

Honolulu, Hawaii
April 4, 2014

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

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

Sir:

Your Committee on Finance, to which was referred S.B. No. 3094, S.D. 2, H.D. 1, 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 timely pre-lien notice of delinquency, failure to make payment, and opportunity for a hearing;
- (2) Requiring a county to adopt ordinances or rules to impose and enforce liens before the county may exercise such authority;
- (3) 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
- (4) 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 of the City and County of Honolulu and Department of Water Supply of the County of Hawaii testified in support of this measure. The Hawaii Association of REALTORS provided comments.

Your Committee has amended this measure by:

- (1) Clarifying lien procedures to require that a county provide reasonable notice, to the property owner or agent, which includes access to account information of the delinquent account to the extent permitted by law, before it may impose and enforce a lien upon the premises for any unpaid water or sewer charges;
- (2) Deleting the requirement that the delinquent charges that may be the basis of a lien shall not commence or accrue until the date of the pre-lien notice of delinquency; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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

Respectfully submitted on
behalf of the members of the
Committee on Finance,



SYLVIA LUKE, Chair

HSCR 1631.14

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