

JAN 25 2006

A BILL FOR AN ACT

RELATING TO HIGHWAYS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. **Legislative purpose.** The purpose of this Act
2 is to determine the feasibility of transferring all state
3 highway functions to the counties, including making each county
4 responsible for the highways that are located in that county,
5 and transferring funding for state highways to the counties.

6 SECTION 2. **County highway task force.** (a) There is
7 established a task force within the state department of
8 transportation for administrative purposes to determine the
9 feasibility of transferring functions and funds with respect to
10 state highways to the counties. The governor shall convene the
11 task force within thirty days after the effective date of this
12 section.

13 (b) The task force shall be composed of:

14 (1) One member of the United States Congress from Hawaii
15 or a designee;

16 (2) The state director of transportation, or a designee,
17 who shall serve as the chairperson of the task force;



- 1 (3) The four county directors having jurisdiction over
2 transportation services, or their designees;
3 (4) One person appointed by the governor;
4 (5) The chairpersons of the house of representatives
5 standing committees having jurisdiction over
6 transportation and intergovernmental affairs, or their
7 designees appointed by the speaker of the house of
8 representatives; and

- 9 (6) The chairpersons of the senate standing committees
10 having jurisdiction over transportation and
11 intergovernmental affairs, or their designees
12 appointed by the president of the senate.

13 (c) In carrying out its duties under this section, the
14 task force may request staff assistance from the state
15 department of transportation and other appropriate state and
16 county executive agencies.

17 (d) The members of the task force shall serve without
18 compensation, but shall be reimbursed for expenses, including
19 travel expenses, necessary for the performance of their duties.

20 (e) The task force shall study and determine the
21 feasibility of transferring functions and funding related to the



1 state highways to the counties; provided that the study shall
2 review the following implementation issues:

3 (1) Formulating a timetable for the transfer of functions;

4 (2) Providing timetable compliance monitoring;

5 (3) Ensuring that appropriations for specific highway
6 projects are transferred to the counties;

7 (4) Providing for the transfer of all contracts relating
8 to state highways to the counties;

9 (5) Ensuring that all federal and state funds are fully
10 allocated in the course of the transfer;

11 (6) Ensuring that all unexpended and unencumbered balances
12 appropriated out of the state highway fund, or out of
13 the proceeds of general obligation bonds and issued
14 for highway-related capital improvement projects, are
15 transferred to each of the counties and do not lapse;

16 (7) Reviewing all relevant county ordinances and state
17 statutes, including the following statutes for
18 possible amendment: sections 27-31, 28-9, 36-28,
19 36-31(b), 39-94, 171-52(d), 205A-26(3)(D), 248-8,
20 248-9, 248-10, 248-12, 249-31, 249-33(b), 251-5, 264-1
21 to 264-102, 279A-2(1), 279A-7(1), 279E-1, 286-5,
22 286-6, 286-111(b), 286-209(c), 286-216, 291-35,



1 291-37(a), 291C-104(c), 291C-149(b), and 291C-163(b),
2 Hawaii Revised Statutes;

3 (8) Resolving any other issues relating to the transfer of
4 functions and funding to the counties to ensure the
5 timely and efficient transfer of responsibility of the
6 state highway system; and

7 (9) Conducting a comprehensive review of the functions of
8 the state division of highways and the transportation
9 functions of the counties to determine the pros and
10 cons of consolidation, with recommendations relating
11 to the feasibility of a transfer.

12 (f) The state director of transportation shall submit a
13 report of the activities of the task force, including
14 recommendations and proposed legislation, to the legislature no
15 later than twenty days prior to the convening of the 2007
16 regular session. The legislative reference bureau shall assist
17 the task force in drafting legislation to implement the task
18 force's recommendations. The task force shall be dissolved on
19 June 30, 2007.

20 SECTION 3. This Act shall take effect on July 1, 2006.

21 *[Handwritten signatures]*
INTRODUCED BY: *[Handwritten signature]*
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SB. NO. 2970

Report Title:

State Highways; Transfer to Counties; Task Force

Description:

Creates a county highway task force within the department of transportation to oversee the transfer of all state highway functions and funding. Directs the task force to establish a timetable for the transfer of highway-related functions and to review relevant highway related statutes and ordinances for possible revision, and conduct comprehensive review.

