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,



State of Hawaii House of Representatives The Twenty-seventh Legislature HSCR 1631-14

Record of Votes of the Committee on Finance

SB 3094, SD2, HD1	CPC, FIN	Date	4/2/2014	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)				
2. NISHIMOTO, Scott Y. (VC)				
3. JOHANSON, Aaron Ling (VC)				
4. CULLEN, Ty J.K.				
5. HASHEM, Mark J.				
6. ING, Kaniela				
7. JORDAN, Jo				
8. KOBAYASHI, Bertrand				
9. LOWEN, Nicole E.				
10. MORIKAWA, Dee			Commence of the commence of th	
11. ONISHI, Richard H.K.				
12. TAKAYAMA, Gregg		18 EST 18 ES	Ellis then a news	
13. TOKIOKA, James Kunane				
14. WOODSON, Justin H.				
15. YAMASHITA, Kyle T.	Same Anna Capanian Ca			
16. FUKUMOTO, Beth				
17. WARD, Gene				
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TOTAL (17)	16			
The recommendation is: Adopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				