

Honolulu, Hawaii  
**March 21**, 2014

RE: S.B. No. 3094  
S.D. 2  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 3094, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO COUNTIES,"

begs leave to report as follows:

The purpose of this measure is to amend the general powers and limitations of the counties by:

- (1) Allowing each county to impose and enforce liens upon premises served for unpaid water or sewer charges after reasonable notice and after an opportunity for a hearing pursuant to Chapter 91, Hawaii Revised Statutes; and
- (2) Repealing the authority of the county to take over, from the State, existing waterworks and sewer systems and enlarge, develop, and improve those systems.

The Board of Water Supply, City and County of Honolulu; Department of Water Supply, County of Hawaii; and Department of Environmental Management, County of Hawaii testified in support of this measure. The Hawaii Association of REALTORS provided comments on this measure.

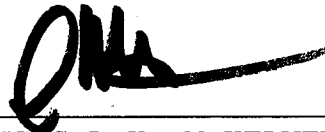


Your Committee notes that the proponents of this measure represented to your Committee that the Hawaii Association of REALTORS, despite asking for amendments, supported the measure as received by your Committee. However, upon further conversation with the Hawaii Association of REALTORS, they did not support the measure as received by your Committee, and still sought amendments. Accordingly, your Committee has amended this measure by:

- (1) Requiring the county to provide a timely pre-lien notice of delinquency before the county can impose and enforce liens for any unpaid water or sewer charges;
- (2) Specifying that the delinquent charges that may be the basis of such liens shall not commence or accrue until the date of the pre-lien notice of delinquency; and
- (3) Changing the effective date to December 21, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3094, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3094, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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ANGUS L.K. MCKELVEY, Chair



