
HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONTINUE TO CONDUCT THE PERFORMANCE
AUDIT OF THE STATE ADMINISTRATION'S ACTIONS IN EXEMPTING
HARBOR IMPROVEMENTS FOR THE HAWAII SUPERFERRY FROM AN
ENVIRONMENTAL ASSESSMENT OR ENVIRONMENTAL IMPACT STATEMENT.

1 WHEREAS, although the waters surrounding Hawaii are one of
2 the State's greatest assets, they have caused the isolation of
3 communities, an uneven distribution of social services, and the
4 separation of families; and
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6 WHEREAS, Hawaii is an island State and unique in having no
7 major highway system connecting various points throughout the
8 state, and until a short time ago, residents and visitors alike
9 depended almost exclusively upon interisland air transportation
10 to meet their interisland transportation needs; and
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12 WHEREAS, recently an alternative mode of transportation, a
13 large capacity ferry vessel between the islands of Hawaii was
14 initiated in the form of the Hawaii Superferry; and
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16 WHEREAS, Act 2, Second Special Session Laws of Hawaii,
17 2007, (Act 2) allowed large capacity ferry vessels to operate in
18 Hawaii under certain conditions and while an environmental study
19 was being conducted; and
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21 WHEREAS, the operation of the Hawaii Superferry has caused
22 contention among island communities and questions have arisen as
23 to how the Hawaii Superferry received an exemption from an
24 environmental review from the Department of Transportation; and
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26 WHEREAS, Act 2 required the Legislative Auditor (Auditor)
27 to conduct a performance audit on the State Administration's
28 actions in exempting certain harbor improvements for large
29 capacity ferry vessels from environmental assessment or
30 environmental impact statement requirements under Chapter 343,



1 Hawaii Revised Statutes, including the reasons why potential
2 secondary environmental impacts were not considered; and
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4 WHEREAS, Act 2 further required the Auditor to submit the
5 performance audit to the Legislature no later than March 1,
6 2008, and if not completed by March 1, 2008, to submit a
7 preliminary report by that date and a final report as soon as
8 possible thereafter, but no later than April 20, 2008; and
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10 WHEREAS, the Auditor has informed the Speaker of the House
11 of Representatives and the President of the Senate of
12 difficulties in obtaining documents and information relevant to
13 the audit from the State Administration, due in part to the
14 assertion of attorney-client privilege; and
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16 WHEREAS, as a result, the Auditor has stated that the
17 deadline for the preliminary performance audit report will not
18 be met and that the deadline for the final report will be
19 difficult, if not impossible, to meet; and
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21 WHEREAS, to meet the intense legislative and public
22 interest in this performance audit, the Auditor should be
23 afforded additional time to complete this audit; now, therefore,
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25 BE IT RESOLVED by the House of Representatives of the
26 Twenty-fourth Legislature of the State of Hawaii, Regular
27 Session of 2008, the Senate concurring, that the Auditor is
28 requested to continue efforts to conduct a performance audit of
29 the State Administration as required by Act 2; and
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31 BE IT FURTHER RESOLVED that the Governor and any other
32 state officers are requested to provide all documents and
33 information deemed relevant by the Auditor to the performance
34 audit and are further requested to fully cooperate with any
35 requests for information made by the Auditor; and
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37 BE IT FURTHER RESOLVED that the Auditor shall submit a
38 final report of the performance audit to the Legislature no
39 later than 20 days prior to the convening of the Regular Session
40 of 2009; and



1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Governor, Attorney
3 General, Speaker of the House of Representatives, President of
4 the Senate, and Legislative Auditor.

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OFFERED BY:

Calvin V. Boy
MAR 12 2008

