that seeks a management and/or financial audit of the DLNR's Division of Boating & Ocean Recreation (DLNR BOR). For decades the legislature of this state has attempted to understand the management inefficiencies of the DLNR BOR, by requesting legislative audits. Despite the excellent work by the legislative auditor in revealing these inefficiencies, dating back to at least the early 1970's, the DLNR BOR continues to be managed ineptly and inefficiently, diminishing the opportunity for the development of a world class boating program for the people of Hawaii, and severely limiting the ocean recreation industry statewide. It is time for the DLNR BOR to come back to the legislature and explain their failings, and to detail their plans for implementing the many appropriate suggestions made by the legislative auditor over the past 3 decades. Mahalo, Rick Gaffney

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NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committees on
WATER & LAND
and
OCEAN, MARINE RESOURCES, AND HAWAIIAN AFFAIRS**

**Monday, March 25, 2013
8:45 A.M.
State Capitol, Conference Room 325**

**In consideration of
HOUSE CONCURRENT RESOLUTION 80
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
SUBMIT A REPORT TO THE LEGISLATURE ON ACTIONS TAKEN IN RESPONSE
TO THE FINDINGS AND RECOMMENDATIONS CONTAINED IN THE AUDITOR'S
REPORT NOS. 01-09 AND 06-04.**

House Concurrent Resolution 80 requests that the Department of Land and Natural Resources (Department) submit a report to the Legislature on the actions it has taken to address the findings and recommendations contained in the Legislative Auditor's reports. **The Department does not object to this resolution.**

The Department notes that it does undergo a financial audit annually by a certified public accountant and has a financial and management audit conducted every five years by the Legislative Auditor. The Department has addressed the findings and recommendations in the audits. The Department further notes that the deficiencies in the boating facilities were exasperated by the lack of Capital Improvement Project (CIP) funding. This created a situation where the Department's Division of Boating and Ocean Recreation did not have the financial resources to address the structural deficiencies in the harbors.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS