

STAND. COM. REP. NO.

1251

Honolulu, Hawaii

March 31, 2011

RE: H.R. No. 73

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.R. No. 73 entitled:

"HOUSE RESOLUTION REQUESTING THE CONVENING OF A WORKING GROUP TO ADDRESS THE JURISDICTIONAL DISPUTES BETWEEN THE STATE AND THE COUNTIES REGARDING OWNERSHIP AND RESPONSIBILITY FOR MAINTENANCE AND IMPROVEMENT OF ROADWAYS,"

begs leave to report as follows:

The purpose of this resolution is to convene a working group to resolve long standing disputes between the State and the counties over the jurisdiction of various roadways throughout the state.

In 1963, section 264-1, Hawaii Revised Statutes, created two categories of public highways - State highways under the jurisdiction of the Department of Transportation and county highways which comprise all remaining highways. Disputes arose when the State, under this law, transferred various roadways to the counties, some of which the counties refused to accept. The counties claimed that the roadways do not become a county highway unless they are accepted as such by the county council. As a result several of these roadways fell into disrepair with neither side accepting responsibility for necessary repairs and maintenance.

Your committee feels that after almost fifty years it is time for all the parties on both sides who are capable of implementing a resolution to this dispute to sit down and work out their

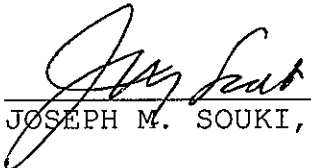
HR73 HSCR TRN.doc



differences. The makeup of the working group follows the recommendation made by the LRB in their 1989 report to the Legislature entitled *Roads in Limbo*. In addition an outside facilitator was also included to insure that the parties reach a solution acceptable to both sides, and the resolution provides for the addition of other parties who may be required for the successful implementation of a solution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 73 and recommends that it be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,



JOSEPH M. SOUKI, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCe 1251

Record of Votes of the Committee on Transportation

Bill/Resolution No.: HR 73	Committee Referral: TRN, FIN	Date: 3/23/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	/			
2. ICHIYAMA, Linda (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. LEE, Marilyn B.	/			
6. LUKE, Sylvia				/
7. SAIKI, Scott K.				/
8. TAKUMI, Roy M.	/			
9. YAMASHITA, Kyle T.	/			
10. FONTAINE, George R.	/			
11. JOHANSON, Aaron Ling	/			
TOTAL (11)	9			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Linda Ichiyama</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				