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# A BILL FOR AN ACT

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RELATING TO COUNTIES.

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

SECTION 1. Section 49-3, Hawaii Revised Statutes, is amended to read as follows:

"§49-3 Additional powers of counties. (a) In addition to the powers ~~[which]~~ that it may now have, any county under this chapter may:

(1) Construct, acquire by gift, purchase, or the exercise of the right of eminent domain, reconstruct, improve, better, or extend any undertaking, within or without the county, or partially within or partially without the county, and acquire by gift, purchase, or the exercise of the right of eminent domain, lands or rights in land or water rights in connection ~~[therewith]~~ with the land rights or undertake the establishment and administration of a loan program as authorized by the law;

(2) Operate and maintain any undertaking and maintain a loan program as authorized by law and furnish the services, facilities, and commodities thereof for its



1 own use and for the use of public and private  
2 consumers within or without the territorial boundaries  
3 of the county;

4 (3) Issue its revenue bonds to finance in whole or in part  
5 the cost of the acquisition, purchase, construction,  
6 reconstruction, improvement, betterment, or extension  
7 of any undertaking or the establishment and  
8 administration of any loan program as authorized by  
9 law;

10 (4) Impose, prescribe, and collect rates, rentals, fees,  
11 and charges for the use and services of, and the  
12 facilities and commodities furnished by, the  
13 undertaking or the use and services of the loan  
14 program as authorized by law, as provided in section  
15 49-10; and

16 (5) Pledge to the punctual payment of the revenue bonds  
17 and interest thereon or covenant to pay into any  
18 special funds from which any revenue bonds may be  
19 payable, all or any portion of the revenue of the  
20 undertaking or loan program or of any part thereof, or  
21 the user taxes derived therefrom, or any combination  
22 of both (including improvements, betterments, or



1 extensions thereto thereafter constructed or acquired)  
2 sufficient, among other things, to pay the revenue  
3 bonds and interest thereon as the same shall become  
4 due and create and maintain reasonable reserves  
5 therefor.

6 (b) The governing body of the county in determining the  
7 cost may include [all]:

8 (1) All costs and estimated costs of the issuance of the  
9 revenue bonds~~[, all]~~;

10 (2) All architectural, engineering, inspection, financial,  
11 and legal expenses~~[, all]~~;

12 (3) All costs of establishing or administering a loan  
13 program authorized by law~~[, the]~~;

14 (4) The cost of causing the payment of the principal or  
15 interest or both of the revenue bonds to be insured or  
16 guaranteed~~[, the]~~;

17 (5) The initial cost of any support facility obtained as  
18 permitted by section 49-8~~[, ]~~; and ~~[interest which it]~~

19 (6) Interest that is estimated will accrue on the bonds  
20 during the construction or origination period and for  
21 six months thereafter.



1        (c) Subject to the approval of the governing body, in a  
2        county with a population of at least five hundred thousand  
3        persons, a board of water supply may issue revenue bonds in its  
4        own name, if authorized to do so under the county charter. In  
5        addition, subject to the approval of the governing body, a board  
6        may exercise all or any part of the powers vested in the county  
7        pursuant to this chapter but only with respect to an undertaking  
8        or loan program under the jurisdiction of ~~[such]~~ the board. In  
9        the event a board shall exercise any of the powers vested in the  
10       county pursuant to this chapter, the term ~~[governing body]~~  
11       "governing body" as used in this chapter shall be deemed to mean  
12       the board, and the term ~~[director of finance]~~ "director of  
13       finance" shall be deemed to mean the chief financial officer of  
14       the board."

15       SECTION 2. Statutory material to be repealed is bracketed  
16       and stricken. New statutory material is underscored.

17       SECTION 3. This Act shall take effect on July 1, 2009.



**Report Title:**

Counties; Revenue Bonds

**Description:**

Specifies that in a county with a population of at least 500,000 people, a county board of water supply may issue revenue bonds in its own name if so authorized under the county charter.  
Effective 07/01/09. (SB1206 HD1)

