

STAND. COM. REP. NO.

1090

Honolulu, Hawaii

APR 02 2009

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

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committees on Commerce and Consumer Protection and Transportation, International and Intergovernmental Affairs, to which was referred H.B. No. 1061, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose of this measure is to guarantee the continued operation of water and sewer services by allowing the Public Utilities Commission to take necessary action and appoint a receiver when a regulated public utility fails to provide adequate and reasonable service.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs and the Public Utilities Commission. Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees find that the reliable provision of basic services such as water and sewer services is essential for the health, safety, and welfare of Hawaii's residents. Your Committees further find that the current law does not contain express authority for the Public Utilities Commission to act on behalf of a regulated water or sewer utility's customers if a utility experiences an urgent, serious, and imminent threat to its ability to provide adequate services. Your Committees find that this measure will allow the Public Utilities Commission to appoint a receiver to operate a failed or failing regulated water or sewer



utility in the event that it ceases to operate, or operates on a substandard or unacceptable level.

Your Committees have amended this measure by making technical, nonsubstantive changes for the purpose of clarity and accuracy in its language.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Transportation, International and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1061, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1061, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Commerce and
Consumer Protection and
Transportation, International
and Intergovernmental Affairs,



J. KALANI ENGLISH, Chair



ROSALYN H. BAKER, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* HB 1061 HDI	Committee Referral: CPN/TIA	Date: 03/23/09		
<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 checked="" 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
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh				✓
IHARA, Jr., Les				✓
SAKAMOTO, Norman				✓
HEMMINGS, Fred	✓			
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">David Y. Ige</div>				
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-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:* HB 1061, HDI	Committee Referral: CPN/TIA	Date: 3-23-09		
<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 checked="" 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)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>[Signature]</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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