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## HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE  
AND ASSIST IN THE RESOLUTION OF THE ISSUE OF OWNERSHIP OF  
NAKIHU BRIDGE AND LOWER NAHIKU ROAD.

1           WHEREAS, the safety of residents of the Hana district of  
2 the county of Maui may be at risk because of the condition of  
3 Nahiku Bridge; and  
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5           WHEREAS, presumably because of Nahiku Bridge's current  
6 weight rating, the Maui Fire Department fears for the safety of  
7 its firefighters when crossing the bridge; and  
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9           WHEREAS, regarding ownership, the Department of Land and  
10 Natural Resources defers to the Department of Transportation,  
11 which claims that Nahiku bridge is the responsibility of Maui  
12 County; and  
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14           WHEREAS, uncertainty in jurisdiction over Lower Nahiku Road  
15 frustrates many residents calling for its maintenance, repair,  
16 or improvement; and  
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18           WHEREAS, sometime after the completion of Hana Highway (the  
19 "Road to Hana") in the 1950s, Maui County stopped almost all  
20 maintenance on the old government road that connected Hana town  
21 to Nahiku, also known as the Lower Nahiku Road; and  
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23           WHEREAS, the matter of jurisdictional responsibility for  
24 Nahiku Bridge and Lower Nahiku Road must be resolved to protect  
25 the safety and well-being of residents and visitors of the Hana  
26 district; now, therefore,  
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28           BE IT RESOLVED by the House of Representatives of the  
29 Twenty-fourth Legislature of the State of Hawaii, Regular  
30 Session of 2008, that the Department of the Attorney General is  
31 requested to investigate and make a determination on the issue  
32 of ownership of Nahiku Bridge and Lower Nahiku Road in the Hana  
33 District of Maui; and  
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1 BE IT FURTHER RESOLVED that the Department of  
2 Transportation is requested to estimate the cost of making:

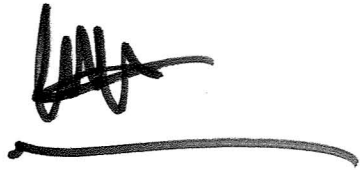
3  
4 (1) Upgrades to the Nahiku bridge that will result in  
5 strengthening, repairing, increasing its load limit,  
6 and improving the bridge to provide safe access to the  
7 Hana district by the Maui county fire department; and

8  
9 (2) Repairs to the Lower Nahiku Road that protect the  
10 safety and well-being of Hana district residents; and  
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12 BE IT FURTHER RESOLVED that upon the resolution of the  
13 issue of ownership of Nahiku Bridge and Lower Nahiku Road, and  
14 no less than thirty days after the Department of Transportation  
15 receives the Department of the Attorney General's report  
16 regarding jurisdiction over Nahiku Bridge and Lower Nahiku Road,  
17 the Department of Transportation is requested to forward its  
18 report on the estimated cost of repaving Nahiku Bridge and Lower  
19 Nahiku Road to the government agencies identified as having  
20 jurisdiction over the Nahiku Bridge and Lower Nahiku Road; and  
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22 BE IT FURTHER RESOLVED that the Department of the Attorney  
23 General and the Department of Transportation are requested to  
24 submit a report of findings and recommendations to the  
25 Legislature no later than twenty days prior to the convening of  
26 the Regular Session of 2009; and  
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28 BE IT FURTHER RESOLVED that certified copies of this  
29 Resolution be transmitted to the Attorney General, the Director  
30 of Transportation, the Chairperson of the Board of Land and  
31 Natural Resources, and the Mayor and the Chairperson of the  
32 Council of Maui County.  
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OFFERED BY:

Mele Canale  
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L. O.

MAR 12 2008

