
A BILL FOR AN ACT

RELATING TO WATER RATES.

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

1 SECTION 1. Chapter 269, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:
4 "§269- Water rates. The public utilities commission
5 may fix and adjust rates and charges for the furnishing of water
6 and for water service; provided that the public utilities
7 commission may establish variable rates among the several
8 districts of the county of Hawaii or among the areas served by
9 the individual water systems within the county of Hawaii, for
10 the purpose of establishing charges as closely as possible to
11 the necessary amount required for the maintenance and operation
12 of the individual water systems; provided further that no rates
13 or charges shall be fixed or adjusted prior to the holding of a
14 public hearing by the public utilities commission, public notice
15 of which shall be given not less than twenty days before the
16 date of the public hearing and the notice shall set forth the
17 time, place of the hearing, and the proposed rates and charges



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1 to be considered. The public utilities commission may collect
 2 and enforce the collection of the rates and charges by
 3 appropriate means, including the discontinuance of service to
 4 delinquent consumers, or commencement of civil action in the
 5 name of the board; and adjust and settle all complaints, claims,
 6 and accounts of consumers or the public. All water furnished to
 7 the State or any department thereof or to the county or any
 8 department thereof shall be charged to the respective
 9 departments and shall be payable to the public utilities
 10 commission by the respective departments at the rates and times
 11 established by the public utilities commission, and, upon
 12 failure of the departments to make payment when payment is due,
 13 then the auditor of the county and the state comptroller shall
 14 pay from the account of the department or departments all
 15 delinquencies as certified by the chairperson of the public
 16 utilities commission."

17 SECTION 2. Section 54-15, Hawaii Revised Statutes, is
 18 amended to read as follows:

19 "**§54-15 Powers and duties of board.** [~~The~~] Except as
 20 provided in section 269- , the board of water supply shall
 21 manage, control, and operate the waterworks of the county and



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1 all property thereof, for the purpose of supplying water to the
 2 public in the county, and shall collect, receive, expend, and
 3 account for all sums of money derived from the operation thereof
 4 and all other moneys provided for the use or benefit of the
 5 waterworks and all property used for or held in connection
 6 therewith. A board shall obtain approval of the public
 7 utilities commission pursuant to section 269- prior to
 8 implementing any rate adjustment."

9 SECTION 3. Section 54-51, Hawaii Revised Statutes, is
 10 amended to read as follows:

11 "**§54-51 Board of water supply.** There shall be a board of
 12 water supply of the county of Hawaii, to consist of nine
 13 members, of whom eight shall be appointive members and be
 14 appointed as hereinafter provided, and of whom the ninth member
 15 shall always be the person who for the time being shall be the
 16 legal incumbent of the office of the chief engineer of the
 17 department of public works of the county. [~~The~~] Except as
 18 provided in section 269- , the board shall manage, control,
 19 and operate the water systems and properties of the county, for
 20 the supplying of water to the public within the several
 21 districts of the county, and collect, receive, expend, and



1 account for all sums of money derived from the operation
2 thereof, and all other moneys provided for the use or benefit of
3 each or all of the water systems as in this part provided. The
4 board shall obtain approval of the public utilities commission
5 pursuant to section 269- prior to implementing any rate
6 adjustment."

7 SECTION 4. Section 54-26, Hawaii Revised Statutes, is
8 repealed.

9 [~~"§54-26 Rates. The board of water supply may fix and~~
10 ~~adjust rates and charges for the furnishing of water and for~~
11 ~~water service; provided no rates or charges shall be fixed or~~
12 ~~adjusted prior to the holding by the board of a public hearing,~~
13 ~~public notice of which shall be given not less than twenty days~~
14 ~~before the date of the public hearing and the notice shall set~~
15 ~~forth the time, place of the hearing, and the proposed rates and~~
16 ~~charges to be considered thereat. The board may collect and by~~
17 ~~appropriate means, including the discontinuance of service to~~
18 ~~delinquent consumers, or commencement of civil action in the~~
19 ~~name of the board, enforce the collection of the rates and~~
20 ~~charges; and adjust and settle all complaints, claims, and~~
21 ~~accounts of consumers or the public. All water furnished to the~~



1 ~~county or any department thereof or to the State or any~~
2 ~~department thereof shall be charged to the respective~~
3 ~~departments and shall be payable to the board by the respective~~
4 ~~departments at the rates and times established by the board,~~
5 ~~and, upon failure of the departments to make payment when~~
6 ~~payment is due, then the auditor of the county and the~~
7 ~~comptroller of the department of accounting and general services~~
8 ~~of the State shall pay from the account of the department or~~
9 ~~departments all delinquencies as certified by the chairperson of~~
10 ~~the board."]~~

11 SECTION 5. Section 54-63, Hawaii Revised Statutes, is
12 repealed.

13 [~~"§54-63 Rates. The board of water supply may fix and~~
14 ~~adjust rates and charges for the furnishing of water and for~~
15 ~~water services so that the revenues derived therefrom shall be~~
16 ~~sufficient to make the waterworks and water systems self-~~
17 ~~supporting and to meet all expenditures authorized by this part;~~
18 ~~the board may establish variable rates among the several~~
19 ~~districts of the county, or among the areas served by the~~
20 ~~individual water systems within the county, for the purpose of~~
21 ~~establishing charges as closely as possible to the necessary~~



1 ~~amount required for the maintenance and operation of the~~
 2 ~~particular individual water systems; provided no rates and~~
 3 ~~charges shall be fixed or adjusted prior to the holding by the~~
 4 ~~board of a public hearing, public notice of which shall have~~
 5 ~~been given not less than twenty days before the date set for the~~
 6 ~~hearing. The notice shall state the time and place for the~~
 7 ~~hearing and the proposed rates and charges to be considered~~
 8 ~~thereat. The time within which the notice shall be given shall~~
 9 ~~be computed by including the first day (the day of notice) and~~
 10 ~~excluding the last day."]~~

11 SECTION 6. This Act does not affect rights and duties that
 12 matured, penalties that were incurred, and proceedings that were
 13 begun before its effective date.

14 SECTION 7. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 8. This Act shall take effect upon its approval.
 17

INTRODUCED BY:

Four handwritten signatures are stacked vertically. The top signature is 'C. K. C.', the second is 'M. A.', the third is 'J. S.', and the fourth is 'R. J.'.

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Report Title:

PUC; Water Rates; Water Systems; Water Supply Boards; Counties; Ratemaking Duties; Transfer

Description:

Transfers water ratemaking authority from the county boards of water supply to the Public Utilities Commission.

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

