

STAND. COM. REP. NO.

387

Honolulu, Hawaii

Feb 19, 2009

RE: H.B. No. 1061
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred H.B. No. 1061 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES,"

beg leave to report as follows:

The purpose of this bill is to ensure reliable public utility services by authorizing the Public Utilities Commission (PUC) to appoint a receiver to take such temporary action as is necessary to assure continued water or sewer service in certain situations where PUC finds that a regulated private water or sewer utility is failing or in imminent threat of failing to provide adequate and reasonable service to customers.

This bill also provides an exemption from the Public Procurement Code for the services of the receiver and related outside counsel, consultants, and staff resources.

The Consumer Advocate and PUC testified in support of this bill.

Your Committees question the necessity of exempting receiver services from the Public Procurement Code, in light of existing emergency procurement provisions under section 103D-307, Hawaii Revised Statutes. This issue warrants further consideration as this bill moves forward.

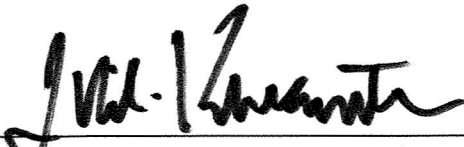
HB1061 HD1 HSCR CPC-JUD HMS 2009-1997



Accordingly, your Committees have amended this measure by eliminating the Public Procurement Code exemption for the services of the receiver and related outside counsel, consultants, and staff resources. Technical, nonsubstantive amendments were also made for clarity and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1061, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1061, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Judiciary,



JON RIKI KARAMATSU, Chair



ROBERT N. HERKES, Chair



