

STAND. COM. REP. NO.

1546

Honolulu, Hawaii

APR 04 2023

RE: S.R. No. 108
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.R. No. 108 entitled:

"SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF ALL THE PROGRAMS WITHIN THE STATE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Auditor to conduct a performance audit of all the programs within the State Historic Preservation Division of the Department of Land and Natural Resources.

Your Committee received comments on this measure from the Department of Land and Natural Resources and Office of the Auditor.

Your Committee finds that the State Historic Preservation Division comprises of three branches -- Architecture, Archaeology, History and Culture -- and together they collectively strive to preserve and protect Hawaii's historic identity. However, your Committee also finds that since at least 2002, the Division has suffered from mismanagement and insufficient staffing and funding, which have hindered its ability to carry out its duties and responsibilities in a timely manner. Your Committee notes that a review of the Division conducted by the Auditor in 2002 (Auditor's



Report No. 02-20) identified, among other things, that inconsistent standards plagued the Burial Program, the Division failed to ensure the safekeeping of historical artifacts, that Division employees misused and exploited the Division's resources, and that the Division Administrator put the State at risk of losing federal grants, which comprised forty percent of the Division's funding. Subsequently, from 2009 through 2017, the National Parks Service developed a Corrective Action Plan for the Division and routinely reviewed its progress in order to allow the Division to remain an approved State Historic Preservation Office capable of receiving federal grant assistance. Your Committee finds that while the management of the Division has significantly improved, a second audit would be helpful to examine the Division's current ability to efficiently and effectively meet its mandate. Therefore, this measure requests the Auditor to conduct a performance audit of the Division.

Your Committee has amended this measure by:

- (1) Removing certain nonperformance-audit related items from the list of actions requested for the Auditor to perform, including an audit to determine whether the Division has adequate staffing and resources to conduct timely reviews and an audit to determine whether the Division maintains satisfactory record retention methodologies;
- (2) Requesting that the Auditor submit a report of its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025, instead of the Regular Session of 2024; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 108, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 108, S.D. 1.




Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


LORRAINE R. INOUE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SR 108	Committee Referral: WTL	Date: 3/24/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt				✓
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes