

STAND. COM. REP. NO.

304

Honolulu, Hawaii

February 12, 2013

RE: H.B. No. 866
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 866 entitled:

"A BILL FOR AN ACT RELATING TO SEWER SYSTEMS SERVICING ON HAWAIIAN HOME LANDS,"

begs leave to report as follows:

The purpose of this measure is to clarify and confirm the counties' ownership of and responsibility for certain existing sewer systems servicing Hawaiian Home Lands, including by requiring the counties to accept dedication of and to operate, improve, maintain, and repair certain sewer systems.

The Department of Hawaiian Home Lands submitted testimony in support of this measure. The Department of Environmental Services of the City and County of Honolulu submitted testimony in opposition to this measure.

Your Committee notes that this measure confirms the respective counties' ownership of already-existing sewer systems that service Hawaiian Home Lands and that either were developed, constructed, operated, improved, or maintained by the counties, or for which the counties otherwise have already-existing obligations to operate, improve, repair, or maintain.

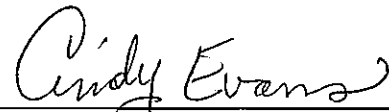


Your Committee has amended this measure by:

- (1) Clarifying that the counties shall accept license or dedication of sewer systems at the election of the Department of Hawaiian Home Lands; provided that existing sewer lines and sewerage facilities that were not developed, operated, or maintained by the counties, as well as lines and facilities completed after the effective date of this measure, shall be brought into substantial compliance with applicable regulatory laws and regulations prior to acceptance by the counties;
- (2) Specifying that the counties shall not abandon or terminate sewer lines and facilities servicing Hawaiian Home Lands without approval by the Department of Hawaiian Home Lands and shall make alternate lines and facilities available if termination or abandonment is necessary; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 866, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 866, H.D. 1, and be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



CINDY EVANS, Chair



