

Honolulu, Hawaii

MAR 30 2012

RE: S.C.R. No. 49
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Transportation and International Affairs and Public Safety, Government Operations, and Military Affairs, to which was referred S.C.R. No. 49 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW ITS POLICIES REGARDING STREET AND ROAD WIDENING, WITH REGARD TO THEIR IMPACT ON PEDESTRIAN SAFETY,"

beg leave to report as follows:

The purpose and intent of this measure is to request the City and County of Honolulu to review its policies regarding street and road widening, with regard to its impact on pedestrian safety, particularly in neighborhoods with significant senior populations.

No testimony was submitted to your Committees.

Your Committees are concerned that the recent widespread rains and flooding in the State have caused an emergency situation on the island of Maui. The situation on Maui became particularly acute when the heavy rains washed out the Hanawana Land Bridge that is now fortunately under repair by Maui County which assumed an immediate and appropriate response without regard to legal title to the Bridge. There has been a long-standing dispute over the ownership of "roads in limbo" or "government roads" located in Maui County as well as in the other counties. Your Committees find that the safety and welfare of the public is of paramount concern, and the quality of roadway maintenance has a direct impact on the safety of individuals operating motor vehicles and on ensuring continuous access between remote locations.



Accordingly, your Committees have amended this measure by:

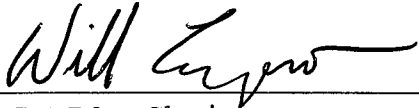
- (1) Changing the title of the measure to read: "REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORM A WORKING GROUP TO EXPEDITIOUSLY RESOLVE THE ISSUE OF ROADS IN LIMBO IN MAUI COUNTY"; and
- (2) Deleting its contents and inserting language to request the Department of Transportation to form a working group to expeditiously resolve the issue of roads in limbo in Maui County for the greater good of the residents of Maui. The Department of Transportation will submit to the Legislature, no later than twenty days prior to the convening of the Regular Session of 2013, a report of the findings and recommendations of the working group, including any proposed legislation.

Your Committees' intent is that the working group reach an agreement to finally resolve title issues and maintenance issues with regard to roads in limbo in Maui County. After decades of dispute, the working group is the ultimate means of bringing the parties together to meet, discuss, and reach agreement on which roads belong to whom. Your Committees realize that there may be issues of financing and expense with regard to maintenance and liability, but an analysis of these matters should be included in the report to the Legislature. Your Committees believe that the absence of a clear line of title to any of the roads in limbo should not be an excuse for failure to reach an agreement, and neither should the issues surrounding statutes and ordinances hinder an agreement.

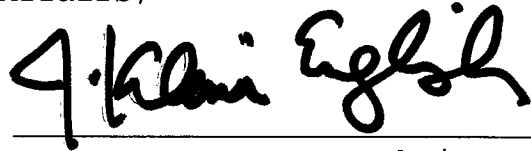
As affirmed by the records of votes of the members of your Committees on Transportation and International Affairs and Public Safety, Government Operations, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 49, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 49, S.D. 1.



Respectfully submitted on
behalf of the members of the
Committees on Transportation
and International Affairs and
Public Safety, Government
Operations, and Military
Affairs,



WILL ESPERO, Chair



J. KALANI ENGLISH, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and International Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 49	TIA/PGM	3-28-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
ESPERO, Will (VC)	✓			
DELA CRUZ, Donovan M.	✓			
GABBARD, Mike				✓
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
SLOM, Sam				✓
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Will Espero</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

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Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	/			
KIDANI, Michelle N. (VC)	/			
BAKER, Rosalyn H.	/			
RYAN, Pohai	/			
SLOM, Sam				/
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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