

JAN 16 2014

---

---

# A BILL FOR AN ACT

RELATING TO WASTEWATER.

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

1           SECTION 1. The legislature finds that the government has  
2 failed to install proper sewer systems and wastewater treatment  
3 plants in remote and rural areas of the State. The legislature  
4 further finds that the only viable alternative in these areas is  
5 individual wastewater systems.

6           The purpose of this Act is to allow counties to permit the  
7 use of an otherwise authorized individual wastewater treatment  
8 system when it pre-dates a county-operated wastewater treatment  
9 system and the county determines that allowing the individual  
10 wastewater treatment system is fair and equitable.

11           SECTION 2. Section 27-21.6, Hawaii Revised Statutes, is  
12 amended to read as follows:

13           "**§27-21.6 Functions reassigned to the counties.** The  
14 following functions are [~~hereby~~] reassigned to the several  
15 counties:

- 16           (1) The medical care of inmates of county jails;  
17           (2) The rendering of medical investigatory services  
18           requested by the police;



- 1           (3) Physical examinations of employees to the extent that  
2           ~~[such]~~ those functions had been performed immediately  
3           prior to the adoption of Act 97, Session Laws of  
4           Hawaii 1965;
- 5           (4) The care and treatment of county workers' compensation  
6           cases to the extent that ~~[such]~~ those functions had  
7           been performed immediately prior to the adoption of  
8           Act 97, Session Laws of Hawaii 1965; and
- 9           (5) The regulation of the design, construction, and  
10          operation of individual wastewater systems and private  
11          wastewater treatment works~~[-]~~; provided that ~~the~~:
- 12          (A) The transfer of this function to each county  
13          shall take place on the date that the expenditure  
14          of start-up funds is made by the State to such  
15          county for this purpose~~[-]~~; and
- 16          (B) Except for cesspools in a special management  
17          area, as defined in section 205A-22, counties may  
18          permit the use of an otherwise authorized  
19          individual wastewater treatment system as an on-  
20          site means of wastewater disposal if:



- 1                    (i) The individual wastewater treatment system
- 2                    pre-dates a county-operated wastewater
- 3                    treatment system; and
- 4                    (ii) The county determines that allowing the
- 5                    individual wastewater treatment system is
- 6                    fair and equitable.

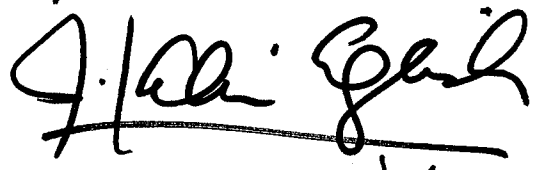
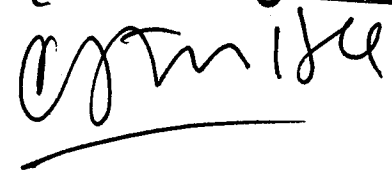
7                    No later than December 31, 2015, the counties  
 8                    shall adopt rules or ordinances to effectuate  
 9                    this subparagraph."



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

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

13

INTRODUCED BY: 

# S.B. NO. 2243

**Report Title:**

Counties; Wastewater; Individual Systems

**Description:**

Allows counties to permit the use of an otherwise authorized individual wastewater treatment system, except cesspools in a special management area, when it pre-dates a county-operated wastewater treatment system and the county determines that allowing the individual wastewater treatment system is fair and equitable. Requires counties to adopt rules or ordinances no later than December 31, 2015.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

