
A BILL FOR AN ACT

RELATING TO THE HAIKU DISTRICT OF THE COUNTY OF MAUI.

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

1 SECTION 1. The legislature finds that the safety of
2 residents of the Haiku district of the county of Maui may be at
3 risk because of the condition of Ulalena Loop road, which
4 desperately needs repaving. Although Ulalena Loop road runs
5 through state land, a jurisdictional dispute exists over the
6 ownership of the road. Regarding ownership, the department of
7 land and natural resources defers to the department of
8 transportation, which claims that Ulalena Loop road is the
9 responsibility of the county of Maui.

10 The legislature further finds that the lack of established
11 jurisdictional responsibility has resulted in a corresponding
12 lack of maintenance of Ulalena Loop road. To avoid future
13 threats to the safety and well-being of the residents of the
14 Haiku district of the county of Maui, the matter of
15 jurisdictional responsibility must be resolved to provide
16 necessary public services to the residents of the Haiku area.

17 The purpose of this Act is to protect the safety and well-
18 being of the residents of the Haiku district by requiring the



1 department of the attorney general to assist in resolving the
2 jurisdictional dispute over Ulalena Loop road.

3 SECTION 2. The department of the attorney general shall
4 investigate and assist in the resolution of the issue of
5 ownership of Ulalena Loop road and submit a report of its
6 findings and recommendations, including any legislation deemed
7 necessary to clarify legal jurisdiction, to the legislature no
8 later than twenty days before the convening of the regular
9 session of 2009.

10 SECTION 3. The department of transportation shall submit a
11 report to the legislature, mayor of Maui, and county council of
12 Maui no later than twenty days before the convening of the
13 regular session of 2009. The department of transportation shall
14 include in its report the estimated cost of repaving Ulalena
15 Loop road.

16 Upon the resolution of the issue of ownership of Ulalena
17 Loop road, the department of transportation shall also forward
18 its report to the entity identified with the assistance of the
19 attorney general as having jurisdiction over Ulalena Loop road.
20 The department of transportation's report of its findings and
21 recommendations shall be transmitted to the appropriate
22 government agency no more than thirty days after the



1 department's receipt of the attorney general's report clarifying
2 which public agency has responsibility for Ulalena Loop road.

3 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Mele Carroll

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Report Title:

Ulalena Loop Road; Haiku, Maui; Repair

Description:

Requires the attorney general to assist in resolving ownership issues relating to Ulalena Loop road of the Haiku district in Maui county. Requires the department of transportation to determine the costs of repaving Ulalena Loop road. Effective on approval.

