



GOV. MSG. NO. 642

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

April 30, 2009

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on April 30, 2009, the following bill was signed into law:

SB878 SD1

A BILL FOR AN ACT
RELATING TO PUBLICATION OF HEARING
NOTICES.
ACT 029 (09)

Sincerely,



LINDA LINGLE

Approved by the Governor

on APR 30 2009

ACT 029

S.B. NO. 878
S.D. 1

THE SENATE
TWENTY-FIFTH LEGISLATURE, 2009
STATE OF HAWAII

A BILL FOR AN ACT

RELATING TO PUBLICATION OF HEARING NOTICES.

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

1 SECTION 1. The State is continuously examining ways to
2 develop more efficient and cost-effective means of operation.
3 Developing a more streamlined, consistent, and cost-effective
4 means of providing notice of public hearings is one way to
5 promote efficient and cost-effective operations.

6 The legislature finds that one particular area in which
7 public notice may be exceeding that which is necessary to
8 accomplish its specific objectives is where state law calls for
9 the publication of notice statewide, but where the affected
10 public resides on only one or more islands and not statewide.
11 Where applicable, by limiting the publication of hearing notices
12 to only those persons residing in the affected geographic areas,
13 costs of publication will be reduced dramatically, while still
14 ensuring that notices are directed to persons affected by the
15 proposed activity. For example, if the proposed limitation on
16 the scope of publication of notice had been incorporated into
17 state law during fiscal year 2006-2007, the public utilities



1 commission would have saved approximately \$74,000, or forty-five
2 per cent, of its advertising expenditures.

3 The purpose of this Act is to clarify the type of notice
4 required for public hearings held by the public utilities
5 commission in its regulation of utility rates and ratemaking
6 procedures.

7 SECTION 2. Section 269-12, Hawaii Revised Statutes, is
8 amended by amending subsection (c) to read as follows:

9 "(c) Any public hearing held pursuant to section [~~269-~~
10 ~~16(e),~~] 269-16(b), shall be a noticed public hearing or hearings
11 on the island or islands on which the utility [~~is situated.~~]
12 provides utility services. Notice of the hearing, with the
13 purpose thereof and the date, time, and place at which it will
14 open, shall be given not less than once in each of three weeks
15 [~~statewide,~~] in the county or counties in which the utility
16 provides utility service, the first notice being not less than
17 twenty-one days before the public hearing and the last notice
18 being not more than two days before the scheduled hearing. The
19 applicant or applicants shall notify their consumers or patrons
20 of the proposed change in rates and of the time and place of the
21 public hearing not less than one week before the date set, the



1 manner and the fact of notification to be reported to the
2 commission before the date of hearing."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

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

APPROVED this 30 day of APR, 2009


GOVERNOR OF THE STATE OF HAWAII